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УГОЛОВНЫЙ ПРОЦЕСС И КРИМИНАЛИСТИКА

CRIMINAL PROCEDURE AND CRIMINALISTICS

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Criminalistic characteristic of acts of terrorism and its importance in investigation

This article is dedicated to determination of content of criminalistic characteristic of criminal acts, as well as to identification of criminalistically significant, evidentiary and orienting information in each single case that allows organizing their qualitative detection. Authors show that criminalistic characteristic of acts of terrorism is aimed to reflect, broadly, peculiarities of commitment of concerned socially-dangerous acts, and in more specific consideration – to define regular mutually conditioned connections between its elements with the aim of advancement of particular typical investigative leads as a basis for investigation forming according to a defined program. The act of terrorism must be considered from the perspective of its dominant elements: the identity of the criminal as part of the criminalistic characterization of an act of terrorism committed by self-incrimination (suicide bomber); the relationship of the method, the crime under investigation to the situation under which a socially dangerous act is committed. Cognition process during criminal investigation can be presented as an algorithm of consistent achievement of constantly forming tasks, emphasizing of which compiles investigation differentiation into certain stages, where its features and content are identified.

Keywords: criminalistic characteristic of criminal acts, identification of criminalistically significant, evidentiary and orienting information in each single case that allows organizing their qualitative detection, of criminalistic characteristic as a person.

Successful investigation of any kind of criminal activity is largely conditioned by an ability of a person conducting the investigation to determine both criminal and criminalistic matter of investigated case.

It should be noted that criminal classification should be the basis for creating a private methodology for crimes investigation related to acts of terrorism and, accordingly, its criminalistic characteristic of crimes as an element of this method, determine its content [1; 346]. Determination of the content of criminalistic characteristic of crimes, as well as the ability to identify criminalistically significant, evidentiary and orienting information in each single case allows organizing a qualitative detection on investigated case.

The history of criminalistics science shows that a dominant number of criminalistics scientists is thought of criminalistic characteristic as «a system of significant signs (features, peculiarities) of criminal acts of a certain type or category, which allows to draw conclusions on an optimal decision of disclosure and investigation of a criminal act» [2; 29]. Among these scientists can be identified such scientists as N.P. Yablokov, I.A. Vozgrin and others. R.S. Belkin held an opinion that «...criminalistic characteristic of a particular type of crime should include a characteristic of initial information, data systems on the manner of commitment and suppression of crime and typical consequences of its use, personality of a potential offender and potential motives and purposes of the criminal act, personality of a potential victim of crime, concerning some circumstances of crime commission (place, time, situation)...». Alongside with that in his understanding the criminalistics characteristic is «an abstract scientific concept, a result of scientific analysis of a certain type of crime acts (type or kind of crime), generalization of its typical features and peculiarities» [1]. Later, in his works, R.S. Belkin expressed the opinion that criminalistic characteristic had become outdated, turned into an illusion, a criminalistic phantom [3; 223].

Despite a wide range of various opinions, we consider that the criminalistic characteristic of terrorist acts as a certain type of crime has a right to existence, development and addition, giving the ability to investigator selectively use initial data concerning the crime presenting versions, choice of scientific recommendations, tactic techniques and combinations in the course of investigation of an act of terrorism. Therefore, its framing is important and necessary in investigation of activities of terrorist nature organizations.

Describing the act of terrorism from the point of view of criminalistics, it should be noted that it is not possible to cover all the elements of the criminalistic characteristic within the framework of the presented article, therefore we consider in this paper only some of its elements: personality of offender as part of the criminalistic characteristic of the act of terrorism committed by self-destruction, (suicide bomber); relation of method, investigated crime in situation when socially dangerous act is committed. Other elements of criminalistic characteristic we will certainly consider later in the framework of individual works.

Herewith, according to the current Law of RK, terrorism – it is an illegal criminal act or a threat of commission in regard to private persons or organizations with the aim to violate public safety, frighten violations, to force on decisions making by state authorities of RK, foreign governments and international organizations, either aimed to terminate activity of state or public activists or for revenge due to such activity [4].

As previously noted, criminalistic characteristic of acts of terrorism should include a data system on the method of preparing, commission and suppression of a crime, and typical consequences of its commission, personality of potential criminal, potential motives and purposes of such crime, and other circumstances of crime commission, including place, time, situation and purpose. These elements constitute a system, i.e. they are interrelated with each other.

In the meantime, method and situation of crime committing as an element of criminalistic characteristic also has a psychological significance not only due to its informativeness, but also due to the fact that at initial stage of inspection, as a rule, the investigation has only information on method and situation of commission that allows through legal and psychodiagnostic methods as well, in particular psychological profiling, to identify features and possible characteristics of those responsible.

Proceeding to consideration of such an element of criminalistic characteristic as a method of crime commission, it should be noted that according to G.G. Zuikov by that method of crime commission is meant a system of actions for preparation, commission and suppression of a crime determined by the conditions of external environment and psychophysiological properties of a personality. It can be associated with selective use of appropriate tools or means and conditions of place and time. As a rule, actions for preparing, committing and suppressing of a crime are combined with a common criminal intent; in some cases, there may be an independent way of crime cover-up (if such cover-up is not a part of the overall intent) [1; 318].

In our understanding the method of committing of acts of terrorism has its own specifics – initially it is mostly a psychological influence on consciousness of masses, as a consequence, such actions are carefully planned and considered. For this purpose, subjects study the situation, nature of actions on the part of state authorities that carry out registration, territorial location based on the principle of population's mentality and human potential in general, selecting possibility of a suicidal-minded person who is most sensitive to new ideas, with weakened mental activity, infantilism and emotional instability.

Concerning the method of crime committing, we shall remember that we are talking about its three main stages: preparatory actions, actions, (inaction) aimed to commission of acts of terrorist and actions for covering-up a crime. Besides, at the preparatory stage, the methods of committing acts of terrorism can be conditionally divided into two main groups. The first group includes methods, influences on physical nature, i.e. objects of surrounding world, associated with deception of various types (abuse of trust, false promise, etc.) for acquisition of property, money and other items having material value. The analysis of studied materials of practical activity in this category of cases has showed that choice of an algorithm for committing a crime consisted of the following actions:

- plan development of crime commission (95 %); choosing of participants for crime commission (75 %) and defining of their functions (70 %); choosing of crime instrument (50 %); choosing of objects of the offense (36 %); clear supervision of an object of crime (36 %); crime instruments making (95,5 %); choosing of crime place (95 %);

- choosing of clothes, acquisition of money and food (10 %); making of hiding places (75 %); communication setup (92 %) (according to the materials of practical activity) [5].

The second group, the most significant in quantitative ratio, includes preparing methods for crimes commission that have the nature of psychological effect on a person's consciousness, and, in general, mental activity, formation of suicidal ideas of criminal nature. The issue concerning specifics of a criminal personal-

ity who is preparing or has committed an act of terrorism will be further considered by us. Using as a preparing method to crimes commission of such phenomena as a trance-like condition, hypnotic influence, often with the use of narcotic and psychotropic substances, as well as psychological technologies of influence and manipulation to conscious and unconscious part of a human mind, including neurolinguistic programming, destroys value-system and, as a result, destroys human's mind. In fact, such preparing can be called a preparation for creation of crime instrument for a terrorist act, which will be the personality of such terrorist-performer, including a suicide bomber.

The specifics of the method of acts of terrorism committing depend on a specific aim and is determined by it. The method of acts of terrorism committing is a kind of dynamic stereotype of human behavior. This provision is confirmed by the fact that when committing such acts of terrorism, the method of crime is repeated or its part is borrowed from previously used one in terrorist organizations of different types, which is connected with the possibility to exchange a criminal experience, analyzing made mistakes in other terrorist organizations.

Considering method of an act of terrorism committing, in our opinion it is necessary to consider its important component, what is the instrument of crime. In our opinion, the data on instruments of acts of terrorism committing in the criminalistic characteristic of the crime method are its obligatory element. According to the dictionary of legal terms, a crime instrument is any object which was used by a criminal while committing a criminal act, in particular, for causing injury to a victim or killing her [6].

Studies show that a set of tools for commission of crimes includes: approximately 75 % of firearms and explosives, about 20 % - psychotropic drugs and narcotic substances, 5 % of other specially produced weapons [5]. Thus, the instruments of act of terrorism are specific and differ from the data of criminalistic characteristic of crimes, committed for religious, political or other reasons. The instruments for crimes commission are different for crimes of a terrorist, religious and extremist nature, and also depend on nonconventional religious organization.

Choosing of an instrument for crime commission depends on personality of a crime committed, his mental abilities, physical strength, professional skills, belonging to a certain category of religious group, etc. For example, non-traditional religious confessions of pro-Islamist orientation, as a rule, use the same psychological impact and training skills of use of firearms and explosives, and eclectic cults, narcotics and other substances to achieve altered state of consciousness, etc. In this case, there is meant that while committing an act of terrorism an instrument of crime can be not only a material object, but also personality of a criminal, performer of terrorist act, who on one hand can be a subject of criminological characteristic, and on the other – its instrument. Thus, a suicide bomber, who committed an act of self-destruction being under influence of psychotropic or narcotic substances, or who has been subjected to ideological bombardment, here acts as an instrument of a terrorist act head. Along with taking into account lack of full identification of such a suicide bomber with personality of a criminal due to the fact that it may be a single terrorist. In more details, the issue of such instrument characteristic from the psychological point of view will be considered below in relation to such element of criminalistic characteristic as a person.

Together with instrument of crime, the method of a terrorist act committing may determine situation for commission of a socially dangerous act, its place and time. In this article, we offer not to define the situation as a separate element of the criminalistic characteristic, as most authors do it, but to consider it through interrelation with the method of crime. Thus, a crime event at all its stages takes place in actual real conditions of territorial location with appropriate material-physical situation, time, in current conditions of location, display of natural-climatic and socio-psychological factors and other displays of social activity of population which determines the way of act of terrorism commission. At the same time, the way of commission of the crime, in turn, determines situation where a terrorist act must be committed. However, we shall remember that in both cases commission of terrorist act will depend on aims and resources that has performer of a terrorist attack. So, specifying self-destruction as a method of committing a terrorist act, we point out the characteristic features of this method: a rapid effect and a significant danger zone, possibility of controlling explosion at a distance, fewness of traces after explosion, a wide range of criminal intents. Having these characteristics, the method of criminal action indicates the most «desirable» environment for terrorist act commission, characterized by presence of a mass gathering of people, whether it is a festive event, a concert or a public event. In turn, the situation can «provoke» a criminal to use a certain method of criminal activity, in this case the use of explosives or self-destruction. Investigations of these factors creating the situation of crimes should be aimed to determining of the nature and volume of information about this situation, its elements and links to the method of crime committing and personality of offender, since it has a great influence both on commission of crimes and investigating process of these socially dangerous acts.

In addition, analyzing the ways of an act of terrorism committing, we came to the conclusion that the subject of a criminal act takes measures to suppress his participation in the crime, while not hiding the fact of the crime itself. The main purpose of terrorist act is creating in masses of people a sense of fear and panic, achieved through a wide publicity, considered a socially dangerous act. Often, terrorist organizations take responsibility for committing terrorist attacks, informing population via Telegram channels, as well as various social networks. When committing an act of terrorism, in particular using a suicide belts, the main efforts of the subject of criminal activity (head of terrorist act) to suppress his actions, are aimed to a secret delivery and installation of a subject (in our case, a person who preparing to commit a terrorist act) of increased danger. For cover-up, they use hiding places, compact explosives, as well as possible corrupted contacts in interested structures that ensure unobstructed movement of a suicide bomber to the place of terrorism.

These aspects also recite relation of situation and instruments of a crime with the way of a criminal event. At the same time, the method of crime committing directly depends on psychological qualities of a terrorist, presence of dependencies and their quality, level, mental disorder, diseases anamnesis, including neurological, psychological and physiological traumas, i.e. personality of an offender. Thus, an important element of criminalistic characteristic, which determines the way of act of terrorism commission in our opinion, is the subject of a criminal activity.

In this case, we suggest to understand by the subject of criminalistic characteristic his personality, but not a typical victim of criminal offense. The personality of criminal terrorist as an element of criminalistic characteristic was not specifically investigated, and is the type of so-called religious-ideological criminal, as it has no clear mercenary or violent orientation, and motivation for his behavior is based on a certain idea, including an irrational one. This is a main distinguishing feature of personality of a religious-ideological criminal as a specific object of research requires an integrated approach involving criminal law, criminal procedure, criminalistic, religious, psychological and other knowledge.

An analysis based on practical activities makes it possible to distinguish the classification of persons involved into commission of acts of terrorism:

- fanatically-criminal adepts;
- psychologically fluid adepts;
- faith-unconscious adepts.

Individuals with destructive religious activity are characterized as fanatically-criminals and capable of violent acts, as a reaction to disagreement or doubt in issues of sermonized ideas, and they are 46 % of the total number of persons prosecuted for attempting to commit an act of terrorism. For this category of people it is typical religious, national intolerance, stable contacts between wrongful behavior in a fanatical form and commission of acts of a criminal nature, i.e. a persistent motivation for committing crimes [5].

The characteristic features of such criminals are actively stable criminal-fanatical behavior, which is expressed in counteraction to investigation process, intolerance and dislike towards a surrounding society, constitutional system and state authority, spiritual leaders and confessions, orientation to observance of their own nonconventional religious dogmas, with complete or partial disregard of accepted behavior norms in society. Based on the analysis of study of terrorist's personality, one can single out the following characteristic features of terrorist: lack of values system, moral degradation, in most cases legal nihilism, and distortion, cunning, craft, cruelty, versatility. As a rule, they commit well-orchestrated crimes, having a definite purpose and intent, for this purpose there are taken active measures to create appropriate conditions for eliminating possible difficulties for act of terrorism commission.

This category of criminals can be divided into two subgroups. The first one consists of adepts who carry out professionally criminal non-traditional religious activities, i.e. for them issues of religion and missionary work it is the way of crimes committing through manipulation of a human factor, and who staying in this criminal sphere for a long time. The second category includes adepts who accepting, however, are striving to receive a certain material-financial benefit in the process of criminal religious activity, consciously conceding destruction of a religious nature, who have a propensity for conventions and rituals, cult actions and traditions showing active interest in this destructive confession or cult [5].

Psychologically unstable adepts are 89 % of the total number of all terrorist criminals. For this category of adept-criminals there are no stable relations between commission of a crime and any form of religionism. Criminal behavior of this category of convicts is spontaneous and contradictory by its nature and differs in inconsistency that naturally affects their status among other adepts. Often, their behavior is associated with rejection or support of non-traditional religious-cultic customs and traditions, as well as demonstrative support of leaders of confessional or cult with a destructive focus or, on the contrary, representatives of state authority and law enforcement [5].

In conflict situations, such criminals also do not crucially adhere a certain line of behavior and it negatively affects the process of identifying, disclosure and investigation of acts of terrorism, due to the fact that their behavior is almost impossible to predict or simulate. Instability and unbalanced state of character appears not only in the environment of terrorist organization, but also in the performance of any other activity.

Faith-unconscious criminal-adepts are 5.3 % of all adepts who have committed terrorist acts. For this type of criminals is typical a lack of openness to personal criticism, irritability, unbalanced state, suspiciousness, inflated self-esteem, sharpness and instability in communication, rapid mental and emotional excitability, as well as inadequate responses [5].

Peculiar to people who joining terrorist organizations is that they come from different social strata and have different attitude in accordance with their upbringing, mentality and traditions accepted in family, nation, ethnos, etc. At some moment a person, not receiving desired one, not reaching a specific life goal, or undergoing tragedy of life situations, is prepared to stand against oppression and shock by accepting a religious idea or joining a religious destructive organization. Obviously, there are certain personality traits that distinguish a criminal - a terrorist. Psychological changes and deviations from the norm occur in a person who complies to a certain terrorist organization. This is due to rejection of the normative social group, denial of society and transformation of habitual way of life into a secret, confidential, closed one, so, his transition as a personal unit into a reference group.

According to the data, terrorist criminals (62.8 %) are characterized as aggressive paranoiacs, who tend to:

- personalism, egoism and egocentrism that lead to rejection of common rules and norms of life;
- inability to think systematically and consistently, exaggerating significance of expected result from a terrorist act;
- cruelty and unmotivated aggression towards others and indifference to fate of innocent people;
- weak social contacts, weak integration in society and blind faith in the current policy of terrorist organization members of which they are;
- disposition to narcissism, adventurism and love to strong sensations;
- systemic watch on scenes of violence and contemptuous attitude towards death [7; 31]. This is explained by the phenomenon that a person feels a need to reckon some people among his allies, and others – among his enemies, and this need is the result of his efforts to defend his sense of self-identity.

Thus, in our opinion, common personality trait of a terrorist, a religious extremist or a separatist is his irresistible need to join a criminal group of similar persons connected with problems of self-identification. Before becoming a terrorist, a religious extremist or a separatist, a person goes through apathy stages and other forms of social disadaptation.

From scientific and practical positions, an attempt to formulate a process of formation of a terrorist or a religious extremist was undertaken by E. Shaw. He concluded that terrorist is a person who, being a child, has problems with self-esteem, and identified four factors that lead a person to terrorism: early socialization; narcissistic disorders; conflict situations, especially with the police; personal relations with members of terrorist organizations» [7; 31].

For a terrorist, leaving of such organization is associated with the loss of his identity, refusal is almost impossible because of his low self-esteem, by reason that he is afraid of authoritarianism. In this case, each attack to a group he perceives as a personal one, so each successful terrorist action only increases group cohesion. This must be taken into account when fighting with terrorist, religious extremist and separatist organizations. For the most part, individuals belonging to terrorist and religious extremist organizations share its ideology without subjecting the ideology to criticism and, in accordance with it, have readiness for immediate criminal actions without thinking about public danger of their consequences.

In this regard, counteraction to terrorism and religious extremism should be carried out not only by force methods, but also by intellectual and psychological one.

To create a psychological profile (portrait) of a criminal - a terrorist, a religious extremist there requires a complete and exact knowledge of the terrorist act, namely, place, time, method, instruments, motive, etc. In this case, we see that having knowledge of the method, instruments and situation of the commission of the act, we can with a certain degree of probability designate a subject, i.e. a person who committed a socially dangerous act. At the same time, as it was noted earlier, not in all cases a person who committed a criminal event can be considered as a subject of a terrorist act, in some cases, a person acts as an instrument. Despite the duality of the subject of the criminalistic characteristic, it should be noted that having knowledge of the method, instrument and situation, we can also draw up a profile of the crime subject which in this case is the performer of the terrorist act.

In addition, it should be noted that a special place in drawing up the psychological profile of offender is taken by identification of criminal terrorist belonging to a religious confession, but his personal characteristics are quite different and form a terrorist activity. In this case, a personality of a terrorist who carried out a socially dangerous act through commission of a criminal suicide becomes important.

For example, committing a suicide by self-destruction or preparing an explosive device, planning an act of terrorism and motive for action due to religious, political, ideological reasons and etc.

Analysis of terrorists' personality allows us to conclude that this type of religious and ideological criminal has personal peculiarities that are of paramount motivational importance. Such peculiarities have a crystal-clear psychological phenomenon – aiming for death, which affects his psychological and mental health, transforming personality of a person, launching processes of personal degradation [5].

The basis of psychological knowledge of terrorism is the analysis of crime motives, as a subjective meaning of this behavior. In this regard, violent or selfish motives are only an external explanation and reason for commission of an act. The process of terrorism motivation and religious extremism is a deep intrapersonal conflict that goes into the sphere of unconscious processes, which promotes the launch of a psychological mechanism leading to implementation of actions aimed to self-destruction, which acts as a true motive. The need for dangerous situations, sense of risky and extreme situations creates the impression that a young criminal has a sense of his own importance, involvement in some secret, omnipotence. Occurring legal relations with law enforcement and other state authorities, including high rank, meets an inner need of a young person to feel a sense of self-importance and a sharp increase of self-esteem and self-respect level [7; 12].

It should be noted that motivation of terrorism has a specific psychological trait, namely, a conscious or unconscious need for suicide, so suicide bombers. The causes of criminal suicide of terrorists, religious extremists are a psychological phenomenon.

The analysis of criminal cases based on the facts of a terrorist act commission, allow us to note that terrorist suicide is formed in the course of:

- self-deception and rejection of surrounding reality perception, in accordance with which it is necessary to make life decisions and choice of, where the ideological aspects play a special role;
- fanaticism, which begins to predominate in irrational thinking;
- distortion of the reality of surrounding world, caused by psychophysiological causes (painful conditions and disorders of human body);
- prompt satisfaction of inflated needs for material and financial well-being [5].

A suicidal motive of a terrorist has a deep psychological cause - necrophilia, that is a steady attraction to death. In this sense, a psychological profile (portrait) of a terrorist must be based on this basic motive, where achievement of a public death is a basis of a life goal, after which such criminal begins to live already in the fear of other people, i.e. the terrorist act by self-destruction is a continuation of his life, but more comfortable for him [7; 18].

A suicidal type of criminal personality selects crimes of a terrorist and religious extremist orientation, in connection with a set of personal attitudes and qualities (significantly increased level of anxiety, including unrecognized, suppressed aggressiveness, impulsiveness, headedness, etc.) that dictates the line of his behavior in the search for an exciting subject, for him it is a death. An unsuccessful attempt of a suicide or a terrorist act by self-destruction strains the need for a criminal-terrorist to achieve death. This reveals the relationship of suicidal tendencies to formation of criminal's identity for commission of an act of terrorism, which indicates a sufficient addiction and multifaceted of motivation for the crime [7; 21].

We suppose that pathological fear and attraction to death distinguish a criminal person whose activity is aimed to committing socially dangerous acts of terrorist, religious-extremist orientation, from other types of personality of a criminal on a number of essential features, namely:

- demonstration of death, which may cause in human society the same jelly as the basic instinct of self-preservation and panic;
- as a kind of ideological type of criminals such a person shifts personal, subjective responsibility not to internal but to external causes related to social aspects and associated with interests of religion, politics, nation, ethnos, etc. This in turn, determines the nature of terrorism, religious extremism and separatism in general, for example, act of terrorism committed for religious reasons of prevalence of one religion over another, terrorism political or nationalistic, etc.

The result of our research is an establishing of strong relations between such elements of criminalistic characteristic as a method, instrument and situation. At the same time, this relation is determined by the

goals of terrorist act being committed and by the fact that the subject has any of these elements, which in turn makes it possible to single out the following probabilities of preparation for a terrorist act:

Probability A

A figurant is conditioned by a purpose of terrorist act, which assumes mass sacrifice. At the same time, he has such a resource as a probable performer-victim and is in a state of uncertainty as to likely algorithm of terrorist act committing and used instruments. In this situation, a dominant element in preparation of terrorist act is a person who acts as an instrument, i.e. a suicide bomber. Depending on the qualities of this individual, also taking into account his physical characteristics, the performer of a terrorist act selects a probable algorithm for crime commission. For example, having such an instrument (in this case a person ready to commit a terrorist act), as a woman, the performer of a terrorist act cannot choose crime algorithm which assumes the use of a weapon as a weapon, because it gives rise to special situation of terrorist act planning, where the chosen algorithm of crime depends on the situation, people gathering at one time or another.

Probability B

The performer of terrorist act has a number of items that can be used as an instrument of crime (jihad-mobile, ammunition of chemical, bacteriological, nuclear damage, etc.), but cannot find a suicide bomber who could have the skills to use these weapons. Here, as we can see, the main element in preparation of a terrorist act is availability of crime instrument in the form of specific items, i.e. the method of crime committing for which the ideal performer is selected.

Version C

The specific conditions of the situation of a crime in progress (place, time) suppose selection of such a set of performers and instruments, which can be realized by means of a unique algorithm for the use of these items by the given person in the given conditions. In this case, conditions of the situation are a dominant element of the criminalistic characteristic and are out our conclusion concerning the relation between the situation and the way of crime in progress.

At the same time, the main thing among these variants, in our conditions, is a probability associated with dominant situation of crime committing determined by the fact that a number of fanatical persons in our country does not allow to make easy choosing of «suicide bombers» as a consumable material and carry out terrorist acts commission which are not related with commission of criminal suicide. For states where the flame of a religious war has taken on the scale of internal component, there vice-versa are peculiar the cases when the main element of a terrorist act preparing is a weapon in the form of personality of a suicide bomber who largely presents at the place of terrorist act. As for probability associated with prevalence of the crime instrument, it is typical for cases with sufficient financing of terrorist activities for transparency of states' borders, surrounding this area. Besides, a combination of these factors can generate specific types of algorithms for terrorist acts preparing, which are characterized by an explosion from an absolute deficit in choosing of suicide bomber weapon to an absolute adequacy of such funds. In these conditions, the counterterrorism activity of security organizations of one or another country is of particular importance.

From the point of view of criminalistic angle, these conclusions are important as the conditions for identifying the situation which arising at the time of terrorist act commission, which determines the set of actions typical for each of these variants on the part of criminals, formation of material and ideal tracks and so on.

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Терроризм актілерін криминалистік сипаттау және оның тергеудегі маңызы

Мақала қылмыстың криминалистикалық сипаттамаларының мазмұнын анықтауға, сондай-ақ әр жағдайда жеке-дара сот-сараптамалық, маңызды, дәлелді және бағдарланған ақпаратты анықтауға арналған, бұл олардың сапалы ашылуына мүмкіндік туғызды. Авторлар терроризм актілерін криминалистикалық сипаттау кең ауқымда қарастырылып жатқан әлеуметтік қауіпті актілердің ерекшелігін және белгілі бір бағдарлама бойынша тергеуді қалыптастырудың негізі ретінде жеке модельдік тергеу нұсқаларын алға жылжыту мақсатында оның элементтері арасындағы табиғи, өзара байланысты анықтау үшін неғұрлым нақты қарауды көздейді. Өртүрлі қоғамдағы және мемлекеттердегі саяси, экономикалық, құқықтық және әлеуметтік салаларда түрлендіру орын алған геосаяси кеңістікті жаңарту, сондай-ақ жасөспірімдер мен жастар арасында жағымсыз әлеуметтік аспектілерін анықтау қажет. Әлемнің жағымсыз бағыттағы түрленуі ретінде радикалды діни экстремистік және лаңкестік идеяларды тарату, сондай-ақ өз-өзіне қолжұмсауға немесе басқа да деструктивті сипаттағы әрекеттерді үгіттеуге бағытталған виртуалды экстремистік топтар мен қауымдастықтардың пайда болуы қазіргі қазақ жастары үшін тікелей қауіп тудыруда. Қылмыстық істерді тергеу кезінде тану үдерісі үнемі пайда болған міндеттерге дәйекті жетудің алгоритмі ретінде ұсынылуы мүмкін, оны іріктеу оның ерекшеліктері мен мазмұны анықталған белгілі бір сатылардағы тергеуді саралау негізінде жатыр.

Кілт сөздер: сот-сараптамалық сипаттамалары, терроризм актілері, терроризм актілерін ашу және тергеу, қылмыстың сот-сараптамалық сипаттамаларының элементтері, терроризм актілерін жасау ерекшеліктері, жеке үлгідегі тергеу әрекеттері.

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Криминалистическая характеристика актов терроризма и ее значение в расследовании

Статья посвящена определению содержания криминалистической характеристики преступлений, а также выявлению криминалистически значимой, доказательственной и ориентирующей информации в каждом отдельном случае, позволяющей организовать их качественное раскрытие. Авторы указывают, что криминалистическая характеристика актов терроризма призвана отражать в широком понимании особенности совершения рассматриваемых общественно опасных деяний и более конкретно — определять закономерные взаимообусловленные связи между ее элементами, с целью выдвижения частных типовых следственных версий как основы формирования расследования по определенной программе. Акт терроризма необходимо рассматривать с позиций доминирующих ее элементов: личность преступника в составе криминалистической характеристики акта терроризма, совершенного путем самоподрыва (террорист-смертник); взаимосвязь способа расследуемого преступления с обстановкой, при которой совершается общественно опасное деяние, орудия преступления, а также особенностей выявления и раскрытия в экстремальных условиях, которые имеют место быть при совершении преступлений террористической или экстремистской направленности. Процесс познания в ходе расследования по уголовным делам можно представить как алгоритм последовательного достижения постоянно формирующихся задач, выделение которых лежит в основе дифференциации расследования на определенные этапы, где вычлняются его особенности и содержание.

Ключевые слова: криминалистическая характеристика, акты терроризма, раскрытие и расследование актов терроризма, элементы криминалистической характеристики преступлений, особенности совершения актов терроризма, частные типовые следственные действия.

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