

The Report of the Russian National Group

In 2019 the major activities of the Russian National Group activity may be summarized as follows.

To start with, in the end of 2018 the Russian National Group formed a group of researchers working on issues of digital evidence and cooperation of providers with LEAs and in 2019 they continued research in this sphere. The first version of the chapter on Russia has been submitted. In the framework of this projects, several academic events were organized in order to exchange views among scholars, representatives of law enforcement bodies and bar associations. For instance, on 28 June 2019 Law Faculty of Lomonosov Moscow State University held a conference on cybercrime and its investigation and prosecution. Approximately 150 lawyers participated, and researchers presented and discussed results of their work, as well as listened to reports of prosecutors and defense lawyers.

In June 2019, the Russian National Group organized a study visit of 20 Russian students representing various leading law schools to The Hague and Leiden University. Students were chosen according to the results of competition of written essays, so they were from different universities. All of them visited the International Criminal Court to observe the moot court on international criminal law, which is annually organized in Russia by the Higher School of Economics in collaboration with the ICC. Apart from that there was an tour to the International Court of Justice. At the University of Leiden students participated in a series of roundtable discussions (topics included economic cybercrimes, tax crimes, counter-terrorism and cybersecurity). Discussions were based on a comparative approach (mainly legal systems of Russia and the Netherlands were compared, but many pieces of information on the common EU regulation were presented). The goal of the visit was to involve Russian promising young researchers closer to the comparative criminal law.

One of academic priorities for the Russian National Group in 2019 was research on the interplay between criminal law and human rights. In that regard notions of extremism and terrorism are discussed. For instance, on 17 May 2019 the Russian National Group held a roundtable discussion on verbal crimes related to extremism. In Russia this problem is closely connected with participation of experts in trials who usually give their interpretation of the content of the speech, that is instrumental to infer the intent of an accused. Those experts are not lawyers, they are linguists, so we invited them to participate, alongside scholars and students. This year (12 February 2020) another discussion took place, the topic of terrorism propaganda via the Internet was covered. Researchers were encouraged to rely on the approach of the European Court of Human Rights and comparative study. Both scholars and students were invited to participate.

Russian national rapporteurs participated in all preparatory colloquiums before the XX Congress. The results of their work have been published (reports by V. Beloborodov, G. Bogush, R. Dolotov, G. Esakov, M. Filatova).

Before the Rome AIDP Congress we invited students, PhD students and defense lawyers to join the AIDP and attend the Congress. So, we managed to form a comparatively large group of our representatives in 2019, many of whom are ready to carry out research and participate in our activity on a regular basis. We gathered together PhD and master students from different departments (Criminal Law, Criminal Procedure, Forensic Science), which is extremely useful to us. Some of them have had experience of work in big companies (such as Sberbank) or have some contacts with other companies engaged in development of technologies and combatting cybercrime (such as IB-group). Many of them expressed their wish to participate in the next AIDP scientific cycle and already engaged in discussions on the AI and criminal law.

The Russian National Group has started preparation for the Preparatory colloquia. Information about the topic of the XXI Congress is going to be published soon in one of the well-known Russian criminal law journals, national rapporteurs have been selected and cooperation with some companies is being established. We are looking forward to welcoming AIDP officials and members from around the globe in Moscow!