

## CURRENT TRENDS OF PUBLIC SECURITY IN THE CONDITIONS OF THE NORTHERN REGION AT THE PRESENT STAGE

**Vadim Avdeevich Avdeev**

Yugra State University – Russian Federation

E-mail: [avdeev.v.a@list.ru](mailto:avdeev.v.a@list.ru)

**Olga Anatolievna Avdeeva**

East-Siberian Institute of the Ministry of Internal Affairs of the Russia – Russian Federation

**Evgeny Aleksandrovich Kiselev**

Moscow Academy of the Investigative Committee of the Russian Federation – Russian Federation

**Anton Vladimirovich Kvitko**

Yugra State University – Russian Federation

### ABSTRACT

**Objective:** The article reveals the problems of ensuring state security as a type for national security in the conditions in changing inter-state relations, the globalization of international life. Particular attention is focused on ensuring state security considered as an object of legal protection, protected by the norms of international and national law. Problematic issues of eliminating conflicts in the norms for international law, preventing their spread to the territory of a number to sovereign states, are to be solved. The correlation of the norms for international and national law emphasizes the need to modernize and adopt new normative legal acts of universal and regional importance, which can guide the participating countries in updating their national system of law.

**Results:** The article outlines the key directions of state security as an integral component to national security in the light of contemporary social realities. New trends in the development of the world order predetermine the need to improve the normative-legal basis of state security. Close attention is concentrated on the interrelation and interaction of norms for international law and national legislation in terms of legal provision for state security. Taking into account the peculiarities of ensuring state security, the key directions of modernization and optimization in the mechanism of criminal law regulation in public relations related to the commission of crimes against the constitutional order and state security are proposed. Constantly changing challenges and threats to state security make it expedient to innovate the normative-legal basis of criminal-legal measures to counteract crime in the area under study. **Conclusion:** The strategic directions developed and implemented at the national level to improve the effectiveness of activities related to ensuring State security are of fundamental importance. The conceptual directions for implementation of state-legal policy on prevention, suppression and counteraction to state crime proposed in the article have practical-oriented value.

**Key words:** international law; national law; legal policy; national security; state crimes; criminal law countermeasures; Khanty-Mansiys.



## TENDÊNCIAS ATUAIS DA SEGURANÇA PÚBLICA NAS CONDIÇÕES DA REGIÃO NORTE NO ESTÁGIO ATUAL

### ABSTRATO

**Objetivo:** O artigo revela os problemas de garantir a segurança do Estado como um tipo de segurança nacional nas condições em mudança das relações interestatais, a globalização da vida internacional. Especial atenção é dada à garantia da segurança do Estado considerada como objeto de proteção jurídica, protegida pelas normas do direito internacional e nacional. As questões problemáticas de eliminação de conflitos nas normas de direito internacional, impedindo sua propagação ao território de vários Estados soberanos, devem ser resolvidas. A correlação das normas de direito internacional e nacional enfatiza a necessidade de modernizar e adotar novos atos normativos jurídicos de importância universal e regional, que possam orientar os países participantes na atualização de seu ordenamento jurídico nacional. **Resultados:** O artigo traça os principais rumos da segurança estatal como componente integral da segurança nacional à luz das realidades sociais contemporâneas. Novas tendências no desenvolvimento da ordem mundial predeterminam a necessidade de melhorar a base normativo-legal da segurança do Estado. Uma atenção especial está concentrada na inter-relação e interação das normas de direito internacional e legislação nacional em termos de disposição legal para a segurança do Estado. Tendo em conta as peculiaridades da garantia da segurança do Estado, propõem-se as principais direções de modernização e otimização do mecanismo de regulação do direito penal nas relações públicas relacionadas com a prática de crimes contra a ordem constitucional e a segurança do Estado. Desafios e ameaças em constante mudança à segurança do Estado tornam conveniente inovar a base normativo-legal das medidas penais-legais para combater o crime na área em estudo. **Conclusão:** As direções estratégicas desenvolvidas e implementadas em nível nacional para melhorar a eficácia das atividades relacionadas à garantia da segurança do Estado são de fundamental importância. As direções conceituais para a implementação da política estatal-legal de prevenção, repressão e combate ao crime estatal propostas no artigo têm valor prático.

**Palavras-chave:** direito internacional; lei nacional; política jurídica; segurança nacional; crimes estatais; contramedidas de direito penal; Khanty-Mansiysk.

### INTRODUCTION

The modern period of international and state-legal development is characterized by the modernization of legal and information technologies, which is reflected in their impact on state security at the interstate and national levels. It is quite understandable that the international community is concerned about state security, given the steady growth in crimes and other offenses of this type.

Progressive state-legal development involves ensuring and preserving the integrity, sovereignty, inviolability of constitutional foundations, human rights and freedoms. The multidimensionality of activities in the field of state security is based



on the international and national normative and legal framework.

Increased requirements for state security are predetermined by the high level of external risks and threats caused by the modern development of scientific and technological processes, including the tools used to overthrow the legitimate regimes of state power, the commission of color revolutions and etc. (Afanasyeva, 2006). The exclusion of these threats is facilitated by the implementation of norms and institutions of national law, focused on improving the defense capability of the country, the exclusion of the threat to damage national interests. In this regard, the role of the state in solving international issues, ensuring political stability, the regulation of problems associated with military conflicts is becoming more important. The supremacy of international law is of decisive importance in interstate relations.

The growth of global and regional tensions is associated with the formation in a new model of the world order. The consequence of this is the aggravation of interstate and interethnic contradictions. Interstate competition is most clearly manifested in the development of Arctic and World Ocean resources. The struggle for world leadership is accompanied by the use of information technology, economic, financial and political tools, including the activities of intelligence services. The decline of global security is evidenced by the improvement and build-up in new types of offensive weapons. Postulates of equal and indivisible security are not respected in a number of regions around the world. A real threat to state security is the proximity of military alliance infrastructure to national borders.

The maintenance of interstate ties and relations dictates the need to develop and adopt an international normative-legal act of a universal nature guaranteeing the state security of sovereign countries. The existence of this international legal framework guarantees the use by the states for uniform principles of organizing activities to ensure national security (Avdeev et al., 2019).

Ensuring national security in the context of globalization predetermines the need to establish strategic directions that contribute to the protection of legitimate rights, freedoms and interests of individuals, society and the state from internal and external negative impacts. High rates of development in technical and information resources actualize the issues of optimization for funds in the field of state security.

The increasing globalization of international life leads to the intensification of the efforts in the international community to legislate universal standards that ensure



state security. Consistent amendments to the norms for national legislation, taking into account the peculiarities of socio-economic and political-legal nature in modern conditions of the development in the national statehood. The existing realities of interstate life allow us to note the significant importance to legal policy, the leadership of which allows us to outline the main aspects for legal protection against encroachments on the most significant interests in the field of state security (Avdeev & Avdeeva, 2014).

## INTERNATIONAL SECURITY OF THE STATE

The modern conditions of globalization in international relations make it necessary for the international community to combine its efforts to ensure the state security of each sovereign state. New normative legal acts are to be developed and adopted in the interests of ensuring the security of all civilized states in the world. Consolidation of efforts for the world community in this matter involves the adoption in international normative legal acts of a universal nature, which can be used in the novelization of national legal systems aimed at ensuring state security.

The analysis of official statistics showed an increased threat to state security from extremist crimes (Avdeev, et al., 2021). As a consequence, effective counteraction to extremism in the context of ensuring state security deserves special attention.

The international provision of state security is primarily reflected in the adopted normative legal acts. In this connection it is necessary to mention the role of the provisions reflected in the Convention on the peaceful settlement of international conflicts of 1907, the UN Charter of 1945, the Charter of the International Military Tribunal for the trial and punishment of the major war criminals of the European Axis of 08.08.1945, the Universal Declaration of Human Rights of 1948, the Convention on the Prevention and Punishment of the Crime of Genocide of 9.12.1948, the Charter of the Council of Europe of 1949, the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12.08.1949, the Declaration of the United Nations General Assembly on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, 1950 Convention for the Protection of Human Rights and Fundamental Freedoms, 1965 International Convention on the Elimination of All Forms of Racial Discrimination, 1966 International Covenant on Civil and Political Rights, 1966 Convention on the Non-Application of Statutory



Limitations to War Crimes and Crimes against Humanity, 26.11.1968 Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, 1970, Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, 1971, Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, 1972, Principles of International Cooperation in Respect of Locating, Arresting, Extraditing and Punishing War Criminals and Crimes on the Protection of Victims of International Military Conflicts of 08.06.1977, the Final Document of the 1980 Madrid Meeting of Representatives of the States Parties to the Conference on Security and Cooperation in Europe Convened on the Basis of the Final Act Relating to Further Steps after the Meeting of 06.09.1983, the Declaration on the Right of Peoples to Peace of 12.11.1984, the Declaration on the Right to Development of 04.12.1986, The Concluding Document of the Vienna Meeting of 1986 of the representatives of the participating states of the Conference on Security and Cooperation in Europe, based on the provisions of the Final Act relating to the next steps after the Meeting of 15.01.1989, Convention of Indigenous and Tribal Peoples in Independent Countries of 7.06.1989, Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE of 29.06.1990, Charter of Paris for a New Europe of 21.11.1990, Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE of 3.10.1991, The Prague Document on Further Development of CSCE Institutions and Structures of 30.01.1992, the Declaration of the Helsinki Summit of 1992, the Declaration on Environment and Development of 1992, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction of 1993, the CIS Charter of 22.01.1993, the CIS Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Cases of 1993, the Budapest Summit Resolution of 1994, Declaration on Measures to Eliminate International Terrorism of 09.12.1994, Agreement on Establishment of Common Air Defense System of CIS Member States of 10.02.1995, Agreement on Information Exchange on External Borders Protection of CIS Member States of 12.04.1996 Lisbon Declaration on a Common and Comprehensive Security Model for 21st Century Europe of 03.12.1996, Lisbon Summit Declaration of 1996, Agreement on Cooperation of CIS Member States in



Combating Illegal Migration of 06.03.1998, Agreement on Cooperation among the CIS Member States in Combating Crime of 25.11.1995, International Convention for the Suppression of Financing of Terrorism of 9.12.1999, Agreement on the basic principles of military and technical cooperation among the Collective Security Treaty member states of 20.06.2000, Protocol on the procedure for the establishment and functioning of forces and means of the collective security system of the Collective Security Treaty member states of 25.05.2001, Shanghai Convention on Combating Terrorism, Separatism and Extremism of 25.05.2001. Of principal importance for ensuring national security are concluded interstate treaties, among which are the Antarctic Treaty of 1959, the Treaty on Principles of Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies of 1967, the UN Convention on the Law of the Sea in 1982, the Protocol on Environmental Protection to the Antarctic Treaty in 1991, the Collective Security Treaty of 15.05.1992, the Treaty on Open Skies in 1992, Basic Act on Mutual Relations, Cooperation and Security between the Russian Federation and the North Atlantic Treaty Organization of 27.05.1997, Treaty on Cooperation of the CIS Member States in Combating Terrorism of 04.06.1999, Treaty of the CIS Member States on Combating Money Laundering and Terrorism Financing of 05.10.2007, Treaty on Reduction and Limitation of Strategic Offensive Arms between USA and Russia START-3 of 08.04.2010 and others.

These international normative legal acts and interstate treaties form the international and interstate normative-legal basis for countering terrorism, extremism and other crimes of international character, which infringe on the state security of sovereign countries in the world. Having the specified guidelines, national legal systems choose strategic directions of countering extremism taking into account their own socio-economic, political-legal, religious, cultural and other characteristics (Ovchinsky, 2004).

Current conditions for international life indicate the relevance to the problem of state crime, actively discussed in public and academic circles. State crime is increasing, despite the measures taken by the world community, both at the legislative and practice-oriented levels.

Security of the state world order is predetermined by development and implementation in the algorithms of counteraction to state crime. The pragmatic



approach of scientific support for the analysis for probable global threats to the security of sovereign states in the foreseeable future and the use of effective means of forecasting, prevention and counteraction seems justified.

## **ENSURING STATE SECURITY AT THE INTERSTATE AND NATIONAL LEVELS**

The objectives of state security are recognized as protection: 1) constitutional order, territorial and state integrity, sovereignty; 2) human rights and freedoms; 3) social and political stability, civil peace (Avdeev, et al., 2020).

Among the threats to state security, they deserve attention: a) activities of special services, intelligence services and organizations of foreign states that harm national interests; b) activities of extremist organizations aimed at forcibly changing the constitutional order; c) activities of radical groups and public associations aimed at violating the state unity and integrity of the country; d) the use of communication and information technologies to spread the ideology of separatism and extremism, destabilization of the socio-political situation in society; e) crimes against state power.

Ensuring state security is promoted by improving: mechanism for preventing and countering crimes against the foundations of the constitutional system; interaction of state security bodies with institutions of civil society; the deepening of international cooperation in the sphere of state security. A promising direction is to improve the efficiency of special services, law enforcement and controlling state bodies. Modernization of the national crime prevention system and monitoring of the effectiveness for law enforcement activities is of practical importance. Special attention should be paid to the development and implementation of special measures aimed at reducing criminal tensions in society (Kartashkin & Lukasheva, 2002).

In this regard, the issue of neutralizing and minimizing the causes and conditions that determine the development of state crime is relevant. The unacceptability of state crimes in society is ensured by the appropriate development of national culture, legal system, social traditions, living conditions and education of the younger generation. The formation of patriotism and the exclusion of legal nihilism create a necessary background phenomenon for the rejection for ideas of extremism, separatism, radicalism, technologies for overthrowing legitimate constitutional regimes and etc.

The guarantees of ensuring state security are: modernization of the activities and



structure of state executive bodies; development of the prevention system, suppression, detection of destructive and intelligence activities of foreign organizations and special services, crimes against the foundations of the constitutional system that harm national interests; strengthening of the security regime of nuclear, defense-industrial, fuel-energy, chemical complexes of the country, other potentially dangerous objects; improvement of the system for detecting, analyzing, and countering the destructive informational influence of foreign special services, foreign organizations, propaganda structures and extremist groups; comprehensive development of special services and law enforcement agencies, improvement of the system for professional training of specialists. The high professionalism of the employees' activities should be supported by the support of the federal executive authorities, the state authorities of the subjects of the Russian Federation, local self-government bodies and civil society institutions. National interests should have priority in the implementation of interaction between special services and law enforcement agencies in the detection, investigation, qualification of socially dangerous acts, imposition of punishment for crimes against the foundations of the constitutional order and state security (Avdeev & Avdeeva, 2019).

The priority position in section X of the Criminal Code is occupied by crimes regulated by Articles 275-284<sup>1</sup> of the Criminal Code, the specific object of which are public relations in the field of protection for the constitutional order and state security. The specified list of criminally punishable acts provides for the following classification of crimes: 1) against the security of the Russian Federation (Articles 275, 276 of the Criminal Code of the Russian Federation); 2) encroaching on the foundations of the political system (Articles 277- 279 of the Criminal Code of the Russian Federation); 3) encroaching on economic security and the defense capability of the state (Article 281 of the Criminal Code of the Russian Federation); 4) of extremist orientation (Articles 280, 280<sup>1</sup>, 282, 282<sup>1</sup>-282<sup>3</sup> of the Criminal Code of the Russian Federation); 5) encroaching on the security of state secrets (Articles 283, 283<sup>1</sup>, 284, 284<sup>1</sup> of the Criminal Code of the Russian Federation).

The official statistics of the Ministry of Internal Affairs of the Russian Federation generally pay attention to the registration of crimes under section X of the Criminal Code. In 2019, 13949 crimes against state power, public service and local government service were detected. The increase compared to the identical period





last year was 5.2%. Most criminal acts were subject to detection by internal affairs officers (67.76%). Every sixth crime detected was committed on a large, especially large scale or was accompanied by major damage (16.43%). Of the crimes under investigation, 12058 crimes against state power, public service and local self-government were preliminarily investigated, which is 9.4 per cent more than in the previous year. Internal affairs officers detected 8733 persons for these crimes, which is 12.4 percent more than in the previous year. A total of 8009 criminal cases were referred to court, the absolute number of which increased by 6.5 per cent compared with the previous year. An upward trend of 5.2% is characterized by the indicator for the number of detected persons whose criminal cases were sent to court - 4373.

The analysis of official statistics on the number of registered crimes against state power, public service and service in local self-government bodies for 2020 shows the following results. There is a tendency of further growth by 5.9% in absolute indicators for crimes of the studied type – 14773. The disclosure by law enforcement officers for the majority of crimes in this kind is once again noted (65.69%). At the same time, every fifth or sixth detected crime was committed on a large, especially large scale or was accompanied by causing major damage (17.92%). Of those in production, 12352 crimes against state power, public service and service in local self-government bodies were previously investigated, which is 2.4% more than in the previous year. Employees of the internal affairs bodies were subject to the establishment of 8633 persons for these crimes, which is 1.1% less than last year. 8015 criminal cases were sent to court, the absolute figure of which increased by 0.1% compared to the previous year. The growth trend of 6.1% is characterized by the indicator for the number of identified persons whose criminal cases were sent to court – 4638.

A study of official statistics on the number of registered crimes against state power, public service and service in local self-government bodies for January-October 2021 shows the following results. There is a tendency of further growth by 18.0% of the absolute indicators for crimes of the investigated type – 15479. Traditionally, the detection of the majority of crimes in this type by law enforcement officers is noted (67.54%). Every fifth or sixth detected crime was committed on a large, especially large scale or was accompanied by causing major damage (18.32%). Of those in production, 12337 crimes against state power, public service and service in local self-government bodies were previously investigated, which is 17.2% more than in the

same period – ten months of the previous year. Employees of the internal affairs bodies were subject to the establishment of 8641 persons for these crimes, which is 15.6% higher than last year. 8937 criminal cases were sent to court, the absolute figure of which increased by 29.9% compared to the previous year. The growth trend of 27.3% is characterized by the indicator of the number for identified persons whose criminal cases were sent to court – 4993.

Ensuring the state security of Russia is predetermined, including by the effectiveness of the activities carried out to counteract crimes provided for in Chapter 29 of the Criminal Code of the Russian Federation. According to the official statistics of the Judicial Department at the Supreme Court of the Russian Federation for the first half of 2021, 222 people were convicted of crimes under this chapter, which amounted to 0.081% of the total number to be brought to criminal responsibility.

The priority position in section X of the Criminal Code is occupied by crimes regulated by Articles 275-284<sup>1</sup> of the Criminal Code of the Russian Federation, the specific object of which is public relations in the field of protecting the foundations for the constitutional system and state security. The specified list of criminally punishable acts provides for the following classification of crimes: 1) against the security of the Russian Federation (Articles 275, 276 of the Criminal Code of the Russian Federation); 2) encroaching on the foundations of the political system (Articles 277-279 of the Criminal Code of the Russian Federation); 3) encroaching on the economic security and defense capability of the state (Article 281 of the Criminal Code of the Russian Federation); 4) extremist orientation (Articles 280, 280<sup>1</sup>, 282, 282<sup>1</sup>-282<sup>3</sup> of the Criminal Code of the Russian Federation); 5) encroaching on the safety of state secrets (Articles 283, 283<sup>1</sup>, 284, 284<sup>1</sup> of the Criminal Code of the Russian Federation).

In this regard, crimes of extremist orientation deserve close attention. In 2020, 833 extremist crimes were registered, the proportion of which in the general list of registered crimes was (0.04%). Meanwhile, in January-November 2021, there was an increase in the absolute and relative indicators for crimes of this type. During the eleven months of 2021, 983 extremist crimes were registered, the share of which increased to 0.053%. The majority of extremist crimes were subject to disclosure (83.92%). 848 persons who committed crimes were subject to detection. The majority of extremist crimes in January-November 2021 were subject to detection by the



internal affairs bodies and the Federal Security Service (95.42%). The detection of these crimes was distributed as follows between the internal affairs bodies (53.61%) and the Federal Security Service bodies (41.81%). Due to the specifics of the activities carried out, the Prosecutor's Office (1.93%), the Federal Penitentiary Service (1.42%) and the Investigative Committee of the Russian Federation (1.22%) took a minor part in the detection of extremist crimes.

Preliminary investigation of extremist crimes was subject to more than four-fifths of the identified crimes (83.92%). Preliminary investigation in this category of criminal cases was conducted primarily by officers of the Federal Security Service (50.54%) and investigative bodies of the Investigative Committee of the Russian Federation (41.33%). Participation of officers of internal affairs bodies in this process was minimal (8.12%).

Meanwhile the steady growth of extremist crimes requires the focus not only on detecting, suppressing and solving these crimes. The types and amounts of penalties imposed by the courts, as part of the mechanism for the criminal regulation of social relations involving the commission of offences covered by chapter 29 of the Criminal Code, deserve close attention in order to ensure that state criminality is combated under criminal law.

Analysis of official statistics shows that 222 individuals were convicted of crimes under chapter 29 of the Criminal Code in the first half of 2021. The share of the total number of convicted persons was 0.081%.

Within the first classification group, ten persons (0.0036%) were convicted of crimes against security of the Russian Federation. Of these, eight were convicted of treason under article 275 of the Criminal Code (0.0029%) and two were convicted of espionage under article 276 of the Criminal Code (0.00073%).

Within the second classification group of crimes encroaching on the foundations of the political system, no convictions were recorded. There was no registration of those convicted under the third classification group for encroaching on the economic security and defense capability of the state.

The fourth classification group contains a list of those convicted of extremist crimes. 188 persons (0.068%) were convicted of this type of crime. More than half were convicted of public calls for extremist activities under Article 280 of the Criminal Code (0.043%). Approximately one third were convicted for organizing the activities

of an extremist organization under Article 2822 of the Criminal Code (0.0197%). A certain share was represented by those convicted for incitement of hatred or enmity and humiliation of human dignity under Article 282 of the Criminal Code (0.004%). The minimum share was represented by those convicted of organizing an extremist association under Article 282<sup>1</sup> of the Criminal Code (0.001%).

The fifth classification group includes those convicted of crimes encroaching on state secrets. Thirty-four persons (0.0124%) were convicted. Thirty-one of them were convicted for disclosure of state secrets under Article 283 of the Criminal Code (0.0113%), two were convicted for illegal acquisition of information constituting a state secret under Article 283<sup>1</sup> of the Criminal Code (0.00073%) and one person was convicted under Article 284<sup>1</sup> of the Criminal Code (0.000365%).

In 2020, the share of those convicted for crimes against the foundations of the constitutional system and state security out of the total number to be brought to criminal responsibility amounted to 304 (0.0572%). The majority of those convicted for extremist crimes (193 persons - 0.0363%). Indicators of those convicted for crimes against state secrets appear to be less significant (48 persons - 0.009%). The minimum indicators are the indicators of those convicted of crimes against security of the Russian Federation (7 persons - 0.0013%) and against economic security and the defense capacity of the state (4 persons - 0.00075%).

Decision № 11 of the Plenum of the Supreme Court of the Russian Federation, 28.06.2011, "On judicial practice in criminal cases involving crimes of an extremist orientation," expands the list of those crimes to include, along with the corpus delicti in chapter 29 of the Criminal Code, additional acts regulated by, for example, item "l" of part 2 of article 105, item "f" of part 2 of article 111, item "b" of part 1 of article 213 of the Criminal Code. They are united by motives of political, national, racial, ideological or religious hatred or enmity or hatred against a social group.

One of the directions in counteraction to extremist crimes is the criminalization and penalization of actions. The contents of a number of norms in criminal law, aimed at counteraction to crime of extremist nature, are subject to editorial changes and additions.

Federal Law № 112-FZ of 25.07.2002 modified the title of article 280 of the Criminal Code of the Russian Federation and the content of the disposition in the criminal law norms provided for. Public calls for extremist activity more accurately



reflect the essence of the regulated corpus delicti, than in the previous wording public calls for violent change in the constitutional order of the Russian Federation. The following corpus delicti was subject to consistent criminalization: organization of extremist community and organization of extremist organization (Articles 282<sup>1</sup>, 282<sup>2</sup> of the Criminal Code).

Novelization of the legislative framing for extremist crimes continued with the adoption of Federal Law № 162-FZ dated 8.12.2003. The new name of Article 282 of the Criminal Code more accurately indicates the extremist nature in inciting hatred or enmity as well as humiliation of human dignity.

The next stage in the updating of the criminal legislation is the adoption of the Federal Law № 433-FZ of 28.12.2013. Article 280<sup>1</sup> of the Criminal Code, which regulates public calls for actions aimed at violating the territorial integrity of the Russian Federation, is to be introduced into the criminal law. Criminalization of acts of extremist orientation continued as a result from adoption of Federal Law № 179-FZ of 28.06.2014. Financing of extremist activity becomes a new corpus delicti under Article 282<sup>3</sup> of the Criminal Code of the Russian Federation.

Improvement of criminal-legal counteraction to extremism is provided along with criminalization and penalization of socially dangerous acts. In view of the heightened social danger of extremist crimes, the law establishes higher penalties by increasing the term of imprisonment in the penal provisions of articles 280, 280<sup>1</sup>-280<sup>3</sup> of the Criminal Code. In addition to an increase in the maximum sentence limit, in some cases the categories of extremist crimes are also subject to change. This is confirmed by the analysis of the federal laws of 03.02.2014 № 5-FZ, 28.06.2014 № 179-FZ, 21.07.2014 № 274-FZ, 06.07.2016 № 375-FZ.

Under the conditions of unification and harmonization in measures to counter extremism, it is of fundamental importance to improve the effectiveness of law enforcement. Improving the mechanism of criminal law regulation involves solving the problems in the accurate legal assessment of extremist crimes. In this regard, the introduction of amendments and additions to the resolution of the Plenum of the Supreme Court of the Russian Federation of 28.06.2011 № 11 "On judicial practice in criminal cases involving crimes of extremist orientation" by provisions that ensure the correct qualification of both former and newly formed extremist crimes is relevant. The resolutions of the Plenum of the Supreme Court of the Russian Federation of



03.11.2016 № 41 and of 20.09.2018 № 32 serve as an illustration (Avdeev, et al., 2019).

## CONCLUSIONS

The diversity of forms for extremist activity implemented in a number of sovereign states predetermines the need to find new measures to counter extremism, taking into account the transnational nature of crime, which complicates domestic control and anticipatory measures to neutralize the functioning of extremist formations (Ananidze, 2006).

The choice of interstate and intra-state measures for counteracting extremist crime must take into account the orientation of the activity towards violent change in the constitutional order.

Particular attention must be paid to preventing the threat of extremist activity with the use of information and communication technologies, aimed at spreading the ideologies of extremism and separatism.

Summarizing the above, we must conclude that the main directions of criminal policy must be recognized as the activation in the national mechanism to counteract the activities of extremist organizations, aimed at expanding and deepening international cooperation in the field of countering extremism.

It seems that in order to ensure state security the modernization requires legislative registration for the crimes associated with manifestations of separatism, nationalism, religious radicalism and other manifestations of extremism.

The development of general, individual preventive and criminal-legal measures to neutralize interethnic and social conflicts and to exclude the participation of Russian citizens in the activities for extremist groups abroad is of practical importance.

## ACKNOWLEDGEMENTS

The research was carried out at the expense of the grant of the Russian Scientific Foundation No. 22-28-20133 'Strategic directions of legal provision of public safety in the territory of the Khanty-Mansi Autonomous Okrug – Yugra' (<https://rscf.ru/project/22-28-20133/>), the Government of the Khanty-Mansi Autonomous Okrug - Yugra on the basis of the Yugra State University. The article was prepared in the course of the Scientific school 'Scientific support of the



effectiveness of the implementation of modern criminal law policy (taking into account the criminological characteristics of the northern region)'.

## REFERENCES

Afanasyeva, V.I. (2006). The legal nature of the subjective right to an invention. *Interuniversity collection of scientific papers*, 3: 30-35.

Ananidze, F.R. (2006). Some problems of defining the concept of «indigenous people». *Lawyer-International*, 2.

Avdeev, V.A., Avdeeva, E.V. (2019). Social Technologies of Receiving New Information. *International Journal of Engineering and Advanced Technology (IJCIET)*, 8(6): 5279–5282.

Avdeev, V.A., Avdeeva, O.A. (2014). Criminal legal concept of the Russian Federation: main directions of criminal law improvement and crime counteraction measures optimization. *Criminology Journal of Baikal National University of Economics and Law*, 1: 12-24.

Avdeev, V.A., Avdeeva, O.A., Bykov, A.V., Znamerovskiy, E.V., Aksenov, A.N., Zhigalov, S.V. (2020). Mechanism of international legal implementation for human security at the national level. *Journal of Advanced Research in Law and Economics*, XI(1(47)): 13-18.

Avdeev, V.A., Avdeeva, O.A., Kuleshov, Y.I., Bykov, A.V., Kiselev, E.A., Aksenov, A.N. (2019). The legal legislative and the law enforcement techniques in the development of information systems. *Journal of Advanced Research in Law and Economics*, X(1(39)): 36–40.

Avdeev, V.A., Avdeeva, O.A., Shagieva, R.V., Smirnova, V.V., Mashkin, N.A., Taradonov, S.V. (2019). The mechanism of legal regulation in the conditions of globalization and formation of information environment. Regional aspect. *Journal of Environmental Management and Tourism*, 10(7(39)): 1517-1521.

Avdeev, V.A., Avdeeva, O.A., Smirnova, V.V., Rassolov, I.M., Khvatova, M.A. (2021). Improvement of information technology and its impact on information security.



*International Journal of Emerging Technology and Advanced Engineering*, 11(11): 15-21.

Kartashkin, V.A., Lukasheva, E.A. (2002). International instruments on human rights. Moscow: Norma, INFRA-M, 944 p.

Ovchinsky, V.S. (2004). International legal framework for combating illegal migration and trafficking in persons. Moscow: INFRA-M, pp: 103-146.

