

Criminalistic characteristics of crimes related to the distribution of extremist materials

Brager Dmitry Konstantinovich

Candidate of Juridical Sciences, Associate Professor

Sakhalin Institute of Railway Transport - a branch of the Far Eastern State Transport University in Yuzhno-Sakhalinsk, Russia

Dorovskikh Alexey Vasilyevich

Senior Lecturer

Sakhalin Institute of Railway Transport - a branch of the Far Eastern State Transport University in Yuzhno-Sakhalinsk, Russia

Osipova Kristina Mikhailovna

Student

Sakhalin Institute of Railway Transport - a branch of the Far Eastern State Transport University in Yuzhno-Sakhalinsk, Russia

Popov Evgeny Genrikhovich

Senior Lecturer

Sakhalin Institute of Railway Transport - a branch of the Far Eastern State Transport University in Yuzhno-Sakhalinsk, Russia

Sadykova Ulyana Fyodorovna

Senior Lecturer

Sakhalin Institute of Railway Transport - a branch of the Far Eastern State Transport University in Yuzhno-Sakhalinsk, Russia

Abstract. The scientific article analyzes the problems of the distribution of extremist materials in the Russian Federation. The methods of execution of the illegal act are given. Separate, most relevant areas of forensic activity are identified. The authors consider the most typical elements of the criminalistic characteristics of the crime of extremist orientation.

Keywords: extremism, extremist materials, law, multinational state.

Introduction

The criminal legislation of the Russian Federation provides for illegal actions that are expressed in the incitement of hatred. Extremism is a socially dangerous offense, which is defined by article 282 of the Criminal Code of the Russian Federation. These are actions directed against a group or a person. The criminal is motivated by a negative attitude towards others, which was born on the basis of hostility: racial, national, religious, social or other [1].

Article 1 of Federal Law No. 114-FZ "On Countering Extremist Activities" establishes the legal wording of actions considered extremist.

Extremism (extremist activity) in the Russian legal theory marks the forced modification of the foundations of the constitutional system and the violation of the integrity of the Russian Federation, the public justification of terrorism and other terrorist activities, the incitement of social, racial, national or religious discrimination, agitation of the election, advantage or disadvantage of an individual according to the criterion of his socio-cultural, racial, national, religious or linguistic involvement or attitude to a denomination(creed), violation of human rights, freedom and legitimate interests of a person and a citizen depending on their social, religious, national, class or language affiliation or attitude to religion, preventing citizens from exercising their electoral rights and the

right to participate in a referendum or non-compliance with the secrecy of voting supported by coercion or the threat of its use, preventing the legitimate activity of state bodies, local self-government bodies, election commissions, public and religious associations or other organizations, combined with violence or the threat of its use, propaganda and public demonstration of Nazi props, public calls for the implementation of these acts, or mass distribution of obviously extremist materials, as well as their production (production) or storage for the purpose of mass distribution.

Thus, the incitement of enmity or hatred, as well as humiliation, is recognized as criminal if it is made officially, publicly [2].

Purpose of the study – to establish the content of the elements that characterize the crimes of spreading extremist materials, as well as to develop proposals that contribute to the prevention and investigation of such illegal acts.

Materials and methods

The methodology of this research consists of the general scientific dialectical method of cognition, as well as the system-structural, structural-functional, comparative-legal, formal-legal, and other special methods of scientific cognition.

Results and discussion

Public relations are recognized as the object of encroachments. The essence of extremism or nationalism is to deliberately provoke a negative reaction from a non-specific number of people. That is, the attacker encroaches on the order in the public order by insulting, humiliating one of his groups. The subjective side is the presence of criminal and criminal intent. The person understands that his words will cause a negative reaction in a group of people.

A citizen from the age of 16 is recognized as a subject. At the same time, legal behavior will include only the system of practical activities of the subjects of legal relations on the execution and application of law [3, p. 10]. A real action, an oral or written appeal to people-this is the objective side. It doesn't matter how many people know the content of extremist publications. In addition, the message must contain content that is offensive to others. Only such actions are considered incitement to ethnic or other discord.

The code describes different types of acts: simple and qualified. Qualified actions increase the culpability, hence the punishment. And the punishment for "simple" extremism is prescribed in part 1 of Article 282 of the Criminal Code of the Russian Federation. This is a misdemeanor of a person directed against an indefinite group, as well as certain people. It is essential that the basis is anger, hostility, hatred, spilled into society. Part 2 of Article 282 of the Criminal Code sets out the qualified composition. It is recognized as such if the act is committed: by an organized group; with violence or the threat of using it; an official during the performance of his duties. Each of the circumstances requires additional clarification.

Among the methods of execution of an illegal act, one can distinguish:

1. publication of offensive information;
2. creation, storage and promotion of extremist materials;
3. using the Internet to incite and provoke negative emotions in certain social groups.

The emergence of a technical opportunity to convey the point of view of each person to a wide audience increases the responsibility of each. A careless and thoughtless word can lead to criminal prosecution for extremism.

Since the Russian Federation is characterized by a multinational state, in this regard, measures to counter extremist activities are prescribed at the legislative level. One of the main and most important areas of countering extremism is the prevention of extremist manifestations.

You can highlight the following:

1. Educational and cultural institutions of the region constantly carry out activities aimed at preventing extremism, forming a humane, friendly attitude towards others, people of different faiths, for this purpose, film festivals, literary and musical evenings are held, allowing citizens to

develop a positive worldview, fostering respect for the cultures of other peoples. Tolerance lessons are taught in educational institutions.

2. The Ministry of Justice of the Russian Federation implements state-wide supervision over the state registration and activities of social and ideological communities in order to prevent the emergence of extremism in their activities.

3. Law enforcement and control services continuously monitor and monitor the Internet in order to find and install publications of extremist content, since there is no filtering of the content of sites [5].

Before the adoption of Federal Law No. 114-FZ of 25.07.2002 "On Countering Extremist activities", the policy of countering the spread of extremist materials began to be formed long ago.

According to many publishers, it is possible to emphasize several relevant areas of activity.

The first direction is the prevention of extremism of minors, the formation and implementation of the methodology of educational work. In general, this work, according to many (Rean A. A., Regush L. A., Dandarova Zh. K., Kolominsky Ya. L., Marcinkovskaya T. D., Dubovskaya E. M., Belinskaya E. P., etc.), should consist in ensuring an effective process of adaptation of the individual [4].

The second direction is the work of a professional psychologist of the educational system with asocial, predisposed to extremism children and adolescents.

Within this area, it is possible to identify the scientific and methodological implementation of basic campaigns for correctional work, strategies for special seminars and individual correctional work. As significant and topical branches of such developments, we assume, we can consider: the formation of the personality trend, the improvement of the positive Self-concept, the building of socio-psychological readiness and the basics of sane interpersonal interaction in the group, the formation of the responsibility of the individual. Within the framework of the same direction, an important goal is to recreate highly effective interaction and subordinate activities with caregivers and with the family.

The third direction is to substantiate the specifics and explain the jurisdiction of possible management structures in the field of correcting anti-social attitudes, predisposed to extremism of minors. First of all, we are referring to such social institutions as vocational schools, schools, juvenile affairs units (PD), and specialized counseling centers.

The fourth direction is to build an effective structure for additional training, retraining and advanced training of psychologists in the field of problems of antisocial, deviant behavior of minors, and personal resocialization. The problem of personal improvement of adolescents and young people is a complex socio – psychological problem that requires permission and the provision of psychological protection and support to them.

Conclusion

We believe that it can be concluded that the legislator in Russia is considering effective measures to combat the emergence and spread of extremist materials. But at the moment, it is extremely difficult for a law enforcement officer to rely on the existing provisions on countering extremist activities and the Federal List of Extremist Materials due to the lack of significant signs of extremist materials in them, as well as other fundamental definitions in the field under study (for example, extremist ideology). Therefore, at this point in time, it is extremely relevant and significant to conduct and arrange comprehensive studies on countering and resisting the spread of extremist materials and calculate them in practice in order to have the prospect of making criminological motivated and justified judgments.

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