

QUALIFICATION OF BEATINGS AS NON-LIVE-THREATENING AND NON-HEALTH-THREATENING VIOLENCE

Olga V. Artyushina

Kazan Law Institute of the Ministry of Internal Affairs of the Russian Federation, Kazan, Russia

Article info

Received –

2020 May 19

Accepted –

2020 November 16

Available online –

2020 December 30

Keywords

Beatings, delimitation of offenses, subsumption, law enforcement, related offenses, competition of norms

The subject. The algorithm of qualification of beatings is researched taking into account changes in the Russian legislation of Russia on the protection of bodily integrity of a person. The author studies the norms of Russian criminal and administrative legislation in the field of protection of human bodily integrity and practical issues that have emerged in this regard.

The purpose of the article is to confirm or disprove the hypothesis of a complex (not obvious to the law enforcement officer) process of qualification of violent actions that caused physical pain, but did not cause harm to human health, due to the multi-level competition of legal norms.

The methodological basis of the study is the general scientific dialectical-materialistic approach based on the methods of analysis and synthesis, induction and deduction. Logical, system-structural, concrete sociological and comparative legal methods are also used. The research materials are data from judicial practice on liability for beatings and related crimes. The main results, scope of application. Beatings are considered as violence that is not dangerous to life or health. The norms that can be applied when the perpetrator commits the corresponding violent actions are identified. The differences between beatings and lawful infliction of harm, minor acts, and attempted crimes are shown. A distinction is made with related elements of crimes against life and health, constitutional rights and freedoms, interests of minors, property, etc. The presentation is based on the author's systematization of the rules for qualifying beatings and taking into account the sequence of steps for making the final decision by the law enforcement officer. The results of the research may be applied in higher legal education, further academic researches concerning beatings as well as in law enforcement practice of criminal investigations.

Conclusions. The author explains the difficulties in qualifying beatings. The rules of legal assessment of violent actions that caused physical pain, but did not cause harm to health, in the competition of criminal law norms are shown. The algorithm for qualifying beatings according to the current legislation of Russia is derived.

1. The legal nature of the beatings.

Beatings belong to those acts, the initial and final qualification of which are very different (see: [1, p. 54-68]).

The starting point in the legal assessment of beatings, first of all, is the correct establishment of the object of criminal encroachment, which is the bodily integrity of a person. This fact determines two important points. First, beatings constitute physical violence. Secondly, beatings cause only pain, but nothing more: the deed does not cause harm to human health. Thus, by the nature and degree of public danger (harmfulness), beatings refer to violence that is not dangerous to life or health. In particular, in paragraph 21 of the Resolution of the Plenum of the Supreme Court of the Russian Federation of December 27, 2002. N 29 "On judicial practice in cases of theft and robbery" the content of this legal category includes beatings and similar violent actions, as well as restriction of freedom – binding of hands, use of handcuffs, leaving in a closed room, etc. In spite of the fact that the specified resolution is focused on questions of qualification of theft, robbery and robbery, this interpretation extends also to other norms of the criminal law [2, p. 50].

From the above definition, it can be seen that the concept of "beatings" is already in the category of "violence that is not dangerous to life or health". These terms relate to each other as part and whole. Therefore, actions related to beatings do not consist in restricting the freedom of the victim and holding him, they can be manifested in the form of: 1) blows to the victim's body; 2) any other legally identical violent actions – pinching, scratching, biting, cauterizing the skin, cutting, applying superficial cuts, wringing and twisting the hands, squeezing, binding, pinching, pulling hair, etc.

2. Delineation from other lawful and

illegal acts. According to the apt remark of V. N. Kudryavtsev, the whole process of qualification consists in a consistent restriction of one or another sign of the committed act from the signs of other, related crimes [3, p. 126]. In fact, the differentiation of crimes, he wrote, is the reverse side of the criminal-legal qualification. Accordingly, the assessment of the legal nature of an act as a social phenomenon under study (which implies the differentiation of crimes and lawful acts, crimes and administrative offenses) is the essence of legal qualification as a whole [4, p.192-194; 5, p. 132].

2.1. The law enforcement process requires, first of all, distinguishing beatings from cases of permitted harm. Criteria of distinction are the conditions of legality established by the legislator. For example, the infliction of blows or other violent actions identical to them in defense against criminal encroachment does not entail criminal liability if: 1) violence is a crime, socially dangerous, in cash and real (or imaginary defense a person honestly mistaken in respect of cash or actually assault); 2) protection is forced, timely and proportionate (Article 37 of the Criminal Code of the Russian Federation).

Beatings can be a way of committing other crimes (see for example: [6, p. 144-151], aimed at a different object of criminal law protection. In a number of norms of the Criminal Code of the Russian Federation, located in its different sections and chapters, there is a sign of the use of violence "not dangerous to life or health", or an unclassified sign "with the use of violence". Therefore, it is important to distinguish beatings with a number of multi-object, composite and other single complex crimes, which are characterized by this method of committing them.

2.2. The distinction between assault and murder.

Both beatings and murder can be

expressed externally in the application of multiple blows. In this part of the objective side, they may be similar. This external similarity becomes absolute when it comes to a situation where the actions of the guilty (s) are interrupted due to circumstances beyond their control.

In this case, if the case file establishes a concretized direct intent to cause death (as well as to cause harm to health), then the assessment of the act as a beating is excluded, and an attempt to kill is imputed.

It should be noted that the multiplicity of blows and injuries that are not dangerous to life and health, in practice, often occurs when committing a murder with a special purpose and cruelty, because it allows the perpetrator to hurt (extend) to the victim special tortures and sufferings. Thus, on April 9, 1997, at about 21 o'clock in an apartment in Naberezhnye Chelny, B., in a state of alcoholic intoxication, for no reason, from hooligan motives, using the helpless state of the victim due to her elderly age, struck her at least 32 blows with his hands and feet on various parts of the body, including the vital organs – the head and chest. The actions of the perpetrator caused the victim special torment and led to her death. The Judicial Board of the Republic of Tatarstan recognized B. guilty of committing a crime under paragraphs "b", "d" and Part 2 of Article 105 of the Criminal Code of the Russian Federation [7, p. 56]. This example shows that the beatings (and other similar violent acts) may represent a method of making a qualified form of murder – murder committed with special cruelty and in the case of restraint of the actions of the perpetrator they should be assessed under paragraph "d" of part 2 of article 105, part 3 of article 30 of the criminal code.

2.3. Assault and incitement to suicide. The established fact of inflicting beatings on the victim may also indicate ill-treatment and

deliberate driving of the victim to suicide. In this case, it is necessary to check the presence of direct intent and, accordingly, the possibility of bringing the perpetrator to justice for an attempt to bring to suicide under the relevant part of Article 110 and Part 3 of Article 30 of the Criminal Code of the Russian Federation.

2.4. The beatings and the infliction of death by negligence.

As a general rule, a person is responsible for the consequences that occurred during the use of physical violence, since the very use of violence deliberately creates a threat of harm to human life and health. At the same time, liability for negligent damage is not excluded. For example, in the case when several shocks to the shoulder of the victim caused him to fall with a blow to the head on the corner of the table and the resulting death, the act entails the application of Article 109 of the Criminal Code of the Russian Federation. Despite the fact that such tremors are legally identical to the beatings, qualification under article 6.1.1, article 116 116.1 of the criminal code is excluded, since in this case they come with socially dangerous consequences in the form of death and installed the careless form of guilt in relation to it.

It is also possible that beatings precede the death of the victim, but are not the cause of it. Then, in relation to the death that has occurred, innocent harm is seen, and the person is not responsible for the death that has occurred. At the same time, within the meaning of the law, the application of blows must have an independent legal assessment.

2.5. Beatings and intentional infliction of harm to health. If during the use of violence, including striking, there is a socially dangerous consequence in the form of harm to health (serious, moderate or light), then such actions are not considered as beatings, but are assessed as causing harm to health of the corresponding severity. Article 111, 112 or 115 of the Criminal

Code of the Russian Federation are subject to application in such cases. At the same time, the absence of harm to health does not exclude the qualification of the act as an attempt to cause specific harm to human health. The assessment is based on the presence of intent to cause harm to health under Part 3 of Article 30 and Article 111, 112 or 115 of the Criminal Code of the Russian Federation, respectively.

In practice, the distinction between beatings and torture is an acute issue. Thus, the court of first instance action K. qualified under part 1 of article 117 of the criminal code (on events 19.11.16, 6.12.16, 17.12.16, 18.12.16, 28-29.12.16, 28.02.17, 28.03.17 13-15.04.17, 9.07.17). Judicial Board of the Supreme Court on appeal determined the sentence of the Arkhangelsk regional court from October 30, 2018 in the case of K. to change, because it found that two of these episodes of violent acts do not form a system and are subject to an independent legal assessment. In addition, one episode in connection with the submitted July 3, 2016 in the UK and KoAP of the Russian Federation (Federal law No. 323) changes regarding the introduction of article 116.1 of the criminal code and 6.1.1 administrative code the actions of K. are not criminally punishable, entail administrative responsibility, in connection with which criminal prosecution in this part is subject to termination. At the same time, the remaining episodes are evaluated as torture.

This example illustrates that torture is recognized as the same actions as in the case of beatings, only committed systematically (when striking) or extended in time (when committing some other violent actions, for example, when torturing with the use of torture) and covered by a single intent of the perpetrator to cause physical or mental suffering to the victim. as it is rightly noted in the literature, the main criterion of differentiation is precisely the direction of intent [8, p. 124].

When qualifying, it should also be taken into account that the actual infliction of beatings may indicate an attempt to torture, when the actions of the perpetrator are not completed due to circumstances beyond their control. When confirming direct intent to torture, Part 3 of Article 30 and the corresponding part of Article 117 of the Criminal Code of the Russian Federation are subject to application. Thus, an attempt at torture differs from beatings in the content of the subjective side – the direction of intent to cause physical torment and mental suffering.

From this it follows that the application of article 6.1.1 of the Cao RF, article 116 of the criminal code and 116.1 of the criminal code is not only in the absence of consequences in the form of of harm to human health (even light), but in the absence of consistency (duration) of such actions covered by a single intent to cause the person physical pain and mental suffering.

So, with the competition of these norms with article 117 of the criminal code to apply Article 117 of the criminal code as more fully and accurately describe the signs of the offense.

2.6. Beatings and crimes against sexual freedom and sexual freedom

The inviolability of the person. Paragraph 2 of the resolution of the Plenum of the Supreme Court of the Russian Federation No. 16 of 04.12.2014 "On judicial practice in cases of crimes against sexual inviolability and sexual freedom of the individual" notes: "Violence in articles 131 and 132 of the Criminal Code of the Russian Federation should be understood as both dangerous and non-life-or health-threatening violence, including beatings or other violent acts related to causing physical pain to the victim or restricting his freedom." In particular, multiple blows committed by a male person with the purpose of inducing the victim to have sexual intercourse is not qualified under article 116 or 116.1, but under article 131 of the criminal code of the Russian Federation. Hitting

a person of any gender for the purpose of committing other sexual acts entails the application of article 132 of the Criminal Code of the Russian Federation.

2.7. Beatings and crimes against the constitutional rights and freedoms of a person.

In cases where multiple blows or other violent actions are a way of illegal (against the will of the person living in it) penetration into the dwelling, part 2 of article 139 of the Criminal Code of the Russian Federation is subject to application.

As indicated in paragraph 15 of the resolution of the Plenum of the Supreme Court of the Russian Federation of 25.12.2018 No. 46 " On some issues of judicial practice in cases of crimes against the Constitutional rights and Freedoms of man and citizen (articles 137, 138, 138.1, 139, 144.1, 145, 145.1 of the Criminal Code Of the Russian Federation)", the actions of the perpetrator can be qualified under Part 2 of Article 139 of the Criminal Code of the Russian Federation, if violence or the threat of its use was committed at the time of the invasion of the premises or immediately after it in order to implement the intent to illegally enter the home.

If beatings are inflicted in order to prevent the exercise of electoral rights or the work of election commissions, paragraph "a" of part 2 of article 141 of the criminal code of the Russian federation is subject to application. When the perpetrator violently interferes with the legitimate professional activities of journalists, the assessment is carried out under part 3 of article 144 of the criminal code of the Russian federation. In these cases, an additional assessment of beatings is also not required. For example, the Frunzensky district court of Vladivostok on 23.05.2017, citizen n. was convicted under part 3 of article 144 of the criminal code of the Russian Federation. He was found guilty of first using violence at a bus stop against a journalist who, in accordance

with the task of the editorial office for preparing a report, was videotaping. Then, in the bus cabin, the same citizen again used violence against the journalist, trying to pull the video camera out of his hands (cit. according to: [9, p. 129]).

At battering and committing other violent acts to hinder the activities of religious organizations or the holding of divine services, other religious rites and ceremonies – qualification is carried out according to paragraph "b" of part 3 of article 148 of the criminal code (article 116 116.1 the UFPA does not apply).

2.8. Beatings and crimes against the interests of the family and minors. The use of violence as a way of involving a minor in committing a crime or in the Commission of antisocial acts covered by part 3 of article 150 or part 3 of article 151 of the criminal code respectively and appeals to the norms of responsibility for the beatings requires.

The establishment of the fact of beating a minor by a person who is entrusted with the duties of raising a minor, in combination with other circumstances, may indicate the presence in the act of a crime under article 156 of the criminal code of the Russian federation. In this case, no additional qualification for beatings is required.

2.9. The separation of crimes against property from beatings.

As a general rule, if the blows inflicted on the victim were way of acquiring property, by way of reinforcement with threats of extortion or a way to hijack the vehicle, then the deed are estimated respectively as theft under paragraph "g" of part 2 of article 161 of the criminal code, extortion under paragraph "C" of part 2 of article 163 of the criminal code or theft under paragraph "C" of part 2 of article 166 of the criminal code (see [10, pp. 273-279, 350-353, 367-372]).

In particular, analyses Professor L. V. Law Enforcement Review
2020, vol. 4, no. 4, pp. 141–152

Inogamova-Khegay, attacks in the illicit seizure for gain of another's property falls under not only the rules of the beatings, but also norms about violent robbery (paragraph "g" of part 2 of article 161 of the criminal code) [11, p. 115]. The difference in the content of the norms, as it shows, is that signs of beatings (norm-part No. 1) are added to signs of open theft of someone else's property (norm-part No. 2). as a result, a violent robbery is formed (the norm is the whole). In this case, she explains, the feature set shows that the content of violent robbery better the content of the beatings, and why the application of paragraph "d" of part 2 of article 161 of the criminal code further assessment of a beating is not required. For example, according to the verdict, Yu and T. struck the victim P. several blows with their hands and feet on the head and various parts of the body, causing him physical pain. After that, Yu demanded money from the victim. Having no money with him, the victim was forced to give up his mobile phone. Then the convicts continued beating the victim and openly took possession of his belongings, after which, in order to conceal the criminal actions committed against P., Yu. and T. strangled the victim. Action Yu and So qualified by the court under part 1 of article 116, paragraph "d" of part 2 of article 161, paragraph "j", "k" of part 2 of article 105 of the criminal code. Judicial Board on criminal cases of the Supreme Court of the Russian Federation has changed a sentence, deleting a condemnation of the South and So under part 1 of article 116 of the criminal code. As can be seen from the example, such an assessment of the court became possible due to the fact that beating was a way of seizing property.

Similarly, the issue of assessing extortion is resolved. In paragraph 9 of the resolution of Plenum of the Supreme Court of 17.12.2015 No. 56 "About court practice on Affairs about extortion (article 163 of the Criminal code of the Russian Federation)" is

specified: if the extortion associated with the beating, the criminal conduct should be qualified under item "C" of part 2 of article 163 of the criminal code without additional qualifications such violent actions according to article 116 of the criminal code, etc.

Beating and making them identical to other violent acts in order to illegally taking someone else's car or other vehicle, covered by the composition of the deportation provided for in paragraph "C" of part 2 of article 166 of the criminal code. Additional qualifications are also not required.

However, when the beatings are not related to the encroachment on property and these acts are simply associated, each of them requires an independent legal assessment. For example, in the case where during a personal quarrel against the background of joint consumption of alcoholic beverages So struck the victim, and in the fall the victim had a wallet So took it and ran away is an administrative offence under article 6.1.1 of the administrative code, and a crime under part 1 of article 161 of the criminal code. This qualification is due to the fact that the violence in this case was not caused by a selfish purpose and therefore it cannot be defined as a method of theft, cannot be covered by the composition of robbery, and requires additional assessment.

However, as correctly noted in the literature, in the absence of the subject of theft, for example, when taking a Bank card, a number of the wardrobe in the theatre and so the beating should be assessed separately, and the acquisition of card or number plates, depending on the focus of intent and other circumstances as the preparation of fraud using payment cards (part 1 of article 30, part 3 or 4 of article 159.3 of the criminal code) or the theft (part 1 of article 30, part 3, paragraph "g" or part 4 of article 158 of the criminal code). This is due to the fact that the elements of fraud and theft do not cover the use of violence (see, for example: [12, p.35-36]).

2.10. Beatings and other crimes stipulated by, for example, part 2 of article 203, paragraph "a" of part 3 of article 286, part 3 of article 296, part 2 of article 302, part 1 of article 318, part 1 of article 321, part 2 of article 330 and article 333, 334 and 335 of the criminal code (see e.g. [13, p. 53; 14, pp. 196-208]).

These rules, as discussed above, are special in relation to Articles 116 and 116.1 of the Criminal Code of the Russian Federation, and therefore have priority of application. So, the possibility of qualification of the offense under article 6.1.1 of the Cao RF, article 116 and 116.1 of the criminal code may be considered by law enforcement officials only when their actions are no signs of any of the special offences. This is established by the absence of special characteristics of the victim or subject, the exclusion of a specific narrowly defined goal and other similar features specifically established in the Criminal Code of the Russian Federation.

3. Competition of legal (administrative-legal and criminal-legal) norms on responsibility for beatings.

Due to changes in the criminal and administrative legislation on the protection of human bodily integrity, responsibility for beatings is currently provided for by a number of general (in comparison with the above) legal norms—Articles 6.1.1 of the Administrative Code of the Russian Federation, 116 and 116.1 of the Criminal Code of the Russian Federation.

When qualifying, it should also be taken into account that the actual infliction of beatings may indicate an attempt to torture, when the actions of the perpetrator are not completed due to circumstances beyond their control. When confirming direct intent to torture, Part 3 of Article 30 and the corresponding part of Article 117 of the Criminal Code of the Russian Federation are

subject to application. Thus, an attempt at torture differs from beatings in the content of the subjective side – the direction of intent to cause physical torment and mental suffering.

From this it follows that the application of article 6.1.1 of the Cao RF, article 116 of the criminal code and 116.1 of the criminal code is not only in the absence of consequences in the form of harm to human health (even light), but in the absence of consistency (duration) of such actions covered by a single intent to cause the person physical pain and mental suffering.

So, with the competition of these norms with article 117 of the criminal code to apply article 117 of the Criminal Code as more fully and accurately describe the signs the offense.

4. The above allows us to derive the following algorithm is a necessary sequence of stages of development of beating.

1) Exclusion of the possibility of assessing the act as legitimate harm.

2) In the absence of circumstances precluding public danger and illegality of the act—the establishment of grounds for the application of the norms of the Criminal Code of the Russian Federation:

- determination of the possibility of applying special norms of the Criminal Code of the Russian Federation, which provide for the use of violence as a method of committing a crime that is not dangerous to life and health (so they have priority of application);

- in the absence of compounds under specific norms – identify the presence or absence of signs of a crime under article 116 of the criminal code;

- checking the possibility of applying Article 116.1 of the Administrative Code of the Russian Federation (and its application, provided that the act is not insignificant).

- exclusion of the insignificance of an act that formally falls under the signs of a particular crime (Part 2 of Article 14 of the Criminal Code of the Russian Federation).

3) if the act is not covered by one or another part of the crime – the application of article 6.1.1 of the administrative code of the russian federation.

4) Additional qualification in the presence of a real set of crimes or offenses.

REFERENCES

1. Artyushina O.V., et al. *The organizational and legal basis for the activities of employees of the duty units of the internal affairs bodies upon receipt of reports of beatings*. Kazan, Kazan Law Institute of the Ministry of the Internal Affairs of Russia Publ., 2019. 133 p. (In Russ.).
2. Bezruchko E.V., Nebratenko G.G. "Violence" as a unifying concept of acts that harm human health. *Yurist-Pravoved*, 2012, no 4, pp. 49-51. (In Russ).
3. Kudryavtsev V.N. *General theory of classification of crimes*. Moscow, Yurist Publ., 2004. 304 p. (In Russ).
4. Tarkhanov I.A. Criminally-legal qualification: concept and types. *Uchenye zapiski Kazanskogo universiteta. Gumanitarnye nauki*, 2009, vol. 151, no. 4, pp. 191-198. (In Russ.).
5. Tarkhanov I.A. Legal qualification: concept and place in the law enforcement process. *Rossijskiy yuridicheskiy zhurnal*, 2012, no. 3, pp. 130-140. (In Russ).
6. Ignatov A.N. Violence as a Method of Feasance of Crime: Concept and Essence. *Forum prava*, 2010, no 3. pp. 144-151. DOI: 10.18411/b-2016-027 (In Russ).
7. Artyushina O.V. *Murder with especial cruelty: criminal law and criminological aspects*. Kazan, 2011, 198 p. (In Russ).
8. Pestereva Yu.S. *Criminal liability for torture*. Tyumen: Tyumen Law Institute of the Ministry of Internal Affairs of Russia Publ., 2008, 187 p. (In Russ).
9. Karimova Yu.V. Determination of the object of obstruction of the legitimate professional activities of journalists. *Aktual'nye problemy rossiiskogo prava = Actual Problems of Russian Law*, 2018, no. 6, pp. 126-132. DOI: 10.17803/1994-1471.2018.91.6.126-133. (In Russ).
10. Lopashenko N.A. *Property encroachment*. Moscow, Norma, Infra-M Publ., 2012. 528 p. (In Russ).
11. Inogamova-Hegaj L.V. *Conceptual foundations of competition in criminal law*. Moscow, Norma, Infra-M Publ., 2015. 288 p. (In Russ).
12. Likholetov A.A. Problems of differentiating fraud using payment cards with other offenses. *Rossiiskaya yustitsiya = Russian Justitia*, 2017, no. 6, pp. 35-37 (In Russ).
13. Zatelepin O.K. Topical issues of qualification of crimes against military service, committed with the use of violence. *Sudya*, 2019, no. 2, pp. 49-53. (In Russ).
14. Zatelepin O.K. *Qualification of crimes against the military security of the state*. Moscow, Za prava voennosluzhashikh Publ., 2009. 288 p. (In Russ).
15. Borisov S.V., Zherebchenko A.V. *Incitement to hatred, enmity, humiliation of human dignity: problems of establishing and implementing criminal liability*. Moscow, Yurisprudentsiya Publ., 2015. 258 p. (In Russ).
16. Pikurov N.I. Application of the new criminal legislation (Articles 116.1, 157 and 158.1 of the Russian Federation as amended by the Federal Law of July 3, 2016) in conjunction with the norms and the institution of other branches of law. *Ugolovnoe parvo = Criminal Law*, 2016, no. 6, pp. 53-62. (In Russ).
17. E`rgasheva Z.E`. Circumstances relevant to qualification in cases of administrative offenses. *Rossiiskiy sledovatel` = Russian Investigator*, 2018, no. 4, pp. 62-65. (In Russ).
18. Korsun D.Yu. *Insignificant act in criminal law: problems of theory and practice*. Moscow, Universitet prokuratury Rossiyskoy Federatsii Publ., 2019. 231 p. (In Russ).
19. Lopashenko N.A. About some problems in understanding an insignificant act under the Criminal Code of the Russian Federation. *Ugolovnoe pravo = Criminal Law*, 2019, no. 5, pp. 65-78. (In Russ).
20. Voropaev S.A., Kosarev M.N. About some problems in the application of the rules on liability for battery. *Vestnik Ural'skogo yuridicheskogo instituta MVD Rossii = Bulletin of the Ural Law Institute of the Ministry of the Interior of Russia*, 2018, no. 4, pp. 95-98. (In Russ).

INFORMATION ABOUT AUTHOR

Olga V. Artyushina – PhD in Law, Associate Professor; Associate Professor, Department of Criminal Law Kazan Law Institute of the Ministry of Internal Affairs of the Russian Federation

35, Magistral'naya ul., Kazan, 420108, Russia E-mail: ovart2012@mail.ru

RSCI SPIN-code: 8338-7950; AuthorID: 697955

Law Enforcement Review
2020, vol. 4, no. 4, pp. 141–152

BIBLIOGRAPHIC DESCRIPTION

Artyushina O.V. Qualification of beatings as non-live-threatening and non-health-threatening violence. *Pravoprimenenie = Law Enforcement Review*, 2020, vol. 4, no. 4, pp. 141–152. DOI: 10.24147/2542-1514.2020.4(3).141-152. (In Russ.).