

traces, the circumstances of the occurrence of traces of biological origin, by the method of detection, types and varieties of biological trace-forming objects, by stages of crime, by qualitative and quantitative characteristics, according to the localization of these traces, according to certain categories of cases, according to the types of instruments of crime.

The value of the proposed grounds for the systematization of biological traces lies in the fact that they fully correspond to the prevailing ideas about biological examination, as well as its varieties and objects. Based on the goals and objectives of the study of biological traces, on the basis of the proposed grounds, it is possible to form a coherent system of biological traces with interrelated elements that contribute to an increase in the efficiency of detecting and investigating crimes.

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PROBLEMATIC ISSUES OF 295 ARTICLE APPLICATION OF THE CRIMINAL CODE OF BELARUS: THE PROSECUTOR'S OFFICE PRACTICE IN VITEBSK REGION

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At the present stage, weapons are a means of increased danger, violation of the turnover, regulation and use of which creates a potential public danger to the life and health of people. In the Republic of Belarus and most European countries, the use of weapons by criminals in the perpetration of homicides and other violent crimes is very rare. This state of affairs became possible due to the existing criminal prohibition. In the Republic of Belarus, in order to protect public safety and public health, criminal responsibility has been established for a number of acts involving weapons, ammunition and explosives. Over the past two years the largest number of crimes in this category has been registered in Vitebsk region.

The objective of the research is to analyze the practice of the Prosecutor's office of Vitebsk region in solving crimes related to illegal actions with weapons, ammunition and explosives.

Material and methods. The material of the study is the Criminal Code of the Republic of Belarus, the Law of the Republic of Belarus "On weapons", the Decree of the Plenum of the Supreme Court of the Republic of Belarus No. 1

“On judicial practice in cases of crimes related to illegal actions in relation to weapons, ammunition and explosives (articles 294-297 of the Criminal Code)” and investigative and judicial practice of the Prosecutor’s office in Vitebsk region. The methodological basis is formed by methods of analysis and generalization of data on the discussed topic.

Findings and their discussion. The study of investigative and judicial practice, the generalization of which was carried out by the Prosecutor’s office of Vitebsk region in 2019, indicates the presence of a number of errors made when qualifying the actions in relation to the designated category of objects.

The Supreme Court of the Republic of Belarus pays considerable attention to this issue. All necessary explanations on the application of the current criminal law in this area are given in the Decree of the Plenum of the Supreme Court No. 1 as amended by the Decree of the Plenum of the Supreme Court of the Republic of Belarus from March 29, 2018.

It should be noted that the criminal law establishes responsibility for the following illegal actions in relation to weapons, ammunition and explosives: manufacture, acquisition, transfer into possession, marketing, storage, transportation, shipment, carrying. The responsibility for these actions, which were committed repeatedly, by a group of persons by prior agreement and under a number of other aggravating circumstances, is compounded [1, art. 295].

The concepts of all these actions are reflected in detail in the specified decree of the Plenum of the Supreme Court of the Republic of Belarus. Let’s pay attention to some of them.

One of the first questions when qualifying the actions of persons who “have a craving for pistols and cartridges” is the attribution of a material object to the subject of a crime. The decree of the Plenum indicates that the courts should resolve questions about the conformity of the subject of the crime to any type of weapons, ammunition and explosives on the basis of an expert opinion. Also, a careful approach is required to study the expert’s opinion on whether the weapon or cartridges for it are suitable for firing. For instance, in a number of criminal cases, cartridges that were not suitable for firing a shot, gas cartridges, were unreasonably recognized as objects of crime. Trafficking of such items does not entail criminal responsibility [2, par.3].

In paragraph 8 of the decree of the Plenum, illegal acquisition of items specified in article 295 of the Criminal Code is understood as their receipt on a paid or gratuitous basis by citizens who do not have the right to do it, by purchase or exchange, as a reward for a particular service, and others. In the absence of grounds for this, the actions of a number of persons were qualified on this basis. One of the errors in imputing this attribute is that the prohibited explosives were found in persons, particularly gunpowder, were acquired by them legally when they were hunters and had the right to carry and store hunting smoothbore weapons, purchased gunpowder, but it did not had it over in accordance with the procedure, that is established by the law, after the abolition

of the relevant permission. In this case, storage and other actions, if they took place, will be illegal [2, par. 8].

The next category of errors is incorrect imputation of the sign of acquisition of weapons in the case of theft. Theft of such items is an independent crime, which entails responsibility under article 294 of the Criminal Code. Such actions cannot be regarded as their illegal acquisition in the context of the provisions of article 295 of the Criminal Code. The same follows from the decree of the Plenum, according to which the theft and storage of such items, their marketing or carrying will be qualified under the totality of articles 294 and 295 of the Criminal Code [2, art. 21].

It should be emphasized that the actions of persons who accepted these items for temporary storage were mistakenly qualified as illegal acquisition of weapons, ammunition and explosives. Illegal transfer of weapons into possession according to the decree of the Plenum of the Supreme Court is considered as a violation of the procedure, which is established by the law, the provision of these items for the purpose of temporary or paid or gratuitous storage, as pledge by other persons [2, art. 9].

It is necessary to highlight the fact that certain difficulties are caused by questions of qualification of actions for the considered category of crimes on the basis of repetition. In accordance with the paragraph 15 of the decree of the Plenum actions of persons on the basis of repetition are subject to the qualification if they have an outstanding and unspent conviction or they are not exempted from criminal responsibility for the same act that preceded this one [2, art.15].

It should be noted that persons who have committed illegal circulation of traumatic weapons and ammunition for them are subject to criminal responsibility, since, in accordance with the Law of the Republic of Belarus “On weapons”, the circulation of such weapons and ammunition is prohibited on the territory of the Republic of Belarus [3, art.8].

At the same time, the presence of a permission issued by the competent authorities of a foreign state for the storage and use of such weapons and ammunition in the territory of this state is not a basis for releasing a person from responsibility for actions with weapons.

Conclusion. Thus, when analyzing the practice of the Prosecutor’s office in Vitebsk region in solving crimes related to illegal actions in relation to weapons, ammunition and explosives, the most typical problematic issues of the application of article 295 of the Criminal Code of the Republic of Belarus in the classification of such crimes were identified. Paying attention to these inconsistencies can help in the future in law enforcement practice to disclose these crimes.

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ASSESSMENT OF THE REPUBLIC OF BELARUS REGIONS’ COMPETITIVENES POSITIONS IN INTERNATIONAL COOPERATION

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Region’s competitiveness is an economic category, that represents a conditioned by the economic, social, political and other factors, the region's ability to provide a high level of living and income to owners of capital, as well as effective use of existing economic potential in the production of goods and services [1].

The regions’ competitiveness is formed as a result of purposeful active regional investment, demographic and commercial policies. Its implementation should be provided with an objective assessment of the region's competitiveness level, which reflects the competitiveness rating, the improvement of which is relevant for the regions of the Republic of Belarus.

The purpose of this paper is to analyze Republic of Belarus regions’ competitiveness positions.

Material and methods. Base of the research are the works of domestic and foreign scientists in the field of competitiveness, statistical reports of the Belarusian national statistical Committee.

When writing the paper, such research methods as analysis and synthesis, deduction and induction, and a systematic approach were used.

Findings and their discussion. Among various approaches assessing the competitiveness of regions, there is an approach in which the competitiveness of regions is evaluated by three components: demography, investment (investment attractiveness) and foreign trade turnover. As a demographic component of the competitive positions of the regions of the Republic of Belarus, we consider data on the population of the regions of the Republic of Belarus for the period 2015-2020 [2].

As can be seen from table 1, during this period there is a nationwide downward trend in the population. At the same time, the city of Minsk and the Minsk region show population growth, while in all other regions the population