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Milana Salmanovna Dikaeva ■**Penal policy in the Russian Federation:
Trends and perspectives****Polityka karna w Federacji Rosyjskiej.
Trendy i perspektywy**

Abstract: For many years the Russian Federation has had one of the highest numbers of people incarcerated in penal institutions (per 100,000 population). As of 1 January 2020, there were 523,928 people in prison. An analysis of the legislation and the practice of its application reveals that the main trend of modern Russian penal policy is for stricter penalties, longer prison terms, and inefficient use of alternative punishments. The ongoing trend of humanising and liberalising criminal justice remains virtually invisible and suppressed by a repressive bias, which ultimately prevents it from significantly influencing the overall direction of state policy in this area.

Keywords: penal policy, Russian Federation, punishment, imprisonment, alternative punishment

Abstrakt: Przez wiele lat Federacja Rosyjska była liderem pod względem liczby osób osadzonych w zakładach karnych w przeliczeniu na 100 tysięcy mieszkańców. W styczniu 2020 r. w jednostkach penitencjarnych przebywało 523 928 osób. Analiza ustawodawstwa oraz praktyki stosowania kary pozbawienia wolności pozwala zauważyć, że współczesną politykę karną Rosji cechuje tendencja do zaostrzania kar i zwiększanie długości kar izolacyjnych przy jednoczesnym braku efektywności w stosowaniu kar wolnościowych. Represyjne nastawienie władz powoduje, że humanizacja i liberalizacja wymiaru sprawiedliwości karnej w Rosji jest praktycznie niewidoczna i nie ma znaczącego wpływu na ogólny kierunek polityki karnej państwa.

Słowa kluczowe: polityka karna, Federacja Rosyjska, kara, kara pozbawienia wolności, kary alternatywne (wolnościowe)

Introduction

The collapse of the USSR and the transition from a socialist to a democratic state caused serious changes in Russian society in all aspects of life, including the realm of criminal penalties. Russia's accession to international laws in the fields of human rights protection and the execution of criminal penalties has a certain impact on the development of domestic legislation, such as determining the main directions of criminal and penal policy. As a part of the international community and an active member, Russia is obliged to observe the norms of international law. The country strives to create conditions for serving sentences that meet international standards. In 2011 the President of Russia expressed Russia's readiness 'to consistently implement European standards for the treatment of convicts, create additional guarantees for the protection of their inalienable rights – including personal security – and make greater use of advanced methods – including foreign ones – for correcting those who break the law' (FSIN n.d.-a).

However, as Prof. Gilinskiy (1993) notes, the country's recent totalitarian past could not help but leave a mark on the domestic penitentiary policy. The active use of the work of convicts during the Soviet period and its economic benefits predetermined the state's interest in the widespread use of imprisonment. From 1960 to 1990 the USSR consistently topped international lists of the numbers of people in penal institutions (per 100,000 population). Modern Russia has continued this tradition and also ranks high in terms of the number of prisoners. Despite the proclaimed course of liberalising criminal policy and humanising the execution of punishment, an analysis of the statistical data on the implementation of legislation shows a different picture.

The aim of this article is to describe Russian penal policy, changes in legislation, and the effects of those changes on the prison population. The descriptive information on Russian penitentiary system and statistics analysis should be useful for foreign criminologists and scholars of comparative policing.

1. System of sanctions and types of penal institutions

Before starting an analysis of the modern penal policy of the Russian Federation, a few introductory comments about the types of punishment and types of penal institutions are in order. According to the Russian Criminal Code, the system of sanctions includes 13 types of punishment. They are listed from the least strict to the strictest: fines; disqualification; deprivation of special, military, or honorary title, class rank, and state awards; community service; correctional labour; restriction in military service; restriction of freedom; arrest; service in a disciplinary military unit; forced labour; imprisonment; life imprisonment; and the death penalty.

Deprivation of special, military, or honorary title, class rank, and state awards is imposed only as an additional punishment. Restriction in military service and service in a disciplinary military unit can only be applied for military personnel. Restriction of freedom is similar to house arrest; it means the imposition of some restrictions on convicts (for example, to stay at home at certain times or not to visit certain places or attend certain events). Arrest is in essence a kind of imprisonment, but for a shorter period of time (1–6 months) and with stricter isolation. It cannot be applied because arrest houses have not yet been built. Forced labour is a relatively new type of punishment that was introduced in 2011, but has only started to be applied in January 2017 because new penal facilities (correctional centres) needed to be built. Forced labour is used as an alternative to imprisonment for crimes of little or medium gravity or for committing a grave crime for the first time. Convicts serve their punishment in correctional centres, where they live and work.

As for the system of penal institutions in the Russian Federation, there are several types of facilities for serving imprisonment. There are 693 colonies with different degrees of severity. In colonies, the convicts are held in dormitories; each dormitory is designed for 20–150 people. Another type of facility is a prison, of which Russia has eight. In prisons, the convicts are held in locked, shared cells. There are special educational colonies for juveniles which are not much different from adult colonies. Convicts with alcoholism or drug addiction, and those with mental illnesses, are held in medical correctional facilities.

2. Penal institutions, 1997–2007

Since the Criminal Code of modern Russia came into force in 1997, it seems logical to analyse statistical data and the state of the penal system from that time. From 1997 to 2007, the proportion of imprisonment (including conditional imprisonment) among all of the penalties imposed ranged from 78% to 88% (CDEP n.d.-a).¹ This led to a significant increase in the number of people held in the institutions of the country's penal system. As can be seen from Table 1, between 1990 and 2000, the number of convicts steadily increased, and in 2000 it reached a peak, amounting to more than one million people.

¹ The main indicators of penal statistics for 2003–2007 and for 2008–2015 of the Judicial Department of the Supreme Court of the Russian Federation.

Table 1. The number of prisoners in the USSR (1965–1988) and in Russia (1990–2007)

Year	Total number of prisoners	Number of prisoners per 100,000 inhabitants
1965	869,945	379
1970	1,146,882	474
1975	1,266,366	500
1980	1,467,885	555
1984	1,969,364	720
1986	2,356,988	846
1988	1,815,957	639
1989	698,900	400
1990	714,700	500
1991	770,000	459
1992	750,300	520
1993	804,800	563
1994	902,700	580
1995	964,600	655
1996	1,017,000	686
1997	1,009,800	700
1998	1,010,000	720
1999	1,014,000	729
2000	1,060,404	729
2001	960,400	673
2002	965,000	675
2003	847,000	592
2004	763,115	577
2005	823,451	578
2006	871,693	609
2007	883,200	613

Sources: Gilinskiy 2014; Mikhlin 2001; FSIN n.d.-b

There are several reasons for such changes. The first is the absence of actual alternatives to imprisonment in the Criminal Code of Russia. Although 13 types of punishment were established in the Criminal Code, the legislature did not lay out any conditions for applying some of them. Therefore, from the moment the Criminal Code became valid, the imposition of community service (no later than 2004), restriction of freedom (no later than 2005), and arrest (no later than 2006) were immediately postponed. A set of socio-economic circumstances – namely, a rise in unemployment and an increase in the number of poor citizens without regular sources of income – made it problematic for the courts to impose fines, which led to it being imposed extremely rarely. The lack of real alternatives to imprisonment forced the courts to impose it over other punishments. The solution to this situation was found in practice by imposing conditional imprisonment, which is still done very often.

This frequent use of imprisonment has led to a significant deterioration in the living conditions of convicts. As of 2000, there were 5,000 HIV-infected and AIDS patients in penal institutions and about 90,000 patients with an open form of tuberculosis, of which 22,000 – according to experts – were suffering from an almost incurable form of the disease, multidrug-resistant tuberculosis. Persons with disabilities made up about 2% of all convicts. In the 1990s and 2000s, more than 30,000 prisoners sick with tuberculosis were released from correctional institutions, pre-trial detention centres, and hospitals every year. Obviously, this situation created a threat not only for the convicts themselves, but for society as a whole. In 2000, 5–6 roubles (0.20 USD) instead of 16.5 roubles were allocated for food for one prisoner per day by the federal budget. Approximately the same amount was allocated in 1999 (in 1998, 3 roubles were allocated at the norm of the cost of food 12.7 roubles) (*Analiz* 2001). This in turn led to numerous deaths of prisoners from ‘general exhaustion of the body’. The expenditures for medical care in 1998 were 5 times lower than the norms established by the Ministry of Health of the Russian Federation.

The reduction in the number of convicts over the period 2002–2006 does not indicate a change in the penal policy, since imprisonment was imposed by the courts at a consistently high level relative to the total number of convictions (see Table 2) (CDEP n.d.a).²

² The main indicators of penal statistics for 2003–2007 and for 2008–2017 of the Judicial Department of the Supreme Court of the Russian Federation.

Table 2. Proportion of immediate and conditional imprisonment among all types of sanctions imposed by a court

Year	Immediate imprisonment	Conditional imprisonment
2003	32.8%	55.5%
2004	32.6%	52.7%
2005	35.1%	48.1%
2006	34.7%	46.7%
2008	33.9%	38.9%
2010	31.6%	36.5%
2012	28.0%	30.2%
2014	29.4%	27.8%
2015	33.0%	26.6%

The large-scale amnesty in connection with the 55th anniversary of the Victory in the Great Patriotic War of 1941–1945, as a result of which over 200,000 people received amnesty, had an impact on the number of prisoners in penal institutions. In general, from 2000 to 2006, six amnesties were carried out, which demonstrates one solution for the problems of excessively repressive criminal justice – not by radically reconsidering the criminal, procedural, and executive policies and forming a new concept for the imposition and execution of criminal penalties, but by releasing prisoners en masse from serving their sentences. It is hard not to agree with Prof. Skoblikov, who says that if amnesties are often announced, randomly or for fictitious reasons, it is a sign of an unstable political situation, an imperfect legal system, and an unjust social system (Skoblikov 2014).

Nevertheless, such a policy has brought about positive results. According to the Federal Penitentiary Service, by 2006 the situation in correctional institutions had begun to improve. Compared with 2001, the number of patients with active tuberculosis had been cut in half, the sickness rate was 2.5 times lower, and mortality was 3.8 times lower. However, according to international organisations, the number of patients with tuberculosis continued to grow until at least 2004, and the number of HIV-infected people increased more than fortyfold from 1998 to 2003 (Gilinskiy 2011; Dikaev 2011).

All of these circumstances indicate the inefficiency of the work of penal institutions and the need to reform the system of imposing and executing criminal sentences.

3. Penal reform and current penal policy

Over the past decade, Russia has adopted a whole range of legal acts, including some aimed at ensuring human rights in correctional facilities. The top leadership of the country proclaimed a policy of liberalising and humanising criminal legislation. The need for fundamental decisions on the borrowing of European experience led to the adoption in 2010 of the Concept for the Development of the Penal System of the Russian Federation until 2020. The Concept initially called for replacing the existing system of correctional facilities (colonies) with two main types of institutions: prisons (with general, special, and strengthened regimes) and colony-settlements (with usual and strengthened supervision). While giving preference to prisons, the drafters of the Concept noted the need to stop the collective detention of convicts. Being held in overcrowded dormitories with more than 50–100 inmates keeps prisoners in a constant state of stress from the need to manoeuvre between the requirements of the administration and other convicts. Collective detention only promotes the spread of criminal subculture among convicts and does not facilitate their rehabilitation. The idea for such a reform of the penal system originated in the times of Nicholas I, as described by Prof. Gernet (1946) in his work *History of the Tsar's Prison*. At that time, the construction of 75 single prisons was planned, each of which was to cost about 300,000 roubles. However, this project was not carried out due to its high cost.

It should be noted that the Concept covers a wide range of issues related to the penal system. The purpose of the Concept is undoubtedly noble and deserves all possible support, since there have been significant changes over the past 20 years in Russia, but the penal system in many ways preserves the features of the old penitentiary system, a system meant to serve a different society. However, the Concept was not supported financially, which made its adoption unattainable. The transition to the prison system, according to the estimates of Prof. Smirnov (2013), will cost 120 billion roubles (almost 2 billion dollars). The state does not have such money, especially under the current economic recession and the sanctions against Russia. This was the reason for introducing changes to the text of the Concept in 2015 and for correcting the course of the country's criminal and penal policy by rejecting the transition to a prison system.

Despite the proclaimed course of liberalising criminal policy and humanising the execution of punishment, the policy of the state in this direction cannot be called logical. Table 3 shows that over the past 10 years the number of prisoners has decreased. As of 1 June 2018, 592,467 people were being held in correctional institutions, which invariably puts Russia in first place among European countries.

Table 3. Numbers of prisoners in Russia, 2008–2019

Year	Total number of prisoners	Number of prisoners per 100,000 inhabitants
2008	891,700	623
2009	875,800	617
2010	819,200	577
2011	806,100	564
2012	726,900	508
2013	681,600	475
2014	677,287	471
2015	646,085	442
2016	633,826	433
2017	623,642	424
2018	592,467	403
2019	523,928	357

An analysis of the current penal policy also shows a significant predominance of imprisonment (in almost 60% of cases, both immediate and conditional; Table 4).

Table 4. Main penalties imposed in Russia, 2010–2017 (total and %)

Year	Imprisonment (immediate)		Imprisonment (conditional)		Restriction of freedom		Community service, correctional labour, forced labour		Fines		Total
2010	265,843	31.5	307,206	36.4	7,941	0.9	121,156	14.3	123,495	14.6	845,071
2011	227,050	29.0	282,227	36.0	10,994	1.4	129,918	16.6	113,503	14.5	782,274
2012	206,254	27.9	221,908	30.0	25,269	3.4	146,950	19.9	113,358	15.3	739,278
2013	209,728	28.5	201,538	27.4	32,042	4.4	148,950	20.3	116,176	15.8	735,340
2014	209,447	29.1	197,855	27.5	26,983	3.8	145,018	20.2	111,839	15.5	719,297
2015	211,170	28.8	170,657	23.3	20,827	2.8	134,841	18.4	86,620	11.8	733,607
2016	206,134	27.8	185,095	25.0	25,339	3.4	192,781	29.5	99,922	13.5	740,380
2017	200,204	28.7	177,048	25.4	25,097	3.6	183,032	26.3	90,425	13.0	697,174
2018	190,325	28.9	169,484	25.7	23,009	3.5	170,579	25.9	85,353	13.0	658,291

Source: CDEP, n.d.-b

The repressive bias of criminal policy in the imposition and execution of punishment is manifested in the fact that the proportion of people convicted of non-violent crimes is consistently high in penal institutions. As can be seen from Table 5, the proportion of people who committed non-violent crimes (theft and crimes connected with drug trafficking) and are serving their sentences in penal institutions has been on the rise. In 2017 there are already more than a half of such prisoners (51.2%), in 2018 – 43.1 %.

Table 5. Numbers of prisoners by type of crime (total and % of all convicts in correctional colonies)³

Crimes	2014		2015		2016		2017		2018	
Crimes against life (Arts.105, 107–109, 111 part 4)	150,690	27.3	144,432	27.5	133,574	25.7	122,905	30.0	11,3086	24.5
Infliction of grievous bodily harm (Art. 111)	27,471	5.0	28,284	5.4	29,182	5.6	27,239	6.6	24,639	5.3
Sexual crimes (Arts. 131 and 132)	12,117	2.2	11,083	2.1	10,311	2.0	9,414	2.3	8,032	1.7
Theft (Art. 158)	88,145	16.0	75,245	14.3	76,693	14.8	73,493	18.0	68,906	14.9
Violent robbery (Art. 162)	45,827	8.3	41,619	7.9	38,093	7.3	34,346	8.4	29,589	6.4
Drug-related crimes (Arts. 228–233)	127,161	23.1	134,245	25.6	138,260	26.6	136,029	33.2	13,0143	28.2

Source: FSIN n.d.-b; n.d.-c

The question of the prospects for a certain type of punishment being imposed arises long before the conviction, namely, during the proceedings in the criminal case. The imposition of pre-trial detention in many ways predetermines that the court will favour imprisonment when choosing punishment in future. This conclusion can be made by comparing the number of people who were detained pre-trial and the number of people who have been sentenced to imprisonment.⁴ This preventive measure is the most widespread in judicial practice: in 2015 it was handed down to 140,457 people, while home arrest was given to 4,676 people, and a pledge to 189 people. (i.e. those preventive measures which are chosen only by the court).

³ Not all types of crime are mentioned.

⁴ This comparison was based on the statistics of the Judicial Department of the Supreme Court of the Russian Federation, as well as the Federal Penitentiary Service.

In 2016, the court granted 123,296 requests for a preventive measure in the form of detention, 6,101 in the form of house arrest, and 164 pledges (CDEP n.d.-c).⁵

The correlation between the use of a preventive measure in the form of detention and a punishment in the form of immediate imprisonment leads to the conclusion that the penal policy – when it comes to imposing alternative sentences – is dependent on the criminal procedural policy of imposing preventive measures. A poll of attorneys confirmed that for certain crimes or for certain defendants (for example, for law enforcement officers), this dependence is almost 100%.⁶

The proportion of applications for pre-trial detention that are granted by the courts is very high. The breakdown of approved applications for individuals who committed crimes of different severities is as follows: for particularly serious crimes, 96.4% of applications were granted; for serious crimes, 91.2% were satisfied; for crimes of medium gravity, 89.2% were satisfied; and for crimes of minor gravity, 85.3% were satisfied. In 2015, 229,787 applications for extending the term of detention (Part 3, Article 109 of the Code of Criminal Procedure of the Russian Federation) were considered, and 98.7% of the applications were approved by the courts (CDEP n.d.c)⁷. In 2016, 230,276 requests were considered, and 225,311 (97.8%) were granted.

It is necessary to carry out purposeful work to reduce the repressiveness of all stages of the administration of justice, which is manifested in the frequent imposition of detention as a preventive measure or in the accusatory bias of the proceedings, evidenced by the proportion of acquittals: 0.3%. Such statistics cannot be explained by the high professionalism of investigative and law enforcement officials who do not make mistakes. It is worth pointing out that the average rate of acquittals in European countries with a developed criminal justice system is 8%. A significant reduction in the imprisonment rate must be accompanied by an improvement in the quality of the prisons. In a survey among convicts, the respondents noted the poor living conditions and building maintenance of the correctional institutions (35%), the low level of medical care and safety (56%), and the high risk of contracting life-threatening diseases.

On the question of which conditions of imprisonment (from several suggested options) are the most difficult to bear, the responses of the convicts were as follows: separation from family and relatives and loss of freedom (73%); severe regime (48%); the inability to meet some needs (35%); the risk of serious diseases (AIDS, HIV, tuberculosis, or drug addiction; 10%); an unfavourable atmosphere

⁵ Report on the work of courts of general jurisdiction on the consideration of criminal cases for 12 months of 2015, for 12 month of 2016. Form No. 1.

⁶ Interview of 30 attorneys was conducted in April-May 2016 in St. Petersburg

⁷ Report on the work of courts of general jurisdiction on the consideration of criminal cases for 12 months 2015, for 12 month 2016, Form No. 1.

in the correctional facility or psychological pressure from both the administration and other convicts (42%); constant contact with other convicts (60%).

The statistics show that penal institutions are an exceptional danger, both to convicts and to the staff of the penal system. A report on the results and main strategies of the Federal Penitentiary Service in 2015 states that the prevalence of mental diseases and addiction in the institutions of the penitentiary system is significantly higher than the corresponding indicators for the Russian population in general. As of 1 January 2015, more than 124,900 people (18.5% of all people in penal institutions) had a some psychopathology, of which 54,800 people had mental disorders, 49,600 were drug addicts, and 20,500 patients were alcoholic. There was also a high rate of tuberculosis patients: 26,200 people (3.9% of the total number of people held in correctional institutions). The number of people infected with HIV is steadily increasing: in 2013, it was 56,509; in 2014 it was 59,532; and in 2015, 62,000 people. There is a lack of adequate qualified medical staff and a high death rate among convicts in penitentiary institutions: in 2013, 3,977 people died, 87% of them due to illness (including due to weak medical care, slow equipment renovation, and a lack of certain types of medical services).

4. Changes in legislation

Federal Law No. 14-FZ of 29 February 2012 significantly tightened the requirements for conditional early release and the conditions for replacing with a milder form an unserved portion of a sentence for certain sexual crimes against juveniles. For such crimes, conditional sentencing was abolished, and the terms of imprisonment were increased up to life imprisonment. Similarly, Federal Law No. 18-FZ of 1 March 2012 tightened the punishment for certain types of crimes connected with drug trafficking. Life imprisonment was introduced into the sanctions of Art. 228.1 (the illegal production, sale, or transfer of narcotics, psychotropic substances, or their analogues, and the illegal sale or transfer of plants containing narcotics or psychotropic substances, their parts containing narcotics, or psychotropic substances) and Art. 229.1 (the smuggling of said items). Federal Law No. 130-FZ of 5 May 2014 raised the maximum period of imprisonment for certain types of extremist (terrorist) crimes up to 30 and 35 years instead of 25 and 30 years.

These changes affect the practice of sentencing. As shown in Table 6, 40,618 people were sentenced to imprisonment of more than 5 years and up to 35 years (not including life imprisonment) in 2014, or 19.4% of all prisoners; in 2017, there were 39,238 such individuals, or 19.6%. This number did decrease in 2018 to 18.9%. The gradual reduction in the number of people sentenced to 10–15 years of imprisonment between 2009 and 2012 has been replaced by an increase by 3,000 people (more than 30%) in 2013–2015, although in 2017 and

2018 we can notice a slight reduction. The situation is similar for those sentenced to terms of over 15 years and up to 20 years: in 2016, the indicator grew by more than 10% over 2013. The reduction of imprisonment for relatively short periods (up to 5 years) and the increase of long sentences in 2016 and 2017 are also noticeable.

Table 6. Terms of real imprisonment imposed by courts, 2010–2018 (total and %)

Year	Up to 1 year		1 to 2 years		2 to 3 years		3 to 5 years		5 to 8 years		8 to 10 years	
	2010	32,502	12.2	52,577	19.8	61,730	23.2	62,134	23.4	35,988	13.5	13,459
2011	32,353	14.2	47,546	14.2	48,356	21.3	51,878	22.8	28,713	12.6	11,405	5.0
2012	31,113	15.0	45,388	22.0	43,135	20.9	47,345	23.0	23,541	11.4	10,015	4.9
2013	34,739	16.6	47,226	22.5	42,909	20.5	45,641	21.8	22,914	10.9	10,017	4.8
2014	36,376	17.3	45,381	21.7	42,248	20.1	44,825	21.4	21,932	10.4	10,889	5.2
2015	35,857	17.0	46,073	21.8	41,554	19.7	45,745	21.7	21,783	10.3	11,245	5.3
2016	36,953	17.9	44,413	21.5	39,430	19.1	43,433	21.0	20,681	10.0	11,457	5.6
2017	37,144	18.6	42,629	21.3	39,082	19.5	42,111	21.0	19,360	9.7	10,553	5.3
2018	38,954	20.5	40,673	21.4	36,507	19.2	38,172	20.0	18,246	9.6	9,416	4.9
Year	10 to 15 years		15 to 20 years		20 to 25 years		25 to 35 years		Imprisonment: total			
2010	5,604	2.1	1,507	0.5	327	0.12	12	0.005	265,840			
2011	5,122	2.3	1,367	0.6	301	0.13	9	0.004	227,050			
2012	4,285	2.1	1,158	0.6	261	0.12	13	0.006	206,254			
2013	4,897	2.3	1,111	0.5	250	0.12	5	0.002	209,709			
2014	6,312	3.0	1,227	0.6	253	0.12	5	0.002	209,448			
2015	7,387	3.5	1,273	0.6	251	0.12	2	0.0009	211,170			
2016	8,071	3.9	1,428	0.7	257	0.12	11	0.005	206,134			
2017	7,799	3.9	1,278	0.6	245	0.12	3	0.001	200,204			
2018	6,908	3.6	1,246	0.7	201	0.1	2	0.001	190,325			

Source: Reports on the number of individuals brought to criminal responsibility and the types of criminal punishment for 12 months of 2010; for 12 months of 2011; for 12 months of 2012; for 12 months of 2013; for 12 months of 2014; for 12 months of 2015; for 12 months of 2016; for 12 months of 2017; and for 12 months of 2018, Form No. 10.1 – CDEP n.d.-b

Numerous studies conducted in Russia and abroad show that the positive effect of corrective treatment is possible in the first five years or so of serving a sentence (Cooper 1974; Walker 1983; Khokhryakov 1991; Yang et al. 2009). Any further stay in places of isolation leads to destructive processes in the mind of the prisoner and

reduces the possibility of resocialising the person. During a prolonged stay in isolation, the prisoner's family (if any) learn to live without him/her, and returning to the family can create conflict, which often results in new crime.

The judicial practice of imposing long prison sentences leads to the proportion of people in penal institutions serving a sentence of more than 5 years remaining consistently high: in 2010 such people made up 53.1%; in 2011, 53.9%; in 2012, 55.3%; in 2013, 54.6%; in 2014, 53.7%; in 2015, 54.7%; in 2016, 53.3%; in 2017, 53.2%; and in 2018, 53.7% (FSIN n.d.-c). Therefore, in our opinion, a national crime policy aimed at significantly reducing both prison sentences and the number of sanctions that call for this punishment should be a priority. Without questioning the fact that serious punishment should be imposed on individuals who commit especially serious, violent crimes, we should note that the position of the legislature, which has increased the punishment to 35 years of imprisonment, is not criminologically justified. From the point of view of general prevention, increasing the length of prison sentences for certain crimes from 25 to 30 years and from 30 to 35 years will obviously not have an intimidating effect on potential criminals. The difference of five years does not play a role in deterring crimes. According to the results of a survey conducted among convicts, the majority of the respondents answered that at the time of the crime they did not even think about the possibility of punishment (more than 75%).⁸ It is necessary to understand that people who have found themselves in penal institutions will sooner or later return to society, and that the longer they stay in isolation, the more exacerbated the consequences of imprisonment become (separation from one's family, difficulties in post-penitentiary adaptation, destructive changes in one's mind, inability to independently solve difficulties due to the established habit of obeying the orders of authorities). That is why such extremely long sentences are only able to isolate the most dangerous individuals from society, without having a corrective effect on them. The assumption that, having served a sentence of not 30, but 35 years, a convict will return from prison rehabilitated is utopian.

The legislature chose a significant reduction in the maximum length of imprisonment for juvenile offenders. According to Part 6 of Art. 88 of the Criminal Code of the Russian Federation, imprisonment is imposed on juveniles who commit crimes before the age of 16 for a period not exceeding six years; to the same category of juveniles who commit particularly serious crimes, as well as to other juvenile convicts, the punishment shall be imposed for a term not exceeding 10 years, and shall be served in educational colonies. The number of minors serving prison sentences has been drastically reduced: from 4,053 people in 2010 to 1,354 people in 2018 (FSIN n.d.-d). This coincides with a tendency of fewer recorded crimes committed by minors.

⁸ The survey was conducted March–May 2016 among 150 people serving prison sentences in Bashkortostan Republic (Russia).

A historical analysis of the development of the institution of punishment reveals that the change in the course of the national criminal policy towards mitigating punishment began as an experiment with juveniles. This leaves room for the hope that Russia's current penal policy in regard to juveniles – aimed at significantly reducing their numbers in prisons – will have an impact on the general policy of imposing and executing criminal penalties. We agree with the opinion of Prof. Starkov, who notes that

the wider and harsher punishment is applied in society, the more it confirms its helplessness. This is manifested in the fact that society thereby criminalises its own majority, involving more people in the crucible of criminal justice; it is so weak that it cannot cope with crime by other methods, for example, economic ones. Punishment in this case loses the function of intimidation of the population; general prevention, as it becomes customary, commonplace, and even prestigious – especially for convicted and freed youth – turns into its opposite, becoming harmful to society. (Starkov and Miliukov 2009)

As for the practice of imposing alternative punishment, they are rarely used despite their potential. As we can see in Table 3, alternative sanctions play a minor role, but in 2017 the use of community service increased from 15% to 28%. Restriction of freedom is the rarest penalty handed down; the number of convicted people sentenced to this punishment is no more than 2%. The proportion of fines among all punishments remains practically unchanged, at about 15%. A poll of judges⁹ reported that the main reason for the non-use of alternative punishment is the 'convenience' of imposing imprisonment (immediate or conditional). The convenience of choosing imprisonment lies in the fact that other types of punishment – a fine, for example, if unpaid by the convict – may force the court to reconsider the case. This increases the burden on judges. In this case, handing down prison sentences solves this problem, since the likelihood of the case being reconsidered by the court and the punishment being replaced with another is minimal. In addition, the judges admitted that in reality in most cases, the guilty do not have enough money, which makes the execution of an economic penalty predictably impossible.

Thus, the widespread use of imprisonment can be explained by the fact that for judges this is a familiar punishment that is easy to impose and even easier to execute. The non-use of fines is also explained by the fact that most convicts do not have the means to pay them. The percentage of convicted people without a permanent source of income is high and is rising: in 2008 it was 54.7%; in 2013, 62%; in 2015, 64%, and in 2018, 62.9% (CDEP n.d.-a).¹⁰ An analysis of the implementation

⁹ The interviews of 35 judges were conducted February–May 2016 in St Petersburg.

¹⁰ The main indicators of penal statistics for 2008–2018 of the Judicial Department of the Supreme Court of the Russian Federation.

of fines indicates that voluntarily paid fines range from 12% to 18%. The proportion of forcibly collected fines ranges from 5.7% to 14.3% (CDEP n.d.-c).¹¹ The remaining amount, almost 70% of the fines, in fact are not paid. This demonstrates the difficulties in using fines as a criminal punishment.

Clearly, it is not enough for a court to simply impose a punishment; it is much more difficult for the bodies executing a punishment to implement it. Inefficient organisation and a lack of proper experience in the execution of alternative punishments lead the courts to choose other punishments, which ultimately is imprisonment.

Special mention should be made about the strictest form of punishment, the death penalty. Art. 59 of the Criminal Code regulates the imposition of this type of punishment, determining that the death penalty, as an exceptional measure of punishment, can be imposed only for particularly serious crimes against human life and health. The Criminal Code of the Russian Federation includes such crimes as murder with aggravating circumstances (part 2 of Article 105), murder and attempted murder of a statesman or a public figure (Article 277), murder and attempted murder of a person administering justice or a preliminary investigation (Article 295), murder and attempted murder of a law enforcement officer (Article 317), and genocide (Article 357).

The Decree of the Constitutional Court of the Russian Federation placing a moratorium on the use of the death penalty indicated that

there were stable guarantees of the right not to be subjected to the death penalty and a legitimate constitutional legal regime was established, within which – taking into account international legal trends and commitments taken on by Russia – there is an irreversible process aimed at abolishing the death penalty as an exceptional measure of punishment, which is of a temporary nature and designed only for a certain period of time. (KSRF 2010)

As long as the death penalty is not executed, life imprisonment is the most severe punishment in Russia.

During the Soviet period, life imprisonment was abolished as not fulfilling the correctional goal of criminal punishment, so the Criminal Codes of 1922, 1926, and 1960 did not prescribe this penalty. It was introduced only in 1992 by a decree of the President of Russia, according to which the President could pardon prisoners sentenced to death and replace the penalty with life imprisonment.

The Criminal Code adopted in 1996 provided for life imprisonment only as an alternative to the death penalty for committing particularly serious crimes. Thus, in the original version, life imprisonment could only be imposed for five crimes.

¹¹ Report on the amount of damage caused to the state as a result of crimes for 12 months of 2015 and for 12 months of 2016, Form No. 4.

However, the criminal and penal policy of the new Russia went in the direction of toughening punishment for certain types of crimes. In 2004, amendments were made to the Criminal Code, lending a new status to life imprisonment, independent of the death penalty. The scope of this punishment has been significantly extended over the 23 years the current Criminal Code of the Russian Federation has been in existence, as the number of articles with this form of punishment has increased from 5 to 20. Life imprisonment can now also be imposed for non-violent crimes. For example, in December 2017 the Moscow regional court sentenced a citizen of Tajikistan to life imprisonment for smuggling drugs (Novye izvestiia 2017). This practice contradicts modern international standards.

The statistics on the imposition of this punishment are markedly stable: in 2008, 71 people were sentenced to life imprisonment; in 2009, 73; in 2010, 66; in 2011, 64; in 2012, 66; in 2013, 67; in 2014, 68; in 2015, 61; in 2016, 94; in 2017, 65; and in 2018, 68 (CDEP n.d.-c).¹² Due to the obvious circumstances, the number of people serving a life sentence increases every year. Since the official statistics on this category of convicts has only been published since 2010, it is possible to analyse the changes in this indicator from 2010 to 2017. In 2010 there were 1,733 people serving life sentences; in 2011, 1,783; in 2012, 1,799; in 2013, 1,840; in 2014, 1,892; in 2015, 1,931; in 2017, 2,015; in 2018, 2,029; and in 2019m, 2,025 (FSIN n.d.-e).

5. Public attitudes

Despite the fact that the death penalty has not been applied since 1999, the question about its restoration periodically rises in Russian public discourse, especially when serious violent crimes such as terrorist attacks are committed. Also, there is still a court practice of imposing the death penalty and replacing it with life imprisonment.

It can be stated that in a society in which the death penalty exists and is used, and which has become accustomed to it, the population tends to believe in it. One of the latest opinion polls conducted by the 'Public Opinion' Fund on 27 October 2019 found that 69% of respondents considered it necessary to restore the death penalty and proposed expanding its use (FOM 2019).

It seems that the existence of the death penalty in the system of criminal penalties is connected with the authorities' wish to satisfy the desire of the population to preserve it. Such a concession of the state authorities to the public desire for cruelty has been dubbed 'Pontius Pilate Syndrome' in the academic literature (Shestakov 2015). However, the emotionality and subjectivity of the population in

¹² The main indicators of penal statistics for 2008–2018 of the Judicial Department of the Supreme Court of the Russian Federation.

assessing such a question, as well as the public's non-awareness of the irrationality of using the death penalty, should encourage the state to raise the legal awareness among the public and to recognise that this kind of punishment is inadmissible in a modern, democratic society. In this regard, we agree with the opinion of A.D. Sakharov (1978), who said that

the reduction or even total elimination of crime can be achieved in the future only through the prolonged evolution of society, a general humanistic ascent instilling in people a deep respect for life and human reason, and greater attentiveness to the difficulties and problems of one's neighbour. So humane a society is now no more than a dream, and only acts of humaneness today can create hope for the possibility of realizing it in future.

The general stance of the state policy to increase the terms of imprisonment, to use life imprisonment, and to keep the death penalty in the Criminal Code of the Russian Federation supports the psychological attitude of society to preserve the established, centuries-old tradition of perceiving only imprisonment as punishment. This is confirmed by a poll which showed that more than 60% of the respondents believed imprisonment is the only acceptable criminal punishment, and other types of punishment, especially fines, are perceived as ransom.¹³ The same point of view is shared by some Russian scholars (see: Alekseev, Ovchinskiy and Pobegaylo 2006).

This attitude among the population is quite understandable and is traditional for the country. During the Soviet period, the criminal policy was based on the conviction that it was possible to eliminate crime in a socialist society by legal means. Thus, in the Platform of the Communist Party of the Soviet Union, which was adopted at the 22nd Party Congress held in Moscow 17–31 October 1961, it was decided that

in a society building communism, there should be no place for offences or crime. But while crime exists, it is necessary to impose strict penalties on individuals who commit crimes which are dangerous for society, who violate the rules of socialist community, and who do not want to join in an honest working life. (V.I. Lenin 1986)

The fact that strengthening the fight against crime was a priority in the policy of the USSR is confirmed by the resolutions and decisions of other congresses of the Communist Party. This could not help but affect the beliefs of both

¹³ The survey was conducted March–May 2016 among 240 people, including employees of the Federal Penitentiary Service of Russia (110 people), ordinary citizens (100 people), and judges (30 people) in St Petersburg and the Republic of Bashkortostan (Russia).

law enforcement (primarily judges) and the general public. This was only natural, because, as A.I. Sidorkin and I.A. Anuchin (2010) point out, ‘for decades, public opinion has been intensely cultivated, first to fight the overthrown exploiters to preserve the dictatorship of the proletariat, and then in the years of Stalin’s “justice”, to “fight” the enemies of the people.’ Such propaganda gave rise to an extremely punitive attitude among the populace. Even in 1988, when ‘Stalin’s methods of administering justice’ became public, in the discussion of the draft of the Fundamentals of Criminal Law, 72.6% of the citizens rejected the idea to reduce the maximum prison sentence – even for juveniles – and 88.7% called for imprisonment to be used as the main punishment; 97% of the citizens and 74% of legal practitioners favoured a wider use of the death penalty than that from the legislation in force at the time (Efremova et al. 1984: 274; *Rezultaty referendumu* 1989).

Therefore, we should not blame the population for excessive cruelty and severity, since this attitude towards offenders had been developed for many years. In this regard, there is a need to change the psychological attitude of the population towards imprisonment as the only (main) means of reacting to criminal behaviour. It is the state that should set an example for the people. When developing a strategy to combat crime, the state should be guided by the achievements of science, and not by public opinion. It seems that the perception of cruelty by the population led to the practice of toughening and improving the methods of torture and killing in the Middle Ages. Humanism of social mores (mitigation of morals) is possible with a careful attitude of the state towards its populace, including those who commit crimes and are convicted of them. The severity of criminal penalties and long prison sentences can in no way ensure the goals of criminal punishment are achieved.

Conclusion

As noted above, the system of sentencing in Russia includes 13 types of punishment. Ten of them are actually executed, since arrest and death penalty only exist in the legislation and are not imposed, and deprivation of special, military, or honorary title, class rank, and state awards is only applied as an additional punishment. If we exclude those punishments that are narrow in their applicability (restriction in military service and service in a disciplinary military unit), there are in fact seven types of basic punishment which are actually in use in Russia. As Prof. Lopashenko (2011) correctly points out, this is ‘a lot if you look at the criminal legislation of other countries’. In the Netherlands, there are four main types of punishment (Article 9 of the Criminal Code of the Netherlands). The German Criminal Code provides for only three types of basic punishment: imprisonment, fines, and property fines (§ 38–43a of the Criminal Code of Germany).

Among the seven types of punishment in the Russian Federation, only one is actively used in practice: imprisonment. The remaining types of punishment are almost ignored by the courts and do not constitute real competition to imprisonment. As a result, the country has an inflexible, primitive system of criminal penalties. Such a low level of imposing punishments other than imprisonment is connected, first of all, with the problems of executing alternative punishment.

An analysis of the legislation and the practice of applying it reveals that despite the proclaimed reform of criminal and penal policy, the main trend in modern Russia is to toughen penalties, increase the lengths of prison sentences, and inefficiently apply alternative punishments. This leads to the fact that the penal system is still very archaic and in many ways preserves the features of the Soviet criminal system. The dire conditions of the prisons, the lowering of the number of prisoners by artificial mechanisms (for example, with amnesties and conditional imprisonment), the repressive bias of the legislation and the accusatory bias of the justice system indicate that the penal policy of the Russian Federation has not changed much. The proclaimed humanisation and liberalisation of criminal justice remains virtually invisible and suppressed, which ultimately prevents it from significantly influencing the overall direction of state policy. The most important way to change the situation is by changing the psychological attitude of society (especially judges and law enforcement officers) which deems imprisonment as the only proper form of punishment.

References

- Alekseev A.I., Ovchinskiy V.S. and Pobegaylo E.F. (2006). *Rossiiskaia ugovnnaia politika: preodolenie krizisa* [Российская уголовная политика: преодоление кризиса / Russian criminal policy: Overcoming the crisis]. Moscow: Norma.
- Cooper H.H.A. (1974). 'The all-pervasive depression and violence of prison life'. *International Journal of Offender Therapy and Comparative Criminology* 18(3), pp. 217–226.
- Dikaev S.U. (2011). *Kontseptsiia razvitiia ugovno-ispolnitel'noi sistemy Rossiyskoi Federatsii i problemy organizatsii otbyvaniia nakazaniia v vide lisheniia svobody* [Концепция развития уголовно-исполнительной системы Российской Федерации и проблемы организации отбывания наказания в виде лишения свободы / Concept for the development of the penal system of the Russian Federation and the problems of serving sentences]. *Kriminologiya: vchera, segodnia, zavtra* 2(25), pp. 65–70.
- Efremova G.H., Lezhava G.S., Ratinov A.R. and Shavgulidze T.G. (1984). *Obshchestvennoe mnenie i prestuplenie* [Общественное мнение и преступление / Public Opinion and Crime]. Tbilisi: Mecniereba.
- Gernet M.N. (1946). *Istoriya tsarskoy tyur'my* [История царской тюрьмы / History of the Tsar's prisons], Vol. 1. Moscow: Yuridicheskoe izdatel'stvo ministerstva yustitsii SSSR.

- Gilinskiy Y.I. (1993). 'Krizis sistemy ugovolnykh nakazaniy' [Кризис системы уголовных наказаний / Crisis of the system of criminal punishment]. *Sotsiologicheskie issledovaniia* 8, pp. 70–74.
- Gilinskiy Y.I. (2011). 'Russia: An overview of crime and criminology'. In C.J. Smith, S.X. Zhang and R. Barberet (eds.) *Routledge Handbook of International Criminology*. London: Routledge, pp. 446–472.
- Gilinskiy Y.I. (2014). *Kriminologiya. Teoriia, istoriia, empiricheskaia baza, sotsial'nyi kontrol'* [Криминология. Теория, история, эмпирическая база, социальный контроль / Criminology: Theory, history, empirical basis, social control]. St Petersburg: Yuridicheskii tsentr Press.
- Khokhryakov G.F. (1991). *Paradoksy tyur'my* [Парадоксы тюрьмы / Paradoxes of the Prison]. Moscow: Yuridicheskaya literature.
- Lenin V.I., [and Barykina L.N.; Fomin V.A (eds.)] (1986) *KPSS o sotsialisticheskoi zakonnosti i pravoporiadke* [КПСС о социалистической законности и правопорядке / The Communist Party on socialist law and order]. Moscow: Politizdat.
- Lopashenko N.A. (2011). *Ugolovnoe nakazanie v Rossii: sostoianie i problemy zakona, praktiki i ugovolnoi politiki* [Уголовное наказание в России: состояние и проблемы закона, практики и уголовной политики / Criminal punishment in Russia: The state and problems of law, practice, and criminal policy]. *Rossiiskii kriminologicheskii vzgliad* 2(26), pp. 255–285.
- Mikhlin A.S. (ed.) (2001). *Kharakteristika osuzhdennykh k lisheniui svobody: po materialam spetsial'noy perepisi 1999* [Характеристика осужденных к лишению свободы: по материалам специальной переписи 1999 / Characteristics of people sentenced to imprisonment: From the materials of the 1999 Special Census]. Moscow: Yurisprudentsiya.
- Rezultaty referendumata* [Результаты референдума / Results of the referendum] (1989). *Sovetskaia Belorussiia*, 25 February.
- Sakharov A.D. (1978). 'The death penalty'. *The New York Review of Books* 25(1).
- Shestakov D.A. (2015). *Suzhdeniia o prestupnosti i vokrug nee* [Суждения о преступности и вокруг нее / Judgments about crime and the issues around it]. St. Petersburg: Yuridicheskii Tsentr.
- Sidorkin A.I. and Anuchin I.A. (2010). 'Opredelenie prirody ssylki i vysylki i ikh mesta v sisteme nakazanii sovetskogo perioda' [Детерминация природы ссылки и высылки и их места в системе наказаний советского периода] [Determination of the nature of exile and deportation and their place in the system of punishment of the Soviet period]. *Istoriia gosudarstva i prava* 7, pp. 28–31.
- Skoblikov P.A. (2014). 'Sovremennye rossiyskie amnistii: osnovaniia i posledstviia' [Современные российские амнистии: основания и последствия / Modern Russian amnesties: Basis and consequences]. *Zakon* 8, pp. 106–113.
- Smirnov L.B. (2013). 'Nekotorye voprosy sovremennoi penitentsiarnoi politiki Rossii' [Некоторые вопросы современной пенитенциарной политики России / Some problems of the modern penal policy of the Russian Federation]. *Yuridicheskaiia nauka* 4, pp. 76–78.

- Starkov O.V. and Miliukov S.F. (2001). *Nakazanie: ugovolno-pravovoy i kriminopnologicheskii analiz* [Наказание: уголовно-правовой и криминопеннологический анализ / Punishment: Criminal law and criminal/penological analysis]. St Petersburg: Yuridicheskii tsentr Press.
- Walker N. (1983). 'Side effects of incarceration.' *British Journal of Criminology* 23(1), pp. 61–71.
- Yang S., Kadouri A., Revah-Levy A., Mulvey E.P. and Falissard B. (2009). 'Doing time: A qualitative study of long-term incarceration and the impact on mental illness.' *International Journal of Law and Psychiatry* 32, pp. 294–303.

Internet sources

- Analiz raskhodov federal'nogo biudzheta na sudebnuiu vlast' i ugovolno-ispolnitel'nuiu sistemu* [Анализ расходов федерального бюджета на судебную власть и уголовно-исполнительную систему / Analysis of the Federal Budget Expenditures on the Judiciary and the Penal System] (2001). Moscow: Agentstvo mezhdunarodnogo razvitiya Soyedinennykh Shtatov Ameriki. Available online: <http://ex-jure.ru/law/news.php?newsid=1194> [27.05.2020].
- Constitutional Court of the Russian Federation [KSRF] (2010). *Postanovlenie Konstitucionnogo Suda Rossijskoj Federacii po delu o proverke konstitucionnosti punktov 2 i 3 časti vtoroj stat'i 30 i časti vtoroj stat'i 325 Ugolovno-processual'nogo kodeksa Rossijskoj Federacii v svāzi s žalobami graždan R.R. Zajnagutdinova, R.V. Kudaeva, F.R. Fajzulina, A.D. Hasanova, A.I. Šavaeva i zaprosom Sverdlovskogo oblastnogo suda* / Постановление Конституционного Суда Российской Федерации по делу о проверке конституционности пунктов 2 и 3 части второй статьи 30 и части второй статьи 325 Уголовно-процессуального кодекса Российской Федерации в связи с жалобами граждан Р.Р. Зайнагутдинова, Р.В. Кудяева, Ф.Р. Файзулина, А.Д. Хасанова, А.И. Шаваева и запросом Свердловского областного суда / Decree of the Constitutional Court of the Russian Federation of 19 April 2010 on the case on verifying the constitutionality of points 2 and 3 of part two of Article 30 and part two of Article 325 of the Code of Criminal Procedure Code of the Russian Federation in connection with complaints of citizens R.R. Zainagutdinova, R.V. Kudaeva, F.R. Fayzulina, A.D. Khasanova, and A.I. Shavaeva and the request of the Sverdlovsk Regional Court. Available online: <http://doc.ksrf.ru/decision/KSRFDecision29206.pdf> [15.12.2019].
- Federal Penitentiary Service of Russia [FSIN] (n.d.-a). *Ceremoniā vručeniā znameni FSIN Rossii* [Церемония вручения знамени ФСИН России / Presentation of the banner of the Federal Penitentiary Service of Russia]. Available online: http://fsin.su/news/index.php?ELEMENT_ID=11140 [15.10.2019].
- Federal Penitentiary Service of Russia [FSIN] (n.d.-b). *Statističeskie dannye* [Статистические данные / Statistical data]. Available online: <http://fsin.su/statistics/> [15.01.2020].

- Federal Penitentiary Service of Russia [FSIN] (n.d.-c). *Harakteristika lic, soderžašihsâ v ispravitel'nyh koloniâh dlâ vzroslyh* [Характеристика лиц, содержащихся в исправительных колониях для взрослых / Characteristics of people held in correctional colonies for adults]. Available online: <http://fsin.su/structure/inspector/iao/statistika/Xar-ka%20lic%20sodergahixsya%20v%20IK/> [10.01.2020].
- Federal Penitentiary Service of Russia [FSIN] (n.d.-d). *Harakteristika lic, soderžašihsâ v vospitatel'nyh koloniâh dlâ nesoveršennoletnih* [Характеристика лиц, содержащихся в воспитательных колониях для несовершеннолетних / Characteristics of people held in educational colonies for juveniles]. Available online: <http://xn--h1akkl.xn--p1ai/structure/inspector/iao/statistika/Xar-ka%20v%20VK/> [22.12.2019].
- Federal Penitentiary Service of Russia [FSIN] (n.d.-e). *Kratkaâ harakteristika ugolovnoi-spolnitel'noj sistemy* [Краткая характеристика уголовно-исполнительной системы / Brief characteristics of the penal system]. Available online: <http://xn--h1akkl.xn--p1ai/structure/inspector/iao/statistika/Kratkaya%20har-ka%20UIS/> [10.01.2020].
- 'Public Opinion' Fund [FOM] (2019). *Otnošenie k smertnoj kazni* [Отношение к смертной казни / Attitude towards the Death Penalty]. Available online: <https://fom.ru/Bezopasnost-i-pravo/14285> [20.12.2019].
- Judicial Department of the Supreme Court of the Russian Federation [CDEP] (n.d.-a). *Osnovnye statističeskie pokazateli sostoâniâ sudimosti v Rossii za 2003–2007 gody i 2008–2018 gody* [Основные статистические показатели состояния судимости в России за 2003–2007 годы и 2008–2018 годы / The main statistical indicators of the state of convictions in Russia for 2003–2007 and 2008–2018]. Available online: <http://cdep.ru/index.php?id=79&item=2074> [5.01.2020].
- Judicial Department of the Supreme Court of the Russian Federation [CDEP] (n.d.-b). *Svodnye statističeskie svedeniâ o sostoânii sudimosti v Rossii za 2018 god* [Сводные статистические сведения о состоянии судимости в России за 2018 год / Summary of statistics on convictions in Russia for 2018]. Available online: <http://www.cdep.ru/index.php?id=79&item=4894> [5.01.2020].
- Judicial Department of the Supreme Court of the Russian Federation [CDEP] (n.d.-c). *Dannye sudebnoj statistiki* [Данные судебной статистики / Forensic statistics]. Available online: <http://www.cdep.ru/index.php?id=79> [12.10.2019].
- Novye izvestiia (2017). *Rossiyskii sud vpervye dal pozhizненное zaključenie za kontrabandu narkotikov* [Российский суд впервые дал пожизненное заключение за контрабанду наркотиков / Russian court for the first time imposed a life sentence for drug smuggling]. Available online: <https://newziv.ru/news/incident/21-12-2017/grazhdanina-tadzhikistana-osudili-na-pozhizненное-za-kontrabandu-narkotikov-36a15ada-595d-415d-9db8-b34e2d22d117> [20.11.2019].