TEACHING INNOVATIONS IN CONTEMPORARY RUSSIAN NATIONAL CRIMINAL POLICY IN HIGHER EDUCATION

Sergey V. Shoshin[1,2(*)]

[1]Saratov National Research State University, Saratov, Russia
[2]Charles University, Prague, Czech Republic

[*]Corresponding author: serguei8@mail.ru

Abstract. Currently, many amendments and additions are being made to Russian criminal legislation. A formalized official document on the content of the concept for the development of criminal policy in the Russian Federation is absent. Existing publications on the concepts for the development of Russian criminal policy reflect only the purely personal opinions of scholars. They reflect the subjective perspectives of their authors. In searching for a relevant definition of the concept of criminal policy, the author proposes focusing on its actors. This includes the state, which traditionally influences its formation. It is proposed to supplement the list of these actors with international organizations. Disputes about state sovereignty in this regard can generate controversy. The author attempts to analyze the problems and characteristics inherent in the teaching of criminal policy. This was done both in a narrow sense—with regard to the exclusive teaching of the provisions of contemporary Russian national criminal law—and in a broad sense—with an exploration of the broad interdisciplinary field of social relations. This covered areas of constitutional national law, criminal procedure, international public law, and others. The desire to impart a comprehensive knowledge of criminal policy to students today requires attention to current sources of such information. The author attempted to identify not only the formal source of Russian national criminal law (the Criminal Code of the Russian Federation). The current Constitution of the Russian Federation was analyzed for the possibility of including it in such a list of legal sources. The author's raising of the question of the admissibility of including the Statutes (Constitutions) of the constituent entities of Russia among such sources of criminal law is also innovative. Consideration of the historical development of Russian criminal policy can raise many interesting points.

Keywords: policy; criminal; prejudice.

INTRODUCTION

The development of Russian national criminal legislation, characteristic of the modern period, deserves the close attention of researchers. Teaching such topics to students majoring in law requires extensive independent work. The lecturer may offer students a list of relevant issues. During the entrance examination, students' knowledge of computer technology capabilities is usually consistently high. As a result, students have access to publications, including those posted online. This, however, does not reduce the need to consider criminal law policy. Likewise, it does not reduce the need to study related branches of law related to such policy.

MATERIALS AND METHODS

The objects of the study were the system of policy processes in criminal law and related branches of law, their history, and philosophical and political phenomena. Research methods: a) General scientific: - Logical; - Systemic-structural; b) Specific scientific: - Historical; - Axiological; c) Special methods: - Comparative legal; - formal-legal.

RESULTS

The number of amendments and additions made by Russian federal legislators to the provisions of the current Criminal Code of the Russian Federation (hereinafter referred to as the CCRF) is enough to impress anyone who encounters it. For example, the current version is the one from December 29, 2025, with amendments and additions that entered into force on January 20, 2026 [1]. The author's recommendation, when giving lectures on Russian criminal law and related academic subjects to students at higher education institutions, to begin with an analysis of the list of amendments to the text of the CCRF (including a list of relevant Resolutions of the

Constitutional Court of the Russian Federation), typically surprises these students. They are even more surprised when these students open this list of amendments, which only lists the date of the amendment and the number of the normative act or the decision of the Constitutional Court of the Russian Federation. This list of adjustments to the ConsultantPlus or Garant systems simply takes up more than a page of small print. Formally, even the legislative regulation of local government activities in Russia today is based on a more stable law. On the other hand, this situation can only be explained by the recent adoption of Federal Law No. 33-FZ of March 20, 2025, "On the General Principles of Organizing Local Self-Government in a Unified System of Public Authority" [2]. It is, of course, possible that the situation may change in the future. For example, the subject of scientific analysis by researchers will be not only public relations, burdened by the variability of the law on local self-government [3, 23], but also the problem of the variability of Russian national criminal law and, often, changes in criminal policy. An interesting case occurred after the adoption of the latest (as of the time of writing, January 29, 2026) Federal Law No. 534-FZ of December 29, 2025, "On Amendments to the Criminal Code of the Russian Federation," when students taking exams in both "Criminal Law" and "Current Issues of Criminal Law" faced a dilemma: the text of this law was officially published online on December 29, 2025, entered into force on January 9, 2026, and they were required to take the exam in this subject on January 16, 2026. On the other hand, the instructor in this situation must also administer the exam in a similar situation, complicated by the reform of the content of the source of criminal law. The hope that individual students will be able to refine this important material, introduced into the Russian Federation Criminal Code by federal law, before the state examinations (which also include questions on national criminal law) are held in this study group, is unfortunately not 100% feasible, as the author's experience over several decades of teaching at higher education institutions has shown.

In our opinion, the definition of criminal policy provided by M.M. Babaev and Yu.E. Pudovochkin is quite accurate. Such policy is understood as an appropriate conceptual, concentrated, and socially determined state response to an existing set of criminal threats [4, 18]. In our opinion, modern realities could prompt the inclusion of not only the state but also international organizations as actors in such activity in this definition. This, quite understandably, could be one of the results of regionalization processes that have replaced the phenomena of globalization. In particular, an analysis of the Model Criminal Code of the CIS (Commonwealth of Independent States) [5] may be of particular interest.

Is it possible to consider the Interparliamentary Assembly of Member Nations of the Commonwealth of Independent States an actor in criminal policy? Any answer to this question will be connected with an analysis of the content of the sovereignty of the modern Russian state. The debate on this issue is likely to attract the attention of law students. Theoretically, it is possible to discern some conditional influence here. Previously, the activities of the European Court of Human Rights significantly influenced the formation of Russian criminal policy. Today, this has become history. It is possible to consider such actors the structures of the United Nations and some other international bodies. For example, the activities of the International Tribunal for the Law of the Sea. A detailed analysis of this is contained in the author's work as part of a collective monograph [6, 85].

Although issues related to criminal policy in one way or another in modern Russia are analyzed at the monographic level by some authors, for example: Lopashenko N.A. [7, 9], Babaev M.M. [8, 12], Kolokolov N.A. [9, 11] and others, however, the results of the national legislator's activities, supported by the work of law enforcement and other security agencies, formulate numerous new problematic issues requiring additional research. Often, not only purely legal aspects, but also historical, philosophical, economic, and other ones are in demand. For example, the influence of political science topics was interestingly examined in the collective monograph by R.S. Markov and other authors [6, 70].

At the same time, the opinion that, supposedly, only criminal policy is characterized by volatility in modern Russia seems fundamentally erroneous. In this regard, the opinions of the authors of the collective monograph edited by V.I. Yakunin [10, 90] can be cited, noting the variability in the global social development of humanity. Thus, all this can be considered a manifestation of interdependence. Similarly, one can assume the possibility that modern Russian criminal policy stems from the concept of a national idea. However, here too we have to fully agree with the well-founded opinion of V.G. Annenkova regarding the absence of a national idea in a formalized state in the current realities of the Russian Federation [11]. V.I. Radchenko also rightly wrote about the relevance of using the concept of a national idea, although we do not see any opportunity today to agree with his opinion regarding the use of the text of the Constitution of the Russian Federation in its current state as a source of such a national idea [12]. This attitude towards the cited thesis of V.I. Radchenko can be explained by the formal absence of the term “idea” in the text of the current version of the Constitution of the Russian Federation. Perhaps, in the future, during the reform of the aforementioned text, this idea voiced by V.I. Radchenko will become a reality. This can happen if the term “national idea” is included in the text of the Constitution (Basic Law) of the Russian Federation. In this regard, we must fully agree with the point of view of I.B. Kardashova, who rightly notes the need to develop the concept of “national idea” taking into account, to the

maximum extent, the current realities of Russian society [13,7]. Similarly, one can only fully support the opinion of A.V. Belitskaya, who notes the prospects of turning to the discourse of the national idea in the context of further state building (modeling public administration at the federal level) [14, 57].

A similar situation, determined by the breakthrough development of national law in the relevant areas, emerges from a study of relevant and significant recent works on the teaching of law in Russian higher education, such as the publication by V.A. Tomsinov [15]. Of particular interest in this regard may also be an analysis of the specifics of teaching similar topics in departmental higher education institutions, as discussed, in particular, by S.N. Tikhomirov [16].

The analysis of criminal policy can be divided into two levels: in the narrow sense of this concept and, accordingly, in the broad sense. In the narrow sense, the discussion may be purely about the content of the national criminal legal system. In the broad sense, however, the discussion will be about a comprehensive interdisciplinary analysis, incorporating criminal procedure, criminology, forensic science, international law, and many other areas.

In any case, teaching criminal policy in Russian higher education begins with an analysis of its development throughout history. It is recommended, however, not to limit oneself solely to the Russian period currently in force. Many worthy of analysis can also be found in previous periods [17,220]. The works of scholars, for example, who analyzed the topic of criminal policy in the Soviet period have already become a bibliographic rarity, for example, the work of A. Ya. Estrin [18]. However, even existing reprints of fragments of such historical works are capable of generating interest among a student audience [19]. The story of the reform of such an institution as confiscation of property throughout Russian criminal law history is quite impressive for the audience. The “List of property not subject to confiscation by court order” [20], which has become purely the property of such history, has long ceased to be related to the current criminal legislation in Russia. The issue of the death penalty under criminal law is much more controversial today. Here, the analysis of this problem quickly moves from the study of criminal policy in the narrow sense to its examination in the broadest sense. Moreover, both constitutional national law and public international law, as well as other branches of law, are also involved in this discussion. Only the limitations of the scope of this chapter do not allow it to be subjected to a detailed analysis. At the same time, the author's previous works on this area of social relations continue to retain their relevance [21,233]. The interdisciplinary nature of the debate is also inherent in the study of the criminal law aspect of the application of compulsory medical measures. Essentially, we are talking about the use of chemical sterilization in relation to persons who have committed crimes within the category established by criminal law. In this matter, the ideas expressed by the author several years ago also retain their scientific significance today [22,28]. The situation with the provocation of a crime can also be considered quite intriguing today. The existing criminal national law establishes the possibility of criminal liability only for the provocation of a bribe and commercial bribery. There is no criminal liability for provoking other crimes. The application of a norm essentially referring to the operational-search legislative framework, in modern Russian conditions, requires that provocation be recognized only in situations in which the individual had virtually no opportunity to act otherwise. Criminal penalties such as forced labor and compulsory labor, which are essentially based on forced labor, are also capable of generating serious debate. The degree of similarity between this sphere of social relations and slavery can be independently determined by researchers. The conventional component of the slavery problem today, in conjunction with historical and other international legal aspects, also attracts the attention of researchers [23]. The use of various cryptocurrencies as a subject of crime may also be of interest. Although existing modern Russian criminal law does not directly address this, a court verdict in the Moscow region is known in practice, which explicitly recognized cryptocurrency as a subject of bribes. Interestingly, when the materials of this criminal case were reviewed in higher courts, the point of view of the trial judges was supported.

DISCUSSION

It is curious that today there is no formalized record of a clearly understood contemporary Russian criminal policy. Existing publications on the topic of such policy are in the form of either dissertations, monographs, or other academic publications. Here, in particular, we can note the works of such authors as Nedotko Yu.V. [24], Tydykova N.V. [25], Sergun E.P. [26]. Also of interest are the textbooks whose authors analyze such topics [27].

A recently published collective monograph by G.A. Esakov and others is original, outlining a "Roadmap" for the development of the concept of criminal policy in Russia until 2025 [28].

The question of the sources of Russian criminal law has traditionally been one of the most important in the analysis of criminal policy. For example, whether the current version of the Constitution of the Russian Federation constitutes such a source. Here, scholarly debates are often possible [29]. With a formal reading of the contents of Part 1 of Article Article 1 of the Criminal Code of the Russian Federation clearly demonstrates

that only the provisions of the current version of the Criminal Code of the Russian Federation constitute the source of Russian criminal law today. The content of Part 2 of Article 1 of the Criminal Code of the Russian Federation, which states that criminal law is based on the provisions of the Constitution of the Russian Federation, requires independent analysis. The terms "is based on" and "is the source of" cannot be considered synonyms in modern Russian. Here, it is recommended to use a philological interpretation of the content of legal norms, which is justifiably discussed in the dissertation research of Yu.S. Vaschenko [30].

For example, the term "basis" is completely absent from the 1934-1935 edition of the Granat Russian Bibliographic Institute's Encyclopedic Dictionary. Not to mention the term "is based on." There is only a reference to an article on the topic: "Fundamental Laws." In principle, in other words, it can be assumed that the discussion was about (a kind of) analogues of the texts of the modern Constitution of the Russian Federation (Basic Law) [31,681]. Similar content, also strictly limited to the analysis of the question "Basic Laws", has the content of the Encyclopedic Dictionary of F.A. Brockhaus - I.A. Efron [32, 296-297]. Of particular interest may be the opinion from the cited Encyclopedic Dictionary of F.A. Brockhaus - I.A. Efron that ordinary laws cannot contradict the basic ones. In other situations, one can see a fear of the invalidity of such. Moreover, from the content of this cited article of the Encyclopedic Dictionary of F.A. Brockhaus - I.A. Efron, one can particularly highlight the thesis that draft amendments to the basic laws have never been submitted for discussion to the State Council. In contemporary Russian conditions, as noted above, the provisions of the Criminal Code of the Russian Federation have repeatedly been the subject of review by judges of the Constitutional Court of the Russian Federation. Moreover, similar provisions of the current version of the Criminal Code of the Russian Federation reviewed by judges of the Constitutional Court of the Russian Federation were often found to be inconsistent with the provisions of the current version of the Constitution of the Russian Federation (Basic Law). The result of such activity by this judicial body has been a move towards amending the provisions of the current Criminal Code of the Russian Federation by the national federal legislature. The topic of amending the content of provisions of the Constitution of the Russian Federation will be left outside the scope of this analysis due to the limited space of this manuscript. We will limit ourselves to mentioning in this context a serious study of a similar layer of social relations conducted by D.G. Shustrov [33].

Similarly, only the fundamental state laws and the foundations of legislation (as a type of special legislative act) are discussed in the New Russian Encyclopedia [34, 55]. Russian history is aware of the existence of the Fundamentals of Criminal Legislation of the USSR of 1958 [35]. The Great Soviet Encyclopedia also notes the Fundamental Principles of Criminal Legislation of the USSR and Union Republics of 1924 [36, 313], [37]. All of these have been inoperative for several decades. Therefore, we believe it would be wrong to confuse the Fundamentals of Criminal Law, which currently lack a formalized form, with the Constitution of the Russian Federation. These are normative documents of completely different levels. The significance of constitutional norms should be significantly higher than that of other legislative acts, even those (potentially) bearing the title "Fundamentals of Legislation...". Only an analysis of the concept of "Basis (foundation)" is contained in the Great Encyclopedia [38, 17].

The authors of this encyclopedia understand a basis (or foundation) in the logical sense to be the content upon which a thought rests. Thus, it is a certain set of ideas or generally accepted thoughts. It is precisely because of them that a known thought is considered established. The "law of sufficient reason" requires a basis for every assertion. This same law also requires that no assertion be made without a basis. This practice ultimately forms the foundation and guiding thread for all methodical, especially scientific, thinking. In various cases, these foundations may differ from one another. Depending on this, the authors of the cited encyclopedia distinguish different classes of truths. The former derive their foundation from sensory impressions, from facts of perception. The latter are recognized as congruent with thought itself, being truths of reason (axioms). These two classes of directly substantiated truths are contrasted (in modern Russian, the term "contrasted" is more appropriate) with truths directly substantiated through proof. Here, we are talking about achieving this through reduction to other propositions. All sciences strive to develop their entire content from as few directly substantiated propositions or simple concepts (principles) as possible. Ultimately, everything individual is connected into a unified whole, and the form of a system emerges. It is far from always possible to base our judgment on sufficient grounds that would exclude all doubt. This is primarily related to practical life. Ultimately, we are left to settle for either insufficient grounds that can only determine probability, or ordinary subjective (non-binding) confidence (faith).

A very brief definition of the term "found" ("to base") is given in the Explanatory Dictionary of the Living Great Russian Language [39,700]. Its contents include: to establish, to strengthen, to establish on what, to arrange firmly, to lay a foundation, a base, a firm foundation for what, to lay or build that on which what is being created should stand, be supported. A (practically) similar content of this concept is described in the Large Academic Dictionary of the Russian Language [40,219]. A similar, although significantly shorter in volume, version of the interpretation of the term is contained in the Modern Explanatory Dictionary of the Russian

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Language [41,463] and in the Explanatory Dictionary of the Russian Language [42,463]. Conducting a comparative analysis with the modern legislation of Germany, one can agree with the correct decision of Serebrennikova A.V., who notes that, among other sources, the Constitution of Germany (FRG) of 1949 is also a source of national criminal law [43, 26]. Moreover, one can agree with the opinion of Sabitov T.M., who notes that the Criminal Code of Germany of 1871 allows the use of customary law in the interpretation of criminal law norms [44]. Several centuries of the history of the Criminal Code of Germany were accompanied by only a relatively modest number of changes and additions to its content. At the same time, it should be noted that Germany, according to Russian Government Decree No. 430-r of March 5, 2022 (as amended on October 29, 2022) "On Approving the List of Foreign States and Territories Committing Unfriendly Acts against the Russian Federation, Russian Legal Entities, and Individuals," is currently an unfriendly country with respect to Russia, as it remains a member of the European Union [45]. Accordingly, critical comments are possible in this regard regarding the recommendation to implement similar German experience in the formation of a new list of sources of Russian criminal law.

A related question is whether the texts of the Constitutions (Charters) of the constituent entities of the Federation should now also serve as a source of criminal law in Russia. In our opinion, this question, too, formally, should now receive a strictly negative answer. For Article 1 of the Criminal Code of the Russian Federation does not mention these sources of constitutional law [46]. On the other hand, another approach is also obvious: the Constitutions (Charters) mentioned above are sources of constitutional law in modern Russia, but at the same time, they are not, formally, sources of criminal law. It is quite possible that, to formulate a more consistent and unambiguous position, it would be advisable, for example, to recommend that the federal Russian legislator revise (amend) the relevant version of Article 1 of the Criminal Code of the Russian Federation, including these laws among the sources of criminal law. And to eliminate the ambiguous phrase "based on." It is worth remembering here that Article 1 of the Criminal Code of the Russian Federation currently makes no mention of the Constitutions (Charters) of the constituent entities of the Federation.

At the same time, in various regions of the Russian Federation, local authorities, guided by the relevant legislation, which is undoubtedly based on the Constitutions (Charters) of these subjects of the Russian Federation, have the right to lower the age of marriage. As a result, this reduction in the age of marriage to 15 years in Murmansk and Ryazan and to 14 years in 20 other regions (for example, in Vologda and Vladimir) leads to the exemption of some of these persons from criminal punishment for the offense committed by them for the first time under Article 134, Part 1 of the Criminal Code of the Russian Federation "Sexual intercourse and other acts of a sexual nature with a person under the age of sixteen", since they have managed to register a marriage with such a victim. Although a significant number of scientific publications exist on this problem [47], the relevant regions do not plan to uniformly address the issues of the age of such persons marrying. Accordingly, in fact, the issue of the potential emergence of new sources of criminal law at such a regional level becomes a problem. We believe that considering this situation to be a common practice for applying a blanket legal norm is not entirely correct. For here, among other things, we are talking about the demographic characteristics of the offender (the subject of the crime), which do not allow (subject to all relevant conditions established in the Criminal Code of the Russian Federation) to assign him criminal punishment for the crime in question. Article 20 of the Criminal Code of the Russian Federation, in its first parts, unambiguously sets the age for criminal liability (for the corresponding categories of offenses) at only 14 and 16 years. Given the content of Part 3 of Article 20 of the Criminal Code of the Russian Federation, it is necessary to clarify that the first two parts of Article 20 of the Criminal Code of the Russian Federation refer only to individuals who do not have a mental retardation unrelated to a mental disorder. Undoubtedly, in this regard, one should not limit oneself to classifying the Charters (Constitutions) of the constituent entities of the Russian Federation as sources of Russian criminal law, but also include in this group other relevant regional sources regulating these areas of public relations. It seems appropriate to move forward, not limiting ourselves to classifying these regional legislative acts as sources of purely Russian constitutional law [48]. They can also be recommended as sources of Russian national criminal law.

Judicial practice also influences the development of understanding of the actual sources of modern Russian criminal law. For example, in one criminal case involving the extradition of a wanted offender from Poland, the Polish side set a condition for such extradition. The extradition of the offender to Russia was conditioned on the absence of any contradictions with current Polish criminal law in the list of acts incriminated against the individual whose extradition was being requested. As part of this international legal cooperation, one article was effectively excluded from the charges against this individual. As a result, one of the charges against this individual was not brought against him. And, accordingly, it was not included in the indictment in court. This raised the question of the possibility of using provisions of current foreign criminal law as sources of Russian national criminal law. The answer to this question may also differ among researchers of this theoretical subject.

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Although case law is not recognized in Russia, the question may arise as to whether acts adopted by judges of the Constitutional Court of the Russian Federation should be considered sources of Russian criminal law. In fact, this question can be answered affirmatively. This is eloquently illustrated by the death penalty, in particular. If the Constitutional Court of the Russian Federation finds any provision of the current Criminal Code of the Russian Federation to be inconsistent with the provisions of the Constitution of the Russian Federation, it is precluded from application. It is quite difficult to argue with this approach to the norms of Russian constitutional law. An interesting question here may be whether acts adopted by Constitutional (Charter) Courts (Councils) of the constituent entities of the Federation have such significance. The dissolution of such regional courts and the creation of similar councils in individual regions of Russia currently only allow us to model possible answers to this question. However, it should be noted that the acts of such councils in modern conditions can only be advisory in nature. Given the complex situation surrounding Russia's potential membership in the UN Human Rights Council, there is currently no certainty about the relevance of documents adopted by this international body for shaping contemporary Russian criminal policy. However, there remains hope for changes in this situation in the future.

Given the evolving content of Russian criminal procedure norms, the issue of pre-trial agreements, among other things, may arouse the interest of researchers. Its application significantly alters both the forensic component of criminal policy and its moral assessment.

Prejudice is also a relevant topic. N.F. Kuznetsova's words about the prospects of transforming a hundred cats into other representatives of the animal world remain relevant today [49,9]. In this regard, we believe it is possible to fully agree with the similar opinion of P.P. Stepanov [50]. First, let us say a few words about what prejudice is. The Criminal Procedure Code of the Russian Federation [51], in its current version (hereinafter referred to as the Criminal Procedure Code of the Russian Federation), contains Article 90, which allows for the use of prejudice in criminal proceedings. At the same time, this same provision of the Criminal Procedure Code of the Russian Federation also establishes a number of prohibitions. These prohibitions relate specifically to the application of certain aspects of prejudice. More precisely, we are talking about prohibitions on the use of prejudice in certain situations. In the context under consideration, such prejudice should be understood as the use, without any additional proof, in a subsequent (different) criminal proceeding of certain factual circumstances formally established by a previously final and binding court verdict. In essence, we are talking about criminal prejudice within the subsequent criminal proceeding. The complex wording of the definition, including the tautology (repetition) of the same term (relative adjective) "criminal," can be explained by the specific nature of this segment of contemporary Russian national criminal law. Violations of the provisions of Russian language (philology) norms are not, in our opinion, subject to correction.

Many problematic issues arising from the practical application and the specific content of the legal norm on prejudice persist today. Nevertheless, interesting monographic works on similar topics have recently been published. For example, the publications of D.V. Miroshnichenko. [52.9], Kalandarishvili Kh.A. [53.12], and Shcherba S.P. [54.18]

The above-mentioned provision of the Criminal Procedure Code of the Russian Federation should not prejudge the guilt of persons who have not previously participated in the criminal case under consideration by the initial verdict (used as a criminal prejudice). This opinion is consistent with the text of the Resolution of the Constitutional Court of the Russian Federation of 21.12.2011 No. 30-P "On the case concerning the review of the constitutionality of the provisions of Article 90 of the Criminal Procedure Code of the Russian Federation in connection with the complaint of citizens V.D. Vlasenko and E.A. Vlasenko" [55].

A highly innovative interpretation of the norm of modern Russian criminal procedure we are analyzing is nevertheless encountered in practice, for example, in situations involving criminal cases involving corruption offenses. Specifically, having interrogated a person only once during the preliminary investigation as a witness, not included as a suspect and/or defendant in the original criminal case, without specifying such person's details in the indictment as subject to subpoena, and, of course, without such subpoena, the preliminary investigation authorities may subsequently plan to use this text of the original court verdict as prejudicially established facts. It is noteworthy that even if such persons being interrogated have conflicts with other participants in the proceedings during the initial preliminary investigation and judicial review, confrontations and, accordingly, new interrogations are not planned or conducted. Here, it is recommended to pay attention to the text of the court verdict that entered into legal force with respect to citizen P [56].

Situations in which the investigator does not formally indicate the procedural status of such individuals in interrogation reports also merit separate and careful analysis by researchers. Establishing the status of such individuals, based on whose interrogation documents were compiled during the preliminary investigation of the first criminal case, is only possible by finding notes in the documents explaining the existence of criminal liability for a witness's refusal to testify, pursuant to the requirements of Article 308 of the Criminal Code of the Russian Federation and Article 307 of the Criminal Code on liability for knowingly giving false testimony. Any

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official orders issued in these cases to charge such individuals in these initial criminal cases are absent. Accordingly, any other documents not procedurally compiled by the investigative authorities that would confirm the status of suspects in this initial criminal case are also absent. The corresponding statistical records for such individuals are also not submitted to the official structures of the Information Center of the Main Directorate of Internal Affairs of the Ministry of Internal Affairs of the Russian Federation and the Main Information Center of the Ministry of Internal Affairs of the Russian Federation. Due to this situation, when officially requested certificates of no criminal record and no criminal record are received for these individuals, no discrediting information is available during the analyzed period. This information vacuum in the databases of internal affairs agencies continues while such an initially initiated criminal case is pending trial at the relevant judicial level. During the initial preliminary investigation, the question of officially recording such information by internal affairs agencies is not raised at all.

Even with regard to offenders who remain elusive from investigative and judicial authorities and officials for extended periods, the practice of using such methods of investigation and judicial review of such criminal cases can justifiably raise serious controversy. When such investigative and judicial practice is applied to public figures, for whom the use of the category “having hidden from investigative bodies and officials and (or) the court” is simply not appropriate, this can be considered to be perceived ambiguously.

Under these circumstances, the possibility of exercising the actual right to defense for individuals in this category may be considered a phantom. The materials of the "Convention for the Protection of Human Rights and Fundamental Freedoms" (concluded in Rome on November 4, 1950), which have become a myth for the modern Russian Federation under current conditions, officially ceased to be in effect on March 16, 2022. This was confirmed by the adoption of a special Federal Law of February 28, 2023, No. 43-FZ "On the Termination of International Treaties of the Council of Europe in Relation to the Russian Federation" [57].

An analysis of the time period during which the aforementioned Convention actually influenced the formation (and, in part, the reform) of criminal policy in Russian history may prove quite interesting. For example, in comparison with preceding or subsequent periods of historical development. This development of historical events offers a new perspective on the development of the practice of using the time factor in modern legal activity, as previously discussed by V.L. Kulapov and Yu.A. Kondrashov. [58] Although here one can support the opinion of N.A. Loginov, who points out that the federal legislative body in the Russian Federation has gone significantly further than the authors of the text of the “Convention for the Protection of Human Rights and Fundamental Freedoms.” It has also granted the right to defense to the person in respect of whom certain procedural actions are carried out. If, of course, they in any way affect his rights and freedoms [59]. Law enforcement agencies do not extend the provisions of Art. to such persons being interrogated. 46 of the Criminal Procedure Code of the Russian Federation (regarding the exercise of the suspect's right to know what exactly he (she) is suspected of). Similarly, the provisions of Article 47 of the Criminal Procedure Code of the Russian Federation (regarding the rights of the accused) also do not apply in these situations. Accordingly, it becomes virtually impossible to defend oneself against such a suspicion (or accusation) in such situations if all the specified information remains hidden from such a person. On the other hand, an official written statement explaining the obligation to testify and avoid knowingly giving false testimony is taken from such a person being interrogated. That is, the threat of application of the provisions of Articles 307 and 308 of the Criminal Code of the Russian Federation. Even during the Soviet period of Russian criminal procedure, which some criticize, such a practice was not approved.

Researching the above example, reflected in modern Russian judicial practice, the author cannot share the point of view on the admissibility of classifying teachers of non-state higher educational institutions as potential subjects of the crime provided for in Article 201 of the Criminal Code of the Russian Federation. "Abuse of Authority." Zherdev G.A.'s opinion on this issue can be supported [60,28]. Other authors also adhere to similar points of view [61]. However, specific applicators of legal norms, for example, may hold different points of view on the relevant aspects of qualification in the criminal law aspect under Article 201 of the Criminal Code of the Russian Federation. Under such conditions, the content of the text of a verdict similar to the one cited above may well be used as facts that are prejudicially established under such a court verdict that has entered into legal force.

In the judicial act cited above, the court did not use the testimony of other witnesses. Only the convicted person's personal admission of guilt in committing the offenses incriminated to her and the citation of materials prepared by the preliminary investigation were included in the structure of this court act. It is recommended to pay special attention to this situation. As a result, even with the potential overturning of this court verdict in the future, any question of the convicted person's guilt in knowingly giving It is not possible to establish false testimony against witnesses in the aforementioned criminal case, and/or a knowingly false denunciation. In cases of refusal to testify using the right provided for in Article 51 of the Constitution of the Russian Federation, investigative bodies and the court usually practiced conducting confrontations. Confrontations were conducted

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both at the preliminary investigation stage and during the court hearing. All this turns out to be purely theoretical in relation to the case cited above from investigative and judicial practice.

When analyzing similar cases, there is a need for an official interpretation of the provision of Article 90 of the Criminal Procedure Code of the Russian Federation. What exactly does the legislator mean by the definition: "a person who has not previously participated in the criminal case under consideration"? Is it strictly about participation both in the preliminary investigation and in court? And in what status? Is participation only as a witness only in the preliminary investigation in a single interrogation a sufficient condition (of course, if such a person was not hiding from the investigation and trial, but was simply not summoned to court at all)?

And in what status? Is participation as a witness only during a preliminary investigation, in a single interrogation, sufficient (of course, provided such a person did not abscond from the investigation and trial, but was simply not summoned to court at all)? Here, we are entitled to expect the adoption of a corresponding Resolution of the Plenum of the Supreme Court of the Russian Federation based on the analysis (summary) of the materials of the criminal cases considered by the court, both those used to apply the texts of their verdicts as prejudicially established facts, and criminal cases in which individuals were convicted with similar materials from court verdicts that have entered into legal force, applied as prejudicially established norms. Naturally, such a Resolution must be preceded by comprehensive scientific research, both from the standpoint of constitutional law and from the standpoint of the requirements of other relevant areas of law. Potential updates, amendments, and additions to the texts of the Resolution of the Plenum of the Supreme Court of the Russian Federation of July 9, 2013, No. 24 (as amended on December 9, 2025) "On judicial practice in cases of bribery and other corruption crimes" [62], the Resolution of the Plenum of the Supreme Court of the Russian Federation of June 30, 2015, No. 29 (as amended on December 9, 2025) "On the practice of applying by courts the legislation ensuring the right to defense in criminal proceedings" [63], and some others may also be quite expected here.

Scientific conferences on similar topics may also be in demand, as interesting solutions to the analyzed cases may well be proposed during brainstorming sessions. The significant scientific potential of Russian students and other researchers may also be attracted to the search for a solution. Approximate recommended topics for final qualifying theses, term papers, etc. The body of work is worthy of being enriched with such options at relevant higher education institutions. When candidates are choosing topics for their research for an academic degree, an analysis of such topics may also be of interest.

On the other hand, the relevant materials obtained (prepared) in such criminal cases deserve a summary for subsequent analysis in terms of their compliance with the norms of the Constitution of the Russian Federation and other legal regulations governing the organization and methodology of the relevant prosecutors. This could include both oversight of the investigation and work with the judicial branch. Similarly, oversight of the agencies that carried out operational-search activities on such materials (criminal cases) would also be considered. The collected data is worthy of consideration at an expanded meeting of the Prosecutor General's Office of the Russian Federation.

An analysis of such results from criminal investigation practices is also worthy of consideration for the legality of such law enforcement practices and their forensic support, personnel and psychological support, and improvement of initiatives in the area of rulemaking at an expanded meeting of the Board of the Investigative Committee of the Russian Federation. One should fully agree with the opinion of V.Ya. Koldin, who rightly noted that the problem of assessing objectivity is relevant in modern forensic analysis [64, 107].

Similar measures may also be needed in the central offices of agencies (structures) that provided operational-investigative support for the criminal cases under investigation.

Not only major personnel decisions but also the development of appropriate recommendations for improving the theory and practice of activities to uphold the rights and legitimate interests of citizens may be entirely expected. Cases involving the prosecution of relevant officials who violated the law are also highly likely.

The application of such a complex practice, inherent to criminal investigation and judicial review, in contemporary Russian realities again and again leads us to analyze a seemingly simple question: should the truth actually established in a case be absolute? Many decades, if not centuries, of debate on this issue have yet to yield a definitive, universally satisfactory resolution. The analyzed simplification of the procedure is capable of significantly reducing the degree of objectivity of the available truth (more precisely, information, data) in a specific criminal case.

Today, unfortunately, the report by A.A. Starchenko, delivered at the Philosophy Department of Lomonosov Moscow State University in 1962, is rarely recalled. The topic of this report, still relevant today, was "Methodological Problems of Legal Proceedings" [65]. "Absolute truth," according to A.A. Starchenko, has no degrees. But "completeness of knowledge" allows for the use of degrees. For example, in relation to a member of a fully unidentified criminal group, he allowed for the possibility of making a decision even with a lack of knowledge. A complete investigation of the circumstances of the case is the most important procedural requirement. And achieving absolutely true knowledge of the circumstances of the case is the first and necessary

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condition for a guilty verdict. Also of interest is the indication that the main provisions of A.A. Starchenko's report were supported by the audience [66, 155].

Of course, in this situation, it is necessary to clarify the relevance of this scholar's position in the analyzed time period. Article 14 of the Fundamentals of Criminal Procedure of the USSR and the Union Republics of 25.12.1958 [67], which was in force at the time, contained a direct indication of this. Today, the situation in the current version of Russian criminal procedural legislation is different. In this regard, one can agree with the opinion of T.A. Bekker, [68] noting that Russian legislators have now abandoned the previously traditional requirement to establish the truth in a case. Currently, Russian lawmakers have limited themselves to the requirements of Article 6 of the Criminal Procedure Code of the Russian Federation, "Purpose of Criminal Proceedings," and Article 73 of the Criminal Procedure Code of the Russian Federation, "Circumstances Subject to Proof." T.A. Bekker attributes the achievement of objective truth in a criminal case not so much to the principles of criminal procedure as to its purpose. This approach deserves a comprehensive analysis by Russian lawmakers. An axiological analysis of the content of truth in a case may also be worthy of separate study [69, 96].

CONCLUSION

The high degree of implementation of procedures for reforming the content of modern Russian criminal law at the national level largely determines the relevance of using a creative approach to teaching the relevant topic. An interdisciplinary approach is becoming essential in this matter. The specific subject matter of Russian national criminal law should be presented in close contact with the norms of constitutional and many other branches of law. Positive results, as the author's practice demonstrates, can also be achieved by using materials from philosophical works whose authors touch upon relevant, current aspects of social relations. Perhaps the range of disciplines related to criminal policy will eventually expand. Computer law (including information security), military law, and others, for example, could prove promising.

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