

The impact of migration processes on crime rates in the Novosibirsk region and certain specifics of its investigation

N K Korovin¹ and O V Shmygina^{1*}

¹ Siberian University of Consumer Cooperation, 26 Karla Marksa prosp., Novosibirsk 630087 Russia

E-mail: olga78an1@rambler.ru

Abstract. The article discusses the impact of external migration flows on crime rates in the Novosibirsk region. For the period covering 2016-2019, the main indicators on the migration situation in the Russian Federation are analyzed. Ways of solving illegal migration affecting the growth of crime are presented. The article points to the need to study certain elements in the forensic characterization of crimes committed by migrants and in relation to them. The algorithm for investigating these types of crimes is proposed in the paper.

Keywords: migration, migration policy, crime, crime rate, investigation

1. Introduction

Nowadays, the regulation of migration is one of the most necessary and serious tests for international cooperation. Migration is one of the drivers of economic growth, innovation, and sustainable development. Migration is caused by such negative social phenomena as discrimination based on ethnicity, armed conflicts, and extreme poverty. In the modern world, migration often becomes a factor of crime [1]. The problem of criminal legal assessment of illegal migration is due to the duality of the public danger of this phenomenon: there are certainly a public danger of illegal migration itself and a public danger of its consequences [2].

On October 31, 2018, in Russia, the new Concept of the Migration Policy of the Russian Federation for 2019-2025 was adopted [3]. It defines the main directions of the state migration policy of the Russian Federation in the field of promoting the adaptation and integration of migrants, the formation of constructive interaction between migrants and the host community. According to the calculations made the United Nations, a total number of international migrants has increased by 49% since 2000, exceeding the global population growth rate (23%) [4].

125.9 thousand people (+19%) are registered with the territorial bodies of the Ministry of Internal Affairs of Russia as of July 1, 2018. Among the federal districts of Russia, the Siberian Federal District still holds the second place (18.8% of the total number of arrivals in the country). The Novosibirsk region ranks first among all other Russian regions, and the Omsk region ranks seventh.

On August 20, 2018, the plenipotentiary representative of the President of the Russian Federation in the Siberian Federal District S. Menyaylo held a meeting in Novosibirsk on the implementation of state migration policy in the constituent territories of the Federation. At this meeting, he noted that an analysis of the implementation of migration policy in the Siberian Federal District shows that by joint efforts, in cooperation with federal authorities, they managed to maintain the labor potential of Siberian regions,

promoting a qualitative improvement in the demographic situation and creating all necessary conditions for social adaptation of foreign citizens [5].

Many migrants arrive in the Russian Federation due to social or economic insecurity, in order to earn money and send them to their relatives. Such labor migration is often controlled by its own criminal compatriots and diasporas on a national basis. Arriving migrants are often involved in organized criminal activities, depending on their psychological characteristics [6].

The local population causes a negative attitude towards migrants due to psychological instability associated with a change of residence, ignorance or neglect of the culture of behavior in the host country, lack of knowledge of the language and other factors inherent to them. Thus, the migrants themselves are often victims of violent crimes. According to the Ministry of Internal Affairs of the Russian Federation, 38,598 crimes (-6.0%) were registered in 2018. These crimes were committed by foreign citizens and stateless persons, including the citizens of the Commonwealth of Independent States (CIS) committed 34,323 crimes (-5,3%). 15,816 crimes were registered against foreign citizens and stateless persons in 2018, which was 7.7% more than in 2017 [7].

Since 2015, official statistics show a decrease in migrant crime in Russia in general and in the Novosibirsk region in particular. Thus, in the Novosibirsk region, the number of persons who committed crimes amounted to 341 people in 2015, 324 in 2016, 227 in 2017, and 194 people in 2018 [8]. Considering questions concerning the state of migrants' criminality, we need to note that its main types include crimes related to the illegal crossing of the state border of the Russian Federation (article 322 of the Criminal Code of the Russian Federation). On the territory of the Novosibirsk region, 49 cases of the commission of this crime were registered as of 2018. In the general structure of crime, socially dangerous acts with mercenary and mercenary-violent motivation prevail among migrants. The Novosibirsk region belongs to one of the regions of the risk group with a high crime rate associated with the illegal crossing of the State border [9].

2. Materials and Methods

The problem is considered in the aspect of analyzing the current state of crime in the territory of the Novosibirsk region. At the same time, a decrease in the level of crime committed by foreign citizens and stateless persons, including the CIS citizens, is noted. Analyzing the provisions of scientific and journalistic literary sources devoted to the problem of research, conducted. Also, a statistical research method was used.

The basis of crime investigation methodology includes one of the structural elements, which is forensic characterization. Using judicial practice, its value is to study experiences in investigating crimes committed by migrants and in relation to them, comparing with the available data on a specific crime, putting forward the most likely version of establishing, detaining suspects, and proving their guilt in the future.

Among the elements of forensic characteristics, first of all, the following should be considered:

- Intention, causation;
- Characteristics of the offender;
- Characteristics of the victim;
- Time, place, mode, setting, and footprints [10].

While investigating crimes of the category in question, we need to establish a motive. Establishing the motive for committing a crime makes it possible to study the offender's identity. Crimes committed by migrants or against them can be committed for various reasons: economic, political, religious, social, psychological, etc. Most often these are such reasons as labor migration, maybe a violation of public order and the rules of social behavior, revenge for previously committed offenses by people of other nationalities, religious ideas of an extremist nature, etc.

Describing the offender's identity, we should determine his/her legal status by the presence or absence of relevant documents, such as a migration card, temporary residence permit, visa, or other documents provided for them by the federal law or an international treaty of the Russian Federation.

These documents confirm the right of a foreign citizen to stay or reside in the Russian Federation, as a rule, they come from the Caucasus and Central Asia, most often from Tajikistan, Uzbekistan, Kyrgyzstan, less often from Vietnam, India, and China.

Depending on the cause and type of the crime committed, the following persons may be criminals: mostly men, 20-45 years old, with secondary education, most of them without permanent income [11], migrants or indigenous people, students of secondary and higher educational institutions, young workers, sometimes intoxicated, in most cases in a group. In a group, a person feels confident, protected, thereby self-asserting himself in society, while he has no universal human and moral values, as a rule.

At the same time, the methods of committing crimes by foreign citizens may be different: crossing the border of the Russian Federation without valid documents for the right of entry or exit, or without proper permission, forgery of documents, illegal circulation of narcotic drugs and psychotropic substances, robbery, torture, rape, intentional infliction of grievous bodily harm, murder; moreover, one of the difficult investigative situations may be receiving a message about a missing person, etc.

One of the components of the forensic characterization of crimes is the time and place – it is public premises or common areas. Crimes are committed during the daytime, before the start of working hours or in the evening, as well as on weekends, possibly at night.

When investigating crimes committed by migrants or in relation to them, first of all, we should check the crime report, urgent investigative actions, and operational search measures, namely, interview citizens, and inspect the scene. A specialist is invited to the group [11], who fixes the situation, discovers, seizes traces, and material evidence, in accordance with the requirements of paragraph 6 of Article 164 of the Code of Criminal Procedure of the Russian Federation.

Tactical features of the scene are the use of the following tactics: the preparatory stage, assisting the victim if necessary, fixing the situation, determining objects at the site, epy tools of crime (knives, bats, fixtures, footprints, legs, shoes, and crime instruments). One can detect blood, micro-objects, phrases of national or racial nature, painted swastika, etc. According to the material evidence found, it is possible to ascertain the circumstances of a crime, determine approaches and the departure time of those persons who committed this crime, as well as determine the circle of witnesses and eyewitnesses.

Based on the inspection results of the scene and having received primary evidence, we can put forward investigative, forensic, and investigative versions of the subject and object of the crime, which may be a foreign citizen. In order to establish the identity of the victim or suspect, forensic, migratory, and other checks are made, and forensic examinations are appointed.

For the purpose of timely appointment and production of examinations, the investigator must (prior to appointing an examination) consult with experts to determine whether the wording used in describing the issues to be resolved by an expert is correct.

When a suspect is detained, his personal search, interrogation, and other investigative actions are carried out to prove his guilt. In order to record evidentiary information, we recommend using the method of forensic video.

3. Results

In this material, statistics on migrant crime in the Novosibirsk region and in Russia, in general, are given. Without denying the unconditional benefits of the influence of migration flows on the level of the economy, the demography of the region, sustainable development, unregulated flows of migrants attract increasing tensions in society.

When investigating crimes committed by migrants and in relation to them, the important point is to study the elements of the forensic characterization, allowing to establish the person who committed the crime or in relation to whom it was committed, whether the person is a foreign citizen. Also, in accordance with this and the investigative situation, it is important to build an investigation algorithm, conduct an inspection of the scene, interview citizens, check on forensic accounting, appoint and conduct a forensic examination, determine the place of stay, establish and detain a suspect, personal search, examination, interrogations, verification of testimony on site and other investigative actions.

4. Discussion

The research focused on analyzing the influence of migration flows on crime rates in certain regions of the Russian Federation and the comparison of the data obtained are both important for managing the process of combating crime. The study of regional characteristics of crime in Russia will allow one to make a scientifically based and, at the same time, differentiated view of how migration affects the level of crime in the Novosibirsk region.

Our research also clearly shows that a conditional portrait of a criminal is the following: a man, aged 20-40 years, secondary education. At the same time, older persons can also be victims. However, depending on the type of crime, the age may be different. In general, persons from the regions of Central Asia who arrived to work in the Russian Federation for various reasons without their means of livelihood commit crimes such as theft, robbery, rape, drug trafficking, serious bodily harm, murder, etc. As a rule, the reason lies in the mercenary component [12], as well as because of language ignorance, disrespect for the culture of behavior in the host country, which causes discontent among the indigenous population.

5. Conclusion

The task of maximizing the benefits of migration is difficult to solve without a constructive approach to irregular migration. It should be noted that illegal migration is a growing global problem. We propose at the legislative level to strengthen the control over the illegal crossing of the state border and regulate the behavior of people inside the country.

When investigating crimes committed by migrants or in relation to them, we recommend using elements of forensic characterization based on the investigation of previous crimes of this type, in cooperation with forensic and operational-search units using modern telecommunications, information and other technical means. We also recommend that, as soon as possible, we proceed to the production of operational-search measures and investigative actions aimed at preventing crimes, first of all, by checking migration and other documents giving the right to enter or leave the Russian Federation.

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