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**CRIMINOLOGICAL CHARACTERISTICS OF ECOLOGICAL CRIME**

**TATSIANA REMNIOVA, OKSANA STANKEVICH**  
**Polotsk State University, Belarus**

*The article describes main criminological features of ecological crime - high degree of public danger, negative effects of a continuing character, variety of ecological crime, high latency, a significant influence of the region on the structure and dynamics of ecological crimes, its cross-border nature.*

In modern conditions even lawful human activity makes an increasing impact on integrity of ecosystems which provide vital functions in interests of welfare of a person and economic activity. Preservation of favorable environment and rational use of natural resources for satisfaction of requirements of recent and future generations is the highest priority of strategy of a sustainable development. Its realization has to be carried out by development and carrying out the active state ecological policy based on integration of economic, ecological, legal and social aspects of development. Formation of social development of the mechanism of counteraction of the ecological crime adequate to requirements which uninterrupted functioning will be directed on ensuring general observance of the ecological legislation has to become the most important component of this policy.

Today the research of questions of the criminological characteristic of ecological crime gains special relevance. Ecological crime is characterized by a high degree of public danger, negative effects of a continuing character, the variety of ecological crime, high latency, a significant influence of the region on the structure and dynamics of ecological crimes, its cross-border nature.

A high degree of public danger of ecological crime is in doing harm to a wide and various range of objects that undermine the basis of one's activity.

In legal literature there are various opinions concerning understanding of harm of ecological crime. The harm done to the environment by its consequences can be divided into economic and ecological. Economic harm is done to the economic interests of the user of nature: the products losses, the missed benefit, the compelled expenses on restoration of property and the broken condition of environment can be its expression. Harm to environment (ecological) is understood as negative changes and consequences of decrease in quality of natural resources and habitat of an individual, a biological diversity and a bioproductivity of natural components, and as a result – decrease in ecological-resource potential .

Except property and physical harm also marks out moral harm. So, there are situations when property rights aren't influenced at all by adverse surrounding environment, however, the level of quality of human life decreases. For example, if a citizen is deprived of the opportunity to bathe in the river because of a high degree of its impurity industrial, household and other wastes, there is a violation of its concrete subjective personal non-property right to favorable environment. In that case it is possible to speak about compensation of moral harm [1, p. 39].

Public danger of ecological crime can be considered proceeding from division of ecological harm into three components: ecological harm, economic harm and moral harm. Such approach, nevertheless, assumes consideration of only real harm to nature and the society, caused by ecological crimes. However, high public danger of ecological crime is caused by causing not only real, but also "potential", "accumulated" harm which can't be eliminated with methods in use.

Irreversible changes in the nature, disappearance of certain representatives of flora and fauna, mutation of a human body – to that confirmation. Such consideration of public danger of ecological crime legally focuses attention on special complexity of a problem of its prevention.

Public danger of ecological crime is considered not only through the fact of infliction of harm, but also consists in low level of its compensation within attraction to legal responsibility.

It is necessary to pay attention to obvious underestimation of a considered sign of ecological crime not only at the level of ordinary consciousness, but also at nation-wide level. Confirmation told is absence in the list of sources of threats of national security fixed by the Concept of national security of the Republic of Belarus in the ecological sphere of such source as ecological crime [2].

Today ecological crime gained lines of the independent cross-border phenomenon. In the presence of favorable conditions it fast rates from household becomes professional, then organized. Borders between the states are washed away and thus ecological crime gains transnational character as various types of environmental pollution often extend on enormous transcontinental spaces.

Addition of a sign of a high degree of public danger is such property of ecological crime, as lasting character of its negative consequences. The harm done by ecological crimes differs and often has a lasting or delayed character. Many negative consequences of ecological crimes are shown later a certain period of time. So, environmental problems existing now are objective results of previous historical activity, result of offenses which were allowed earlier. Thus, originally the result can be and is imperceptible, however further the done harm becomes more and more notable and often irreversible, being shown in climate change, disappearance of representatives of flora and fauna, exhaustion of natural resources, genetic and chronic diseases. It is necessary to focus also attention that the damage is caused not to one person, and uncertain number of persons.

The following sign – a variety of ecological crimes. In the Criminal Code of the Republic of Belarus of 1999 there is special chapter 26 "Crimes against ecological safety and environment", providing responsibility for 22 crimes against ecological safety and environment.

For the last decade in the Republic of Belarus the quantity of ecological crimes (Art. 263 – 284 of the Criminal code of the Republic of Belarus) significantly increased: from 124 crimes in 2001 to 503 crimes in 2012. Their specific weight to total amount of crimes grew from 0,1% to 0,5%. As we understand, the provided data do not reflect fully a real situation. However we see that the tendency to growth of ecological crime, so deterioration of the ecological situation is observed.

The researches conducted in the Russian Federation, showed that the latency of ecological crimes reaches 90 – 98% [3, p. 101]. Such conclusions of experts are based on the actual inconsistency of more and more worsening ecological situation and level of registered crimes. And though in statistical reports ecological crimes occupy about 1% of total number of the crimes committed in the country, but taking into account latency their share makes 15 – 23% [4].

Today the ecological crime gained lines of the independent cross-border phenomenon. In the presence of favorable conditions it rates fast from household and becomes professional, then organized. Borders between the states are washed away, and thus ecological crime gains transnational character as "various types of environmental pollution often extend on enormous transcontinental spaces" [5, p. 258].

Such specifics of ecological crime demand association of efforts of all international community for creation of effective system of counteraction to the corresponding criminal encroachments and resistance to that to ecological crisis.

Deep knowledge of essential signs of ecological crime and, first of all, adequate assessment of its public danger, is one of necessary conditions of efficiency of its prevention.

The consolidation of forces and means for protection of ecological rights of the personality, the state, society could be promoted by formation of system of ecological justice, including ecological militia, nature protection prosecutor's offices, ecological courts and other specialized law-enforcement bodies. However, as for the creation of specialized courts in the Republic of Belarus, in our opinion, such measure is premature. The establishment of specialization of certain judges in courts of law will be sufficient.

In the long term in the Republic of Belarus creation of specialized nature protection prosecutor's office which would be engaged in the implementation of the most effective supervision of performance of the legislation is also possible.

It is necessary to create in the system of law enforcement agencies of the Republic of Belarus such a new structure, as ecological militia. Let us note that in certain regions of the Russian Federation this structure is formed and it functions.

It is believed that in our country it is required to give more attention to the younger generation education, it is necessary to learn to love and protect the nature from an early age. In this regard ecological education becomes a new priority direction of the pedagogical theory and practice.

High degree of public danger of ecological crime is caused by all system of its criminological features interfaced to environmental risk and lasting character of negative consequences, continuous expansion of a circle of criminal encroachments, high latency, cross-border character, negative influence on all institutes of society.

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## ACTUAL PROBLEMS OF DIGITAL INHERITANCE

KRYSTSINA SAVITSKAYA, VLADIMIR BAHANENKA

Polotsk State University, Belarus

*When people die, they are increasingly leaving digital 'footprints' behind. We outline a novel area of research: how these digital 'footprints' can be bequeathed, inherited and appropriately repurposed. This is an area which has high potential for scientific research and innovation.*

People have been transitioning remnants of their identity from conventional physical effects, such as photos and trinkets, to online profiles and social networks. Identity is being digitalized, this raises certain difficulties such as the population ages [1]. A significant portion of modern decedent's assets may consist of 'digital assets' such as e-books, domain names, and online accounts. Unlike their tangible predecessors, digital assets may be difficult for executors and administrators to obtain. Death today presents more complex issues than before the digital age. As far as death questions are concerned, components of online identity do not fit the mold of the traditional framework of the society.

Ubiquitous computing technologies are becoming increasingly enmeshed in our daily lives. Websites and other online platforms keep tracks of our history of communication, and they may additionally hold valuable intangible properties and digital assets we have created or purchased. A quick scan of recent news stories reveals that:

1. Over one billion people maintain Facebook pages.
2. Over one billion people have accounts on Gmail, Hot-mail, or Yahoo!.
3. Over 300 million e-books were sold by Amazon in 2012.
4. Over 25 billion songs have been sold on iTunes.
5. Over 50 million domain names have been registered by GoDaddy.
6. Over 70 hours of video are uploaded to YouTube's servers every minute.
7. Over 70 million people tended virtual farms in Zynga's Farmville at the height of its popularity, some paying real money to obtain virtual assets [2].

While these numbers are impressive, they only scratch the surface of a vast landscape of platforms, websites, and account-based social media technologies. As a result, it is increasingly likely that decedents will possess a range of personal accounts holding a range of files, documents, licenses, personal communications, and other forms of intangible property located behind password-protected login screens.