

## **Activities of Russian law enforcement authorities in crime prevention in the sphere of economic activity, 2000-2011**

*by Vadim Volkov, Aryna Dzmitryieva, Ella Paneyakh, Michael Pozdnyakov, and Kirill Titaev*

The level of activity of law enforcement authorities in terms of the detection of economic crime has changed several times during the last 12 years. The phase of sharp activity decline lasted from 2000 to 2003, that of stable growth from 2004 to 2008, and again decline in 2009-2011.

These changes in activity were caused by political, legal as well as intraorganizational influences to a much larger extent than by the actual prevalence of crime in the business sphere. The general statistical image of economic crime reflects this.

The structure of activity of law enforcement authorities in relation to business includes the five most commonly applied articles of the Criminal Code of the Russian Federation (art. 159, art. 160, art. 171, art. 198, art. 199). The two most common – article 159 (fraud) and 160 (misappropriation or embezzlement) are applied for pursuit of crimes in the sphere of entrepreneurial activity, for which they are not meant (in particular, they are not even a part of article 22 of the Criminal Code “crimes in the sphere of economic activity”, but are a part of art. 21 “crimes against property”, where they stand alongside such general crimes as theft, robbery, and robbery with violence). Application of these general crime articles for prosecution of business means that the law enforcement authorities arbitrarily substitute “profile articles,” which are more specific, more complicated (in terms of proof), entail milder sanctions, and which (considering the recent changes in the criminal code) are not accompanied by the possibility of threatening the one under investigation with pretrial incarceration.

The economic effectiveness of the pursuit of crimes in the sphere of business remains immutable. Throughout the decade, neither the economic growth, nor the crisis, nor the changes in the policies of law enforcement authorities, have influenced it. Whereas nominally, as it is reflected in the departmental statistics, damage from the solved economic crime cases was on the rise; in real terms (with the adjustment for inflation) it either remained constant or was falling.

The lower bound of damage which entails criminal prosecution (2500 roubles, established in 2002) and sums (somewhat unclear what this means), separating large and particularly large damages, were, throughout 8 years, not adjusted for inflation, which led to gradual “inflational” growth of repressiveness of the criminal code. Increase of the border sums, carried out in 2010-2011 as a part of the Criminal Code reform only neutralized the factor of inflation accumulated over the previous years and did not lead to the declared humanization of sentences.