VICTIMIZATION MONITORING OF CORRUPTION-RELATED CRIME IN THE REPUBLIC OF BELARUS

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ABSTRACT

Goal: To evaluate consequences of corruption crime in the Republic of Belarus based on the official figures of statistics.

Methods: the study being implemented is grounded on the universe dialectical method of perception making possible to investigate social phenomena in their interrelation and general scientific methods based thereon.

Results: the main social-demographic characteristics of the corruption- crime victims in the Republic of Belarus are disclosed.

Scientific Novelty: for the first time ever in criminology science the given work investigates the issues of victim monitoring in corruption crime statistics based on the figures submitted by the appropriate authorities in the Republic of Belarus.

In consequence of victimization measurement of corruption crime in the Republic of Belarus it has emerged that most of corruption crime victims are accounted for corruptive embezzlements, abusive exercise of power or misuse of authority. A good number of physical persons become victims of authority transgression or bribery but victims of failure to use authority appear to be just a few.

In the Republic of Belarus victims of corruption crime mainly become its citizens and the share of foreigners in the total structure of victims is insignificant.

The practical relevance of the given study lies in the fact that monitoring of corruption crime consequences in the Republic of Belarus can be used at working out the measures of the given crime victimization prophylaxis. The results received within the given study can be also used for the process of education in the field of anticorruption training.

KEYWORDS: corruption, corruption crime, victims of corruption, the Republic of Belarus, statistical key figures, corruption victimology, anti-corruption monitoring.

Issues of monitoring anti-bribery and corruption policy efficiency in the contemporary world are paid much attention in various studies. A great many of research papers devoted to this matter were published over the last years. However, new trends and non-conventional approaches to the assessment of corruption status and fight have recently emerged. Among these scientific trends directed to efficiency measures evaluation is the monitoring of victims in statistical figures of corruption indices what we called as «victimization monitoring of corruption» [11, p.51; 12, p.164; 13, p.12]. We consider it to be one of the components in the system of corruption victimology (anticorruption victimology) [8, p.38]) directed to the assessment of corruption condition in the state and society through detection, description and explanation of victimology trends. [14, p.107-111; 15, p.43-46].

Experience of contemporary Russian criminology has shown that detection, description and explanation of victimology trends in the corruption status and efficiency of measures for its fight is possible to implement by various means including the use of the available statistical information of the corrupt victims. [1, p.21-22; 2, p.30-32; 3, p.27-31; 4, p.8-17; 5, p. 286-289; 6, p.31-38; 7, p.112-114; 9, p.19-23; 10, p.42-45; 16, p.91-97].

Here we should agree on conditions that not all the countries present complete statistical figures of legal wrongs, lawbreakers and their victims on open access. In view of current traditions the governmental statistical agencies make available on official websites only the most significant information where the victims of crimes including corruption are not mentioned at all.

A pleasing exception from the rule turned out to be the information of registering and preliminary investigation of crimes in the Republic of Belarus made available to the public on official website «criminologi.rf» (criminologists of the Russian Federation) [20]. This information database contains both criminal's personal characteristic and social - demographic data over the period of 2002 – 2012. So we have taken ad-

vantage of the opportunity to monitor the corruption crime in this country since only such measure can give additional indices characterizing the corruption status and tendencies of its transformation.
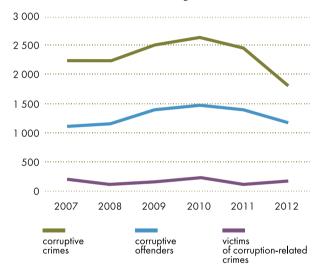
The choice of chronologic frames in victimology monitoring is stipulated by the fact that namely since 2007 in compliance with sublegislative legally enforceable enactments in the Republic of Belarus to implement statistical observation the List of Corruption Crimes [17] was authorized and subsequently revised and itemized in December 2011 [18].

At present in compliance with this List the offenses punishable by the Criminal Code of the Republic of Belarus and stated below are determined to be corruption crimes:

1) art. 210 (Embezzlement by way of abuse of office);
2) p.2 and 3 art. 235 (Legalization ("laundering") of offense-related material valuables acquired by appropriation of corporate opportunities);
3) p.2 and 3 art.424 (Abuse of authority or official misconduct);
4) p. 2 and 3 art. 425 (Office holder's lack of action);
5) p.2 and 3 art. 426 (Transgression of authority or abuse of power);
6) art. 429 (Extralegal participation in entrepreneurial activity);
7) 430 (Bribetaking);
8) 431 (Giving bribe);
9) 432 (Mediation in bribery);
10) 455 (Abuse of power, transgression of authority or failure to use authority).

Victimization data according to these corruption crimes in particular we shall analyze throughout the period under consideration just ignoring the fact that before 2012 other (advanced) List of Corruption Crimes have been in force.

We made a statistical analysis of corruption crime indices in the Republic of Belarus over the period of 2007–2012 having shown that on the territory of the country 13 871 corruptive crimes, 7 615 corruptive offenders were registered and the damage thereof amounted 109 560 375 015 rubles. A record of 990 victims or aggrieved persons due to corruptive crimes has been kept over the same period. Within the timespan under review the dynamics of detected corruptive crimes looks as follows: in 2007 on the territory of the Republic the number of corruptive crimes made 2235, in 2008 – 2225, in 2009 – 2518, in 2010 – 2636, in 2011 – 2452 and in 2012 – 1805. Over two last years we can clearly see the tendency to diminishing in the field of corruptive crimes detection and record. Yet at the same time the number of recorded and accom-

modated corruption offenders in this country turned out to be the following: in 2007 as many as 1100 of them were detected and held criminally liable, in 2008 – 1138, in 2009 – 1368, in 2010 – 1454, in 2011 – 1380 and in 2012 – 1175. And here again we see that in the timespan of three years the number of persons held liable for committing corruptive crimes has been significantly reduced. According to our reckoning this tendency is stipulated, in the first place, by reduction of total number of corruptive crimes being detected by law enforcement organizations in the Republic of Belarus, i.e. decline in their professional activity to search such crimes and offenders (see fig. 1).

Fig. 1. Quantitative indices of corruption-related crimes in the Republic of Belarus (2007–2012)

At implementing victimization monitoring we should invoke a reservation that in the Republic of Belarus according to articles 49-50 of the Criminal Procedure Code only physical persons can be qualified injured or aggrieved [19], i.e. made provision for so called anthropological approach to victims. [8, p.20]. What calls attention to itself is that most of the corruptive offenses in the Republic of Belarus is committed harmlessly to a victim and only one in each 14 case law-enforcement authorities upon availability of reasons arrive at a decision to admit a physical person to be an injured party. To corruptive offenses with no victim can be related such acts as detected legalization ("laundering") of offense-related material valuables acquired by appropriation of corporate opportunities, illegal participation in entrepreneurial activity and mediation in bribery because over the period under review no one natural person was admitted an injured

party therein. Meanwhile 288 corruptive offenses of the above-mentioned category were detected and recorded and 165 persons having committed them were held criminally liable over the same period of time. Victimization monitoring of quantitative indices in the Republic of Belarus showed that in 2007 as many as 199 persons were admitted an injured party and recorded as victims of corruptive offenses, in 2008 – 114, in 2009 – 156, in 2010 – 216; in 2011 – 141; in 2012 – 164. The analysis of this statistics clearly demonstrates differently directed variations in quantitative indices of corruptive offense victims at relatively stable quantity of recorded crimes and detection of persons committing thereof. According to the number of recorded victims the corruptive offenses can be divided into several groups: with large number of victims, with substantial number of victims and with small quantity thereof.

One of the main indices in victimization monitoring of corruption-related crimes is structural constitution of their victims. The first group encompasses persons aggrieved from embezzlement by way of abuse of office (art. 210 in the Criminal Code of the RB). Within the period under review their number amounted 276 what made 27,9% of total number of corruptive offense victims. Not so many as in the above group – 213 persons or 21, 5% of victims in determined abuse of authority or official misconduct (p.2 and 3 art. 424 in the Criminal Code of the RB) as well as victims of abuse of power, transgression of authority or failure to use authority (art. 455 in the CC of the RB) – 207 or 20,9%. This group of aggrieved persons makes 70,3% in total structure of corruptive offense victims.

A sustainable quantity of victims was recorded among such crimes as abuse of authority or official misconduct (p.2 and 3 art. 426 in the CC of the RB) – 135 persons or 13,7% and giving bribe (art.431 in the CC of the RB) – 133 persons or 13,4% of total structure of corruptive offense victims in the Republic of Belarus. A small quantity of victims was recorded in the category of bribetaking (art.430 in the CC of the RB) – 24 persons or 2,4%, though the total number of victims from bribery (both giving bribe and bribetaking (art. 430-431 in the CC of the RB) is quite sustainable and makes 157 persons or 15,9% of total structure of corruptive offense victims in the Republic of Belarus.

The structural analysis of corruption-related crimes in the Republic of Belarus witnesses that most often the residents of the country become victims of «corruptive embezzlements» and «abuse of power», a sustainable number of people suffer from «transgression of authority» and bribery but victims of failure to use authority are just a few.

One of the most important indices in victimization monitoring is social - demographic characteristics of victims in criminal corruptive behavior expressing their corruptive victimity. In our opinion corruptive victimity should be understood as either impartial possibility and/or capability («proneness») of an individual to become a direct or indirect victim of corruptive behavior or incapability to protect oneself from such behavior. The analysis of statistical information made by us proves the fact that most often the victims of corruptive offenses become men - 719 or 72,6% and only 271 or 27,4% are women. Hence, corruptive victimity of Belorussian men are much higher than that of women.

If to arrange the victims into groups according to their social status it can be seen that mostly workers become victims of corruption-related crimes, hence, they are more liable to be corruptive offense victims. Their detected and recorded number as victims in the period under review amounted 289 or 29,2% in total figure of corruptive offense victims. Slightly less people among the victims of corruptive offenses have become persons without a permanent income source (neither working nor studying) – 256 or 25,9%. A substantial number of corruptive offense victims turned out to be employees – 74 or 7,5% and pensioners - 58 or 5,9%. Rather small number of victims appeared to be among the students of educational establishments – 15 persons or 1,5% and foreigners - 25 or 2,5%. A large proportion in the structure of corruptive offense victims in the Republic of Belarus fell into other social groups – 273 natural persons or 27,6%.

The quantitative data of criminal statistics in the Republic of Belarus envisage victims grouping according to age category: a) under the legal age, b) persons at the age from 18 to 29, c) persons at the age from 30 to 49, d) persons at the age from 50 to 69 лет; e) persons at the age of 70 and elder. Among the victims of corruption-related crimes the group of 18- 29 turns out to have the largest proportion: 419 of them were detected and recorded what makes 42,3% in the total structure of corruptive offence victims.

Slightly less victims was recorded in an age group of 30-49: 389 or 39,3%. Far less corruptive offence victims we see in an age group of 50-69: 151 persons or 15,3%. People in an age group of 70 and elder have become victims of corruptive offences as much as 21 times and in the total share of all victims they made only 2,1%. The least corruption victimity due to objective cause is characteristic to persons under legal age: they are only 10 or 1%.

In this regard it is safe to assume that the most corruptive victimity in the Republic of Belarus is inherent to people aged from 18 to 29 and the less corruptive victimized being under 18-s.

The key element in victimization monitoring of corruption-related crimes appears to be detection, description and explanation of its negative consequences capable to influence over the victims and their behavior. Quantitative indices of criminal statistics in the Republic of Belarus apart from the amount of material damage caused comprise such additional indicators that determine physical trespass, i.e. the number of wounded and killed.

According to the data studied within the period under consideration 3 persons were killed and 7 people got wounds of varying severity as a consequence of corruption crimes in the Republic. So, it can be said without prejudice that as a result of committing corruptive crimes 10 people in the Republic of Belarus have suffered from physical trespass, what makes 1% in total number of corruptive offense victims. As a rule, corruptive offense victims sustained a bodily injury are natural persons suffered either from the officials' transgression of authority or failure to use authority.

Victimization monitoring of corruption-related crimes in the Republic of Belarus enables us to draw certain conclusions.

In the first place, the Republic of Belarus could manage to arrange the system of crime reporting that takes into account not only qualitative indices of the offences and persons having committed them but also the record of victims including physical trespass. The above mentioned data being reported make possible to carry out statistical analysis of corruption-related crimes rate in the Republic, its negative consequences for society and to implement anti-corruption victimization monitoring characterizing the victims of corruptive offenses.

In the second place, primarily the Republic of Belarus' citizens appear to be corruptive crime victims but the share of foreigners serving in this quality is quite negligible in total structure of this type of crime victims.

In the third place, most of the corruptive offense victims were harmed from corrupt embezzlement, abuse of power or abuse of official position, a substantial number of natural persons became victims of authority transgression and bribery but victims of failure to use authority are just a few.

In the fourth place, most often the victims of corruptive offenses become men and only a few of them are women. Hence, corruptive victimity of Belorussian women is 4 times lower than that of men.

In the fifth place, at arranging the victims into groups according to their social status it can be seen that mostly workers become victims of corruption-related crimes - their number makes up nearly a third of all corrupt crime victims as is also the persons with-out a permanent income source (neither working nor studying). The least number of victims appeared to be among the students of educational establishments.

In the sixth place, among the victims of corruption-related crimes the age groups of 18- 29 and of 30-49 turn out to have the largest proportion making 80% in the total structure of corruptive offence victims but the less corruptive victimized being under 18-s.

Credits

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