



CORRUPTION CRIME IN THE CRIMINAL EXECUTIVE SYSTEM OF THE RUSSIAN FEDERATION AND ITS PREVENTION

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ABSTRACT

The article breaks down deciding defilement wrongdoing factors in the reformatory arrangement of the Russian Federation through the examination crystal of the UN and Russian enemy of debasement enactment, gives factual data on defilement indications in the Russian Federation, presents the weaknesses of the lawful guideline of elements planned for battling debasement conduct in the prison framework.

Keywords: corruption, corruption crime, factors determining corruption crime of employees of the penal system, improvement of legal measures to combat corruption.

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1. INTRODUCTION

In view of the exploration subject, UN Convention against Corruption endeavored to characterize the system of this multidimensional social and lawful marvel, embraced in New York on 31st October 2013 by Resolution 58/4 at the 51st entire gathering of the 58th meeting of the UN General Assembly. In any case, the UN has not shaped an engineered term of debasement.

The result report contained just a rundown of infringement remembered for Chapter III "Criminalization and Law Enforcement", based on which one can reach an inference about the view of debasement in the worldwide legitimate sense.

As a matter of first importance, it is dynamic and inactive altering of national and unfamiliar open authorities and delegates of open universal associations.

Besides, misappropriation in any structure, appointment or improper use by an open authority of property, open or private assets, protections or some other significant item regulated by an individual and righteousness of an official position;

Thirdly, exchanging impact and instigation to it, just as maltreatment of power and position;

Fourthly, uncalled for enhancement, that is, the purposeful noteworthy increment in the benefits of an open authority surpassing their genuine pay, which the person can't sensibly legitimize.

Summing up the qualities of these demonstrations, it very well may be assumed that debasement (inside the significance of the UN Convention) is the unlawful use by open authorities of their position, powers and impact to acquire illicit focal points, benefits, property, assets, protections or different things for themselves or for others or legitimate substances, just as dynamic and inactive altering of open authorities of national or unfamiliar states, universal associations.

Regardless of the abovementioned, the lawful meaning of defilement in the Russian Federation is set out in article 1 of Federal Act No. 273 of 25 December 2008 on fighting defilement. Defilement is the maltreatment of authentic position, the giving of a pay off, the accepting hush money, the maltreatment of influence, business pay off or other unlawful use by a person of their official position in opposition to the real premiums of society and the State so as to acquire benefits as cash, assets, other property or administrations of a property nature or other property rights for oneself or for an outsider, or the unlawful arrangement of such advantages to a person by others or in light of a legitimate concern for a lawful element.

Covering the article point, as a matter of first importance it is important to characterize the expression "defilement", indicate what precisely the writer comprehends by this compact definition, what are the primary states of its reality that permits creating measures and, by and large, a supportable component of preventive effect on degenerate conduct for its subsequent localisation.

As of late, logical issues of defilement have pulled in a noteworthy number of pros, every one of whom is attempting to present its own wording and creator's definition.

Let us refer to some of them corresponding to the points of interest of the punitive revision framework (hereinafter alluded to as the PCS). In this way, V.P. Markov and S.A. Sivtsov have a sort of a sectoral meaning of "debasement". As they would see it, defilement in the PCS is maltreatment of office, pay off, some other unlawful use by a representative of the punitive adjustment arrangement of their status to illicitly acquire any favorable circumstances (property, rights to it, administrations or advantages of both property and non-property nature) for oneself, or the illicit giving of points of interest to sentenced people in any case for the commission of these demonstrations by and by or through middle people, in opposition to the authentic interests of the individual, society and the State.

The expression "danger of debasement" additionally shows up as a beginning stage in such manner, which can be characterized as a wonder where a person's authentic exercises are dependent upon an equalization in the decision between getting certain "inclinations" from the utilization of the forces allowed to him in office, regularly as opposed to the premiums of the administration, and losing when he turns into the subject of media conversation, resulting

primer examination and preliminary, consequently presenting himself to the possibility of being uncovered.

There are different meanings of hazard in the specific writing, for example, "risk from conceivable damage", for example the likelihood of negative occasions or the likelihood of "unforeseen misfortunes". furthermore, in such manner, limiting them is of specific significance. Physical, social, monetary, business, money related, technogenic, natural and different dangers shift contingent upon the earth and the points of interest of the movement. With a wide scope of meanings of "debasement dangers", tragically, no single meaning of this idea has been created. Various creators put diverse substance into this calculated development, which entangles the advancement of techniques to recognize them.

As to open help Astanin V.V. for model, he considers defilement dangers as a likelihood of event of degenerate conduct which might be brought about by: rebelliousness with commitments, preclusions and limitations set up for government workers regarding the exhibition of common assistance. O.V. Kazachenkova proposes that defilement dangers ought to be comprehended as conditions, components and marvels emerging during the time spent working of state specialists and execution of legitimate exercises of government employees which make a circumstance of conceivable commission of a debasement offense.

All in all, summing up the accessible hypothetical meanings of debasement dangers, as per K.M. Tashina, we can infer that every one of them are decreased to the presence of conditions helpful for going into degenerate relations.

The conversation on this point in mainstream researchers is likewise anticipated in the down to earth plane. Accordingly, for instance, in the Methodological Recommendations created by the Ministry of Labor and Social Protection of the Russian Federation, under the defilement dangers are proposed to comprehend the conditions and conditions that give a chance to activities (inaction) of people who fill places of government open assistance and positions in state partnerships (state-claimed organization), with the end goal of illicit advantage in the exhibition of their obligations .

In such manner, the issue of debasement hazard appraisals is turning out to be increasingly applicable. It is no incident that the Decree of the President of the Russian Federation dated March 13, 2012 No. 297 "On the National Plan for the Fight against Corruption for 2012-2013 and Amendments to Some Acts of the President of the Russian Federation on the Fight against Corruption" and the "National Plan for the Fight against Corruption for 2012-2013" affirmed by this Decree endorses that "government state bodies will efficiently lead evaluations of debasement dangers emerging over the span of the usage of their capacities and make changes in accordance with the arrangements of posts of the administrative bodies".

Considering the abovementioned, the immediate status of subjects taking part in legitimate relations ought to be a standard for characterizing debasement in government state bodies. On account of PCS, it appears that these might be incorporated: 1) Directly staff and regular citizen faculty of the PCS; 2) staff of the Procurator's Office, the Investigative Committee and the Ministry of Internal Affairs who help out prison organizations; 3) convicts carrying out their punishment in reformatory adjustment foundations of the PCS; 4) people acting in light of a legitimate concern for the convicts carrying out their punishment (legal advisors, family members or colleagues); 5) pioneers of different criminal relationship of convicts working in correctional revision establishments.

When in doubt, these people go about as subjects of debasement violations. In surveying the condition of debasement related wrongdoing in the Russian Federation overall, it ought to be noticed that, as per Ministry of Internal Affairs insights for the entire of 2018, 30,500 defilement related violations were distinguished. Of these, 12,500 were straightforwardly identified with pay-offs, an expansion of 10 percent contrasted and 2017, while the quantity of

instances of pay off expanded by 15 percent and the quantity of instances of intervention in pay off expanded by 21 percent.

The principal half of 2019 saw a sharp increment in the battle against defilement violations. As indicated by information from the Office of the Prosecutor General of the Russian Federation, introduced as a feature of the Eastern Economic Forum, in state and civil foundations in the primary portion of 2019, 2,760 defilement offenses (+3.6 percent) were distinguished, the quantity of pay-offs by 35.3 percent (+ 605 wrongdoings) and the quantity of go-betweens in pay off by 46.4 percent (+ 326 violations).

As indicated by the appraisals of the General Prosecutor's Office, the measure of material harm brought about by defilement wrongdoing was 65.7 billion rubles. For examination, this figure for 2017 was - 40 billion rubles.

Analytical offices proceed with the course to decrease debasement and harm brought about by it. Specifically, in 2018 they accomplished the seizure of property, seizure of benefits of people arraigned for defilement violations in the measure of 46.6 billion rubles, which made it conceivable to cover misfortunes from debasement cases by roughly 70%.

As indicated by the General Prosecutor's Office of the Russian Federation, the normal total of pay-offs in Russia in 2018 was 609,000 rubles. The aggregate sum of pay-offs for every recognized wrongdoing under the article 290 Criminal Code of the Russian Federation added up to 1.8 billion rubles.

Taking into account the somewhat restricted focal point of our examination, it doesn't appear to be practical to give a full image of the condition of debasement wrongdoing in Russia, since a nitty gritty investigation of general and private marvels, just as their elements and the causal complex of the uncovered procedures, guarantee to be an extraordinary top to bottom examination.

We accept that the execution of the above proportions of a legitimate sort, enhanced by different arrangements of hierarchical and asset nature, will add to killing those debasement dangers in the exercises of PCS that they face, and, as a rule, will positively affect factors that decide degenerate conduct in prison foundations.

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