

OPINION

• Ethical issues in legal science and convergence

Sergey I. Zakhartsev – Doctor of Laws, Professor in the Department of the Organization of law enforcement activity at Pskov State University, Assistant Director General Joint-stock company «Russian machines».

Viktor P. Salnikov – Doctor of Laws, Professor, Editor-In-Chief of the «Legal Science History and the Present» journal, Honored Scientist of Russia.

The paper analyzes three ethical problems of modern legal science: ethics of scientific discussion, market conditions, lack of funding for science and scientists. The authors draw the attention of researchers to the link between aggravation of the said problems and the «spontaneous» convergence observed in Russia over the last twenty-five years.

Keywords: ethical issues; ethics; legal science; convergence.

DISCUSSION PLATFORM

• On some issues of co-working of legal areas in the issues of combating crime

Alexey A. Ageyev – PhD in Law, Deputy Head of Department at the Navigation Policy Directorate of the Ministry of Transport of the Russian Federation.

The article is devoted to some issues of cooperation of anti-crime sectors of the Russian legal system on the basis of analysis of the Russian legislation and legal views of the Constitutional Court of the Russian Federation. Expediency of the formation of new integrated sectors of the Russian law, the federal legislation and an academic discipline on issues of combating crime is substantiated.

Keywords: state law; a civil action in the criminal proceedings; code; victim; the prosecutor's office.

• On the status and substantiality of modern «scientific» sciences of the anti-crime cycle and on the real criminal policy of combating crime in the area of entrepreneurial activity

Irina A. Aleksandrova – PhD in Law, Associate Professor in the Department of Criminal Law and Criminal Execution Law at Nizhny Novgorod Academy of the Ministry of Internal Affairs of Russia.

Within the framework of a discussion, the author substantiates the crucial nature of basic values of the Russian society for the Russian criminal policy, for which reason the provisions of the criminal law and the law enforcement practice of crime prevention are ideally destined to reflect the criminal-cum-political demands of all social strata.

Keywords: criminal policy; new criminal economic policy; improvement of legislation.

• Towards the question of convergence of the law of Russia and of foreign countries

Alexey N. Antipov – PhD in Law, Associate Professor, Leading Researcher at the Research Institute of the Russian Federal Penitentiary Service.

Through the example of the criminal executive law, the article considers the convergence processes, identifies some areas of smooth, systematic and economically feasible changes of the Russian legislation currently in effect. First of all, it is proposed to eliminate the non-substantiated legal limits and restrictions, to use internal resources and capacities, such as the institute of mediation, and, most importantly, to develop a clear and unified criminal policy of the state. The formulated proposals, in aggregate, will contribute to improving the efficiency of the functioning of the whole criminal justice system of the state, to maintaining the level of its security at the appropriate level.

Keywords: criminal executive system; convergence; divergence; international standards; the European Court of Human Rights; implementation; compensation; mediation; security.

• About the approaches to solve some «convergence» problems of the Russian criminal procedural law.

Oleg Ya. Baev – Doctor of Laws, Professor, Head of the Department of Criminalistics at Voronezh State University.

On the basis of analysis of the current criminal procedural legislation and the distinct tendency to adapt it to the individual elements of the criminal procedural law of democratic foreign countries, the article studies the powers of the prosecutor in pre-trial proceedings in criminal cases, as well as a number of

problems of «plea bargains»; theoretical conclusions and legislative proposals corresponding to the author's position are made.

Keywords: convergence of legislation; the prosecutor; pre-trial plea agreements.

● **Beginning of a Russian criminal procedure which determines the possibility of convergence of the criminal procedural form and its borders**

Anatoliy S. Barabash – Doctor of Laws, Professor in the Department of Criminal Procedure of the Law Institute at the Siberian Federal University.

Entering the debate proposed by the journal and analyzing the article by S.I. Zakhartsev and V.P. Salnikov, «On convergence of the criminal procedural law of Russia and foreign countries», the author concludes that, while having denoted the shortcomings of the current code and having come close to identifying their causes, they offer a private matter in order to «seed» the discussion. It is unlikely that the matter would raise interest with the wider scientific community. Well, in order to solve any particular issue, it is also necessary to work out the foundations thoroughly. It is the foundations that the proposed article proposes to address. It is necessary to find out what the Russian criminal procedure should be and why, it is necessary to find out the logic of which principle – the principle of controversy or the principle of publicity – should be implemented in it. Answers to the questions offered would help to determine the limits of the possible borrowing of provisions from the procedure based on a different foundation.

Keywords: factors affecting the formation of the criminal procedural form; adversarial nature of judicial proceedings, public nature of judicial proceedings.

● **On the oath of the witness: comparativism or convergence of law?**

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.

Any specific features of foreign criminal procedural provisions and any preexisting provisions of Russian criminal procedural law are of great cognitive interest. They can be used, for instance, in order to confirm or refute the idea of the necessity to change some or other situation in the legislation currently in effect. It is impossible to overstate their attractiveness in terms of didactic teaching of legal disciplines. However, when considered beyond the methodology of comparativism – comparative legal studies – they seem insufficiently convincing. It is from these positions that the article attempts to examine the possibility of including into the Criminal Procedural Code of the Russian Federation the provisions underexplored in the procedural practice, those which govern the procedure for bringing the witness to the oath.

Keywords: science of criminal proceedings; comparative law; convergence of law; bringing a witness to the oath.

● **Traditions and novelties in criminal law: the obvious and the unbelievable**

Alexey G. Kibalnik – Doctor of Laws, Professor, Head of the Department of Criminal Law and Procedure of the Law Institute at the North-Caucasian Federal University.

The article is devoted to the issues of understanding «traditions» and «novelties» in Russian criminal law. The author considers as absolutely correct and obvious the position that, with changing socio-economic and political realities, «novelties» can and should become «traditions» of criminal law. However, a number of «traditions» of criminal law are of such a basic character that their renunciation would change the very nature of the criminal law – it would cease to be such. And destruction of such «traditions» is an incredible scenario of development for the criminal law.

Keywords: Criminal Code of the Russian Federation; doctrine of criminal law; traditions; novelties; dialectics; metaphysics.

● **Paths of development of forensic science in the current conditions of integration of legal knowledge**

Sergey L. Kislenco – PhD in Law, Associate Professor in the Department of Criminalistics at Saratov State Law Academy.

The article considers the issues pertaining to the paths of development of forensic science in the current conditions of integration and differentiation of legal knowledge. The said processes are expectedly reflected upon optimization of the system of forensic knowledge in respect of the interdisciplinary processes that accompany the development of this branch of science. The author's vision of the aspects of implementation of the integration processes which characterize the evolution of the current forensic knowledge is presented.

Keywords: subject matter of science; forensic theory; criminal proceedings; integration; differentiation; interdisciplinary research; methodology; law enforcement.

• **Criminal law: novelties, innovations, voluntarism of the legislator and legal sense of the practitioner**

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.

Crime is diverse and however the authors of the criminal law would contrive, they are unable to envisage all kinds of criminal behavior. This circumstance encourages the legislator to upgrade, on an ongoing basis, almost all component elements of crime which are actually used. After having made up his mind with the essence of criminal law and legislation, the author provides his arguments, through the example of such blanket component elements as smuggling, in respect of certain provisions of regulation of that crime and in respect of such a punishment as confiscation of contraband articles.

Keywords: criminal law; Criminal Code of the Russian Federation; smuggling; contraband articles; confiscation; confiscation of contraband articles; confiscation of instruments of crime.

• **Problems of convergence of criminal legal provisions and criminal procedural provisions in case of classification according to the Part 1, Article 299 of the Criminal Code of the Russian Federation (through the example of appeal judgement of the Supreme Court of the Russian Federation, dated December 26, 2002, no. 58-002-45)**

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

From the point of view of legislation and through a particular judicial example, the article considers legality and validity of classification according to the part 1 of the Article 299 of the Criminal Code of the Russian Federation, where identification of criminal liability with the termination of the criminal case on non-rehabilitating grounds takes place when no charges in the case have been brought.

Keywords: convergence; criminal law; bringing a person known to be innocent to criminal liability, criminal prosecution; abuse of office; criminal process; indictment; termination of criminal case on non-rehabilitating grounds; charge; suspicion; Supreme Court of the Russian Federation; miscarriage of justice.

• **Problems of integration and differentiation of knowledge in forensic science**

Sergey V. Lavrukhin – PhD in Law, Associate Professor in the Department of Criminalistics at Saratov State Law Academy.

The article considers a set of interrelated issues: the role of forensic science in combating crime; the integrative nature of this science; significance of integration and differentiation of knowledge about the behavior of the criminal in optimization of the general theory of forensic science.

Keywords: general theory of criminal science; integration of forensic knowledge; differentiation of forensic knowledge; forensic characterization of crimes; behavior of the criminal.

• **Criminal-law struggle against extremism (and more): has everything imaginable been already achieved?**

Michael M. Lapunin – PhD in Law, Associate Professor in the Department of Criminal Law and Criminal Execution Law at Saratov State Law Academy.

The publication provides a view of the prospects of development of the Russian criminal law in the near future. The author joins the approach according to which, close convergence is necessary between criminal law with other branches of law and science. Through an example of criminal liability for extremism, flaws in the criminal policy and the supposed ways for solving them are shown. The «ignorantia juris neminem excusat» rule is criticized. The criminal law of the 21st century must be understandable to the public. It is emphasized that far from all the foreign experience in the area of criminal legal regulation should be adopted.

Keywords: novelties in criminal law; criminal policy; combating religious extremism.

• **Interpenetration of substantial, procedural and executive criminal law**

Igor I. Mitrofanov – PhD in Law, Associate Professor, Head of the Department of Criminal and Civil Law and Process at the Mikhail Ostrogradsky Kremenchug National University.

The article examines the issues of links between substantive, procedural and executive criminal law. Substantive criminal law cannot exist without the regulatory prescriptions of procedural and executive criminal law, as the prescriptions of the former would remain only on the paper on which they are printed.

By the time the court finds, in its judgment of conviction, the restorative criminal legal relations, an active role within the mechanism of implementation of criminal liability belongs to provisions of procedural criminal law, and after the entry of such verdict into legal force, implementation of the established criminal legal relations begins by means of provisions of the executive criminal law. It is substantiated that the effect of provisions of these branches of law is mutual, however, they are not deprived of their characteristic of independence in terms of their subject matter, their method of legal regulation and their system of legal acts of the executive criminal law, which constitute the respective branch of law.

Keywords: substantive criminal law; criminal procedural law; executive criminal law; criminal liability; criminal prosecution; crime; offense; punishment; execution of punishment.

● **Theory of evidence: criminal procedural theory or forensic theory?**

Evgeny V. Pisarev – PhD in Law, Associate Professor in the Department of Criminal Law Disciplines at Samara State University of Economics.

In the article, the author raises doubts on the advisability of separation, in 2012, of the scientific specialty 12.00.09, since singling out the criminal process in a separate specialty complicates the imposition of criminal proceedings. In this connection, an attempt is made to identify the role of forensic science in the formation and development of the theory of evidence in criminal proceedings as the process of formation of evidence which, in its own turn, requires clarification of the content of the subject matter of forensic science and the criminal process and, their relation.

Keywords: forensic science; criminal procedure; theory of evidence; evidence; information.

● **Russian criminal policy as a self-organizing system**

Elina L. Sidorenko – Doctor of Laws, Associate Professor, Professor in the Department of Criminal Law, Criminal Procedure and Criminalistics at Moscow State Institute of International Relations (University) of the MFA of Russia, Head of the Laboratory of Criminology Analysis and P-rognostication at the Institute of Legislation and Comparative Law under the Government of the Russian Federation.

The paper presents the author's vision of the Russian criminal policy as an open system, subject to random external influences. Interaction of traditions and novelties is examined through the prism of synergistic processes of fluctuation and bifurcation which are responsible for adaptation of criminal law to new social, political and economic conditions.

Keywords: criminal policy; novelties; traditions; criminal legal principle; attractor; fluctuations; self-organization; synergetics.

● **On the issue of consistency of provisions of the General and Special Parts of the Criminal Law**

Nina Yu. Skripchenko – Doctor of Laws, Associate Professor in the Department of Criminal Law and Procedure at the Northern (Arctic) Federal University named after M.V. Lomonosov.

Analysis of legislative novelties shows that some of them violate the logically built system of criminal law, which is distinct in the internal unity and coordination of provisions of the General and Special Parts. The article gives examples of changes made to the Criminal Code of the Russian Federation, which generate conflict of laws of the General and Special Parts. The identified problem requires that the scientific community should develop reliable tools aimed, on the one part, at preventing such situations, and on the other part, at resolving the conflicts that do arise still.

Keywords: criminal law; General and Special Parts of the Criminal Code of the Russian Federation; crime; punishment.

● **Prospects of introduction of criminal liability of legal persons in the Russian Federation**

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

This article considers issues associated with the introduction of criminal liability of legal persons in the Russian Federation; for instance, general questions are singled out in respect of the evaluation of the institute of criminal liability of legal persons in the Russian Federation and the controversial issues of determining the guilt of a legal person; also, a conclusion is justified of the objective conditionality of introduction of criminal liability of legal persons. Attention is drawn to the fact that the criminal law of the post-Soviet period – the market period – of the economy and the society is aimed at protecting the new economic relations, and that the criminal liability of legal persons is a rather effective tool of criminal law for combating crime at the present stage of socio-economic development of the Russian Federation. The author considers positions «for» and «against» the criminal liability of legal persons, which positions have been expressed by well-known Russian scientists. On the basis of the analysis made,

it is concluded that the introduction of criminal liability of legal persons is a forecasted trend of development of the Russian legislation.

Keywords: criminal liability of legal persons; legal entity as the subject of crime; legal entity as the subject of criminal liability; guilt of legal entity; psychological concept of guilt.

● **Problem of «feedback» in connection with implementation of criminal policy and reforms of the criminal law**

Aleksandra I. Frolova – PhD in Law, Assistant in the Law Institute at the Bashkir State University.

Through the example of the recent novelties in the criminal law, the article considers the problems of «feedback» as a response of the legislator to changes in economic, social and political relations, which feedback enters into numerous conflicts with system-cum-structural structure of criminal law and with the content of its fundamental and backbone institutions. As a way out of the situation taken shape, it is proposed, first of all, to conduct thorough checks of bills on amending the Criminal Code of the Russian Federation, with involvement of the scientific community, and, in the longer term, to implement a full-scale reform of the system of criminal legislation for the purpose of bringing it into line with modern realities.

Keywords: criminal policy; criminal law; violation of consistency of the criminal law.

● **Novelties in criminal proceedings: cui prodest?**

Aslyam N. Khalikov – Doctor of Laws, Associate Professor, Professor in the Department of Criminalistics of the Law Institute at the Bashkir State University.

Issues of introduction of new concepts and provisions into the criminal procedural legislation of the Russian Federation are considered. It is noted that the criminal procedural mechanism of action of the new criminal procedural provisions must comply with the rights and interests of the party of defense and the party of prosecution to the same extent. The article indicates the necessity of reducing the criminal procedural provisions whose application depends on discretion of the court and the investigator, which involves, to a large extent, subjectivity of the decisions made, particularly in the course of establishing the circumstances of the crime. In this connection, application of new provisions should be irrespective of discretion of the executor of law, in case of presence of certain circumstances in the course of investigation or judicial trial of a criminal case.

Keywords: algorithm of action; investigating authorities; court; party of defense; party of prosecution; adversarial nature of judicial proceedings; criminal procedural provisions.

CRIMINAL LAW

● **Financing of criminal activities as a crime in its own**

Victoria V. Kustova – Senior prosecutor of Department for Supervision of Criminal Procedure and the Operational and Investigative Activities of the Interior and Justice (Prosecutor's Office of the Moscow Region).

The article analyzes the problems of understanding and practical application of the signs of component elements of financing of criminal activities. General characteristics are defined for such component elements: subject matter of the financing, actions, content of the subjective part. Rules are formulated for classification of the financing of crimes by cumulation with other crimes, which serve as a way of getting or giving money resources or other property; the financing of crime is delimited as an independent delict from complicity in the crime.

Keywords: financing of terrorism; financing of extremist activities; financing of illegal armed formations; classification of the financing of crimes.

CRIMINAL PROCEDURE

● **On strengthening the influence of the accused on the process of making of decisions in his/her regard**

Elena A. Artamonova – PhD in Law, Associate Professor in the Department of Criminal Law and Procedure of the Law Institute at the North-Caucasian Federal University.

The article critically evaluates the ongoing trend of granting the accused with capabilities to influence the criminal procedural activity by means of participating in the process of decision-making in respect of the

further proceedings in the respective criminal case. It is argued that that weakens the public law principle of the criminal procedure.

Keywords: the accused; procedural status of the accused; expression of will of the accused; simplified procedure; public beginning of criminal proceedings.

● **Requirement of justice in criminal proceedings**

Lyudmila M. Volodina – Doctor of Laws, Professor in the Department of Criminal Procedural Law at Kutafin Moscow State Law University, Honored Lawyer of the Russian Federation.

The article considers problems of justice in criminal proceedings. Appointment of criminal proceedings should not only include the requirement of justice in relation to the punishment of the guilty, but should also stand on a par with the basic requirement aimed at protecting the human rights and the interests of the society and the state. Justice in criminal proceedings should be addressed first and foremost to the victim: the state must ensure his/her rights and legitimate interests, as it had failed to protect him/her against the criminal assault.

Keywords: criminal proceedings; justice; protection of human rights; legitimate interests; victim.

● **About legal expert review in criminal cases**

Maksim R. Glushkov – Head of the Department of Criminalistics of the Second faculty for Professional Development of the Institute for Professional Development of the Academy of the Investigative Committee of the Russian Federation (Saint-Petersburg branch).

The article considers the problem of application of legal knowledge in the criminal proceedings. It is shown that its application in the form of an expert opinion is unacceptable, while its application in other forms is nearly always associated with insurmountable difficulties.

Keywords: legal expert review; legal conflicts, special knowledge; competent person; evaluation of actions by a person; expert in the area of law; expert technique; principle of guilt; sectoral legislation; types of examinations.

● **Optimization of criminal judicial procedures: procedural, forensic and logistic aspects**

Oleg V. Polstovalov – Doctor of Laws, Professor in the Department of Criminalistics of the Law Institute at the Bashkir State University.

With account taken of optimization processes in the organization of criminal justice, an attempt is made to take a fresh look at the prospects of structural transformations of the system of criminal judicial procedures. The author cites the key segments of the greatest losses of the quality of justice and the maximum risks of the aimless spending of funds on criminal judicial procedures. Particular attention is paid to the economic foundations of extension of the practice of the special procedure for consideration of cases. It is suggested to shift from the traditional approach in the organization of criminal judicial procedures on the basis of recommendations in respect of the scientific organization of work, planning of the investigation, judicial examination and construction of versions to the strategic solution of optimization of the criminal proceedings as a whole, on the basis of analysis of criminal justice as a kind of public service, whose quality can be improved on the basis of logistics.

Keywords: optimization of criminal judicial procedures; special procedure for proceedings in criminal cases; logistics of justice.

CRIMINOLOGY

● **Forensic characterization of crimes in the area of public procurement in Ukraine**

Valery V. Daragan – PhD in Law, Senior Lecturer in the Department of operational- search activity and special technique of the Faculty of training specialists for criminal police departments at Dnepropetrovsk State University of Internal Affairs.

The article considers the basic elements of forensic characterization of crimes in the area of public procurement in Ukraine. Studies of the dynamics of crime in the area of public procurement shows that over recent years, the level of crime in the area of public procurement has grown considerably. The study has shown that the said crimes are committed, as a rule, by members of the committees of competitive bidding, by the persons who accept goods (work, services) or, by heads of structural divisions of the enterprise of the customer, as well as by officials and the materially responsible persons of enterprises of suppliers (the bidders). As a result of the study, the key determinants have been identified that contribute to committal of the crimes. A conclusion is made that the study of the elements of forensic characterization is a cornerstone in the development of measures to prevent crime in the area under study.

Keywords: crime; state procurement; corruption; forensic characterization; economy; public funds.

● **Prevention of and countermeasures against nascency of extremist ideas within the young people**

Vyacheslav V. Zykov – PhD in Law, Senior inspector for special assignments at Special Operations Center Rapid Reaction Force and Air Force of the Ministry of Internal Affairs of the Russian Federation.

Denis V. Lekomtsev – Senior Lecturer Methodist at Moscow University of the MIA of Russia named after V.Ya. Kikot.

Anton V. Samoshin – Senior Inspector at Special Operations Center Information of the Ministry of Internal Affairs of the Russian Federation.

This article describes the key distinctive features, the criteria and the prerequisites for emergence of youth extremism, and shows the ways and methods of prevention of youth extremism by government authorities, as well as challenges for government authorities in the prevention of youth extremism in practice.

Keywords: extremism; youth extremism; prevention of youth extremism.

CRIMINALISTICS

● **Legal education and legal awareness in the criminal proceedings and forensic science**

Yuriy P. Garmaev – Doctor of Laws, Professor.

The article discusses the current state of, the experience in and, prospects for the formation, implementation, as well as examples of the successful use of means of legal education and legal awareness of the public within the framework of criminal proceedings and forensic activities. A concept is proposed and, the essence is disclosed of the key symptoms, subjects and objects of legal education in the criminal proceedings and forensic science. It is proven that legal education and legal awareness as an activity are much broader than preventive activities, since they include also, at least, the promotion of legal knowledge and combating legal nihilism. The author points to the need to create the respective area for further development of criminal procedural science and forensic science, which is designed to bring together science and practice, to significantly increase the effectiveness of law enforcement, as well as the level of legal awareness and legal culture of the public.

Keywords: legal education; legal awareness; forensic activities; criminal proceedings; prevention of crimes.

● **On the issue of typical investigatory situations taking shape during investigation of bodily injury committed by minors from hooliganism motives**

Iiona A. Makarenko – Doctor of Laws, Professor, Head of the Department of Criminalistics, Director of the Law Institute at the Bashkir State University.

Nadezhda A. Chesnokova – Assistant in the Department of Criminal Law and Procedure of the Law Institute at the Bashkir State University.

The article considers various algorithms of action by the inquiry officer and investigator depending on the typical investigatory situation taking shape in investigation of bodily injury committed by minors from hooliganism motives.

Keywords: typical investigatory situation; investigation; minors; hooliganism motives.

● **The «electron» constituent of view of place of occurrence under investigation**

Vladimir A. Meshcheryakov – Doctor of Laws, PhD in Technology, Professor in the Department of Criminalistics at Voronezh State University.

Aleksey N. Yakovlev – PhD in Law, Associate Professor in the Department of «Jurisprudence, intellectual property and judicial examination» at Bauman Moscow State Technical University.

The article describes the prospective area of forensic support of view of place of occurrence under investigation, associated with recording and analysis of the radio-electronic environment taking shape. The key elements are considered that form the virtual space in which the actions of participants and witnesses of crimes are reflected. Examples of interrelations between the behavior of the involvants in the crime under investigation and the events recorded in the virtual space are given.

Keywords: view of place of occurrence under investigation; elements of the virtual space.

● **Certain problems of the methodology of investigation of crimes in the area of illicit turnover of alcohol products and alcohol-containing products**

Nikolay A. Podolnyy – Doctor of Laws, Associate Professor, Professor in the Department of Law Enforcement Activity and Enforcement Proceedings at the Middle Volga (Saransk) branch of the All-Russian State University of Justice.

Investigation of crimes in the area of illicit turnover of alcohol products and alcohol-containing products has always been and is the focus of both theory and practice. A certain continuity can be noticed in the practice of investigation of the said crimes in various periods of development of the state. This is quite substantiated. However, this is also sometimes the particular cause for formation of mindsets preventing effective investigation of these crimes. The reason for such failure in law enforcement is that the said mindsets are formed quite spontaneously and, to a large extent, under influence of certain subjective factors rather than under influence of reality changed in good faith. Recommendations aimed at overcoming the effect of the said subjective factors should be a sine qua non element of the methodology of investigation of crimes in the area of illicit turnover of alcohol products and alcohol-containing products. Also, in order to improve the efficiency, such methodology should include other recommendations as well, including recommendations for organization of cooperation between the persons who conduct the investigation and the persons who are responsible for the operative and search activities. Such cooperation is a guarantee for successful investigation of the crimes mentioned.

Keywords: crime in the area of illicit turnover of alcohol products and alcohol-containing products; methodology of investigation; investigatory activities; operative and search activities.

COMPARATIVE LAW

• Principles of criminal proceedings in the legislation of the Russian Federation and of other CIS Member Countries

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

The article presents the theoretical issues associated with definition of notion, the structure and the content of the system of principles of the criminal justice provided in the legislation of the Russian Federation and other member countries of the CIS. Particular attention is paid to the comparative legal study of specific principles, as well as to drawing up recommendations aimed at improving the legislation currently in effect.

Keywords: criminal proceedings; criminal case; principle of criminal proceedings; system of principles; investigator; prosecutor; court; the accused; defender; victim.

SCIENTIFIC LIFE

• Plurality of crimes as a scientific and practical problem (a review of round-table discussions)

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

A brief overview precedes publications of materials of round-table discussions devoted to the problem of plurality of crimes.

Keywords: scientific and practical events; round-table discussions; plurality of crimes.

• On the necessity to develop and clarify the provisions in the criminal law theory on cumulation of crimes (Article 17 of the Criminal Code of the Russian Federation)

Yuriy I. Antonov – PhD in Law, Senior Researcher of the Department of criminal law research at the Russian State University of Justice.

The article is devoted to studies of the issue of delimitation of cumulation of crimes from cases of collision of criminal legal norms. The collision between the whole and the part is predetermined by availability of complex component elements in the Special Part of the Criminal Code of the Russian Federation, which reflect cumulation of crimes. However, if the degree, expressed in the sanctions, of public danger of a deed within a divisible crime exceeds the degree of public danger of the latter then the offense is a cumulation of crimes.

Keywords: cumulation of crimes; single complex crime; collision between the whole and the part.

• Certain aspects of the reform of the institute of plurality of crimes

Elena Yu. Antonova – Doctor of Laws, Head of the Department of Criminal Law and Criminology at Khabarovsk State Academy of Economics and Law.

The article analyzes the norms of Russian criminal legislation which stipulate liability for the repeated, systematic committal of socially dangerous acts, as well as stipulate administrative prejudice as the crime-forming constituent element of a crime.

Keywords: plurality of crimes; repeated character; systematicity; recurrence; administrative prejudice.

• **Specific features of classification of involvement of a minor in the committal of crimes in cumulation with other crimes**

Valery B. Borovikov – PhD in Law, Associate Professor, Leading Researcher in the Department of Criminal Law Studies at the Russian State University of Justice.

The article analyzes the issues of classification of involvement of a minor in the committal of crimes. The necessity is proven of application of the rules for assessment of the offense by cumulation of crimes, in the situations where a teenager commits a crime, in case of involvement with application of force, in case of involvement by means of committal of another crime, in case of involvement into a gang crime.

Keywords: involvement into crime; incitement to crime; cumulation of crimes; perpetration of the offense through an innocent agent; committal of a crime by a group of persons; use of force.

• **On the draft regulation of the Plenum of the Supreme Court on crimes committed with use of violence**

Konstantin A. Volkov – PhD in Law, Professor in the Department of Criminal Law at the Far-Eastern Branch of the Russian State University of Justice.

The article analyzes the draft regulation of the Plenum of the Supreme Court of the Russian Federation «On Amending Certain Regulations of the Plenum of the Supreme Court of the Russian Federation», pertaining to the issues of classification of crimes committed with use of violence. Legal provisions of the Supreme Court of the Russian Federation that need to be adjusted on the classification of violent crimes by cumulation with crimes against life and health are assessed.

Keywords: regulation of the Plenum of the Supreme Court of the Russian Federation; violent crimes; cumulation of crimes; classification of crimes.

• **Circumstances precluding cumulation of crimes**

Oksana S. Kapinus – Doctor of Laws, Professor, Rector of the Academy of the Prosecutor General's Office of the Russian Federation.

Konstantin V. Obrazhiyev – PhD in Law, Associate Professor, Head of the Department of Criminal Law Disciplines at the Academy of the Prosecutor General's Office of the Russian Federation.

The article deals with circumstances which preclude cumulation of crimes; it is proven that in the practice of the Supreme Court of the Russian Federation, it is possible to trace contours of a new type of complex single crime associated with assault on multiple victims; the necessity is substantiated of adjusting the positions of the superior judicial instance in respect of classification of criminal deeds, one of which serves as the purpose for committing the other, as well as on the issue of criminal legal assessment of criminal deeds in respect of the subject of the crime committed earlier.

Keywords: cumulation of crimes; circumstances precluding cumulation of crimes; complex single crimes.

• **Cumulation of crimes: disputable issues of classification**

Mikhail A. Kaufman – Doctor of Laws, Professor in the Department of Criminal Law at the Russian State University of Justice.

Within the framework of the discussion unfolded on the pages of scientific publications, this article addresses issues associated with assessment of legislative changes in the wording of the part 1 of the Article 17 of the Criminal Code of the Russian Federation, the problems of interpretation of the symptom «violence» in divisible crimes and, the necessity for additional classification of the cumulative effects of application of such violence.

Keywords: cumulation of crimes; classification; violence; sanction.

• **The recorded cumulation and plurality of crimes: problems of interpretation and classification**

Aleksandr I. Korobeyev – Doctor of Laws, Professor, Head of the Department of Criminal Law and Criminology at the Far Eastern Federal University Law School, Honored Scientist of Russia.

Natalia N. Korotkikh – PhD in Law, Associate Professor, Higher Doctorate Candidate in the Department of Criminal Law and Criminology at the Far Eastern Federal University Law School.

The article analyzes the problems of interpretation of such institutions as «plurality of crimes» and «recorded cumulation of crimes». Particular attention is paid to the issues of classification of murders conjugate with other crimes. A number of controversial provisions is identified which remain disputable

with the current wording of the Article 17 of the Criminal Code of the Russian Federation. Solution of these issues has both theoretical and practical significance. Numerous regulations of the Plenum of the Supreme Court of the Russian Federation, which pertain to clarification of the rules of classification of cumulations of crimes, has brought the judicial practice to a standstill because they have ambiguous legal assessment in the course of application of provisions of the Criminal Code of the Russian Federation. The authors draw attention to the differences between judicial and doctrinal interpretation of criminal law norms. The article suggests ways and methods for overcoming the discord in classification of murders conjugate with other crimes, at the legislative and law enforcement levels.

Keywords: plurality of crimes; recorded cumulation of crimes; interpretation of criminal law; classification of murders conjugate with other crimes.

● **Responsibility for combination of crimes under the legislation of the Russian Empire (15th century to early 20th century)**

Valery A. Novikov – PhD in Law, Associate Professor, Leading Researcher in the Department of Criminal Law Studies at the Russian State University of Justice.

The article is devoted to the study of issues of the genesis of the criminal law institute of plurality of crimes. Analysis is carried out of the monuments of Russian criminal law, and the doctrinal sources of the 19th century. Key trends are identified in the legislative history of the institution of plurality of crimes.

Keywords: history of criminal law; monuments of law; legislative works; combination of crimes and repetition of crimes; punishment for several crimes.

● **Certain issues of classification of cumulation of crimes**

Yuriy E. Pudovochkin – Doctor of Laws, Professor, Professor in the Department of Criminal Law at the Russian State University of Justice.

The article is devoted to analysis of issues of classification of crimes committed in respect of two or more persons; rules are formulated for assessing such deeds depending on the structure of the criminal law norm; the issue is examined of classification of crimes committed by means of performing another crime; rules are formulated for classification of such cases on the basis of the comparative danger of each act.

Keywords: plurality of crimes; committal of crime in respect of two or more persons; committal of a crime in a manner that constitutes a separate crime.

● **Certain issues to be discussed in respect of classification of cumulation of crimes**

Anatoly A. Tolkachenko – Doctor of Laws, Professor, Senior Researcher in the Department of Criminal Law Studies at the Russian State University of Justice, Honored Lawyer of the Russian Federation.

The article is devoted to formulation and rethinking of the key issues of the theory of plurality of crimes; constitutional foundations are determined for the cumulation and, influence of political interests in the construction of the component elements of crimes is determined; significance of the procedural aspects and judicial aspects for understanding of plurality of crimes is proven.

Keywords: plurality of crimes; foundations of the theory of classification of crimes; constitutional foundations and political factors of construction of plurality of crimes; problems of classification of plurality of crimes.

● **Self-organization processes in application of the institution of plurality of crimes: legislative and judicial compromise solutions**

Maksim A. Tuliglovich – PhD in Law, Associate Professor, Deputy Head of the Far East Law Institute of the MIA of Russia.

The article studies the possibilities and prospects of application of a synergetic approach to the understanding and interpretation of the institute of plurality of crimes; it is proven that the self-organization processes in the mechanism of criminal legal regulation and judicial rule-making are a natural way to stabilize entropy and to streamline unbalanced relations.

Keywords: plurality of crimes; systemic approach; synergetics in the understanding of the institute of plurality of crimes; judicial rule-making.