

Summary

The year: 2020.

Specialty / field of study (code and full name): 40.03.01-Law

Level of study: bachelor's degree.

Institute or Higher school: Law University.

Department of criminal law disciplines and forensic expertise

The subject of the final qualifying work:: "Criminal law counteraction to crimes of corruption".

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The relevance of the research topic. The changes of political, social and economic, legal, moral and psychological and other relations happening in Russia resulted not only in positive results, but also to the negative consequences which are expressed, in particular, in corruption growth. The current state of crime is one of the major factors destabilizing the social and economic situation. Problems of fight against corruption involve to themselves close attention recently, being the sharpest and extremely topical discussed issues of our society. It is quite natural. During the last period against the background of the developing social and political and social and economic situation the corruption facts in various spheres of activity are constantly established. Therefore corruption in state governing bodies of modern Russia is the most burning issue without which cardinal solution effective development of the Russian society is impossible. Corruption in public authorities poses a social threat that it directly or indirectly affects social values, morals and the state foundations, undermining belief in justice and expediency of the made decisions. On scales of prevalence of corruption in public authorities conclusions about the probability of political, economic, social risks and also extents of development of civil society are drawn. The danger of corruption is constituted, first of all, that behind the made decisions of officials there are practical activities which can not always have positive character for society and the state. In too time the contributing factor to the development of corruption is the complex and inert system of public administration where bribes sometimes are the effective catalyst by consideration and decision-making on appropriate questions and also in some cases corruption methods are used for penetration into authorities of representatives of criminal structures. One of effective levers of fight against corruption offenses is a criminal fight against corruption crimes. The criminal legislation providing responsibility for various corruption crimes insufficiently fully and distinctly regulates a circle of the questions connected with commission of corruption crimes in our country.

The purpose of the work: a comprehensive study of the phenomenon of corruption crime, the development of the theory of combating corruption crime, the development of evidence-based measures to increase the effectiveness of the fight against corruption.

Objectives: to consider the history of the development of domestic legislation on criminal liability for corruption crimes; to study the Russian anti-corruption legislation at the present stage; provide a classification of corruption offenses; to give a criminal law characterization of certain corruption-related crimes in the field of economic activity, in the sphere of activity of state authorities and local self-government bodies and in the field of administration of justice; consider some of the problems of Russian legislation governing criminal liability for corruption.

Theoretical and practical significance of the research: consists in the development of theoretical provisions on combating corruption, in the possibility of using research materials in the educational process, as well as in improving legislation and practice of its application.

Results of the study:

1. Corruption gained pronounced global character in recent years. Therefore successfully it is on a global scale possible to counteract it only at combination of efforts of all states and on the basis of the experience which showed the highest results in counteraction to this negative phenomenon. Corruption threatens the fact of existence of the state. She acts as the main obstacle of increase in the standard of living of the population, formation of civil society, development of national economy. In this regard we will note that corruption is a serious social problem of modern society.

2. In Russia in general there was legislative base of regulation of the anti-corruption relations, however it is necessary to pay attention to a number of its shortcomings. Adoption of the Federal law "About Anti-corruption" has the systematizing value concerning the existing anti-corruption legislation. An essential lack of the document is the absence in it conceptual definition of corruption which is defined in the law by transfer of its signs. Systematization of the anti-corruption legislation is connected further with the solution of tasks which can be divided into two groups: conceptualization of the legislation; creation of legal institutes on counteraction of corruption activity.

3. The subject of a bribe or commercial bribery of the existing Criminal Code of the Russian Federation join only material benefits. In this connection it is impossible to consider as a bribe subject connivance or promotion positive characteristics, employment or other non-property benefits. Similar acts are not less socially dangerous, than bribery as which subject the property benefits act: the same subject to encroachment, the same harm done to the interests of the government. Unlike the Russian legislation, in the Convention of the Council of Europe on criminal liability for corruption when determining a subject of bribery the concept "illegal advantage" which is not limited only to the material sphere is used. Addressing experience of foreign countries, we make sure that these countries conduct criminal prosecution for a long time and successfully for illegal remuneration as which subject the non-material benefits act.

Recommendations

- development and adoption of the Federal law on the anti-corruption doctrine in the Russian Federation are necessary, in котором необходимо to formulate the system of concepts among which "the anti-corruption doctrine of the Russian Federation", "the purpose of the state anti-corruption policy", "corruption", "corrupt official", etc. have the extreme institutional importance; secondly, it is necessary to assign standard and legal value of subjects of anti-corruption policy, the public specialized anti-corruption authority;

- introduction to the Russian criminal legislation of the norms providing responsibility for a promise or the offer to transfer or accept illegal remuneration as independent corpora delicti which are more available to understanding by the population, than norm on preparation for receiving or bribery is advisable. Establishment of criminal liability for these acts will allow to increase the preventive potential of the corresponding criminal bans;

- for reduction of the Russian criminal legislation in compliance with the international standards it is required to include any forms of illegal advantage, including advantage of non-material character in a bribery subject irrespective of whether they have the market value which is giving in to assessment or not.