

RESPONSIBILITY FOR CRIMES ENCROACHING ON CULTURAL PROPERTY, BASED ON THE CRIMINAL CODES OF THE RUSSIAN FEDERATION AND UKRAINE: COMPARATIVE LEGAL ANALYSIS

The paper studies some issues of classification of crimes encroaching on cultural property, based on the criminal law of the Russian Federation, and stresses on necessity to adopt positive practices by Ukrainian lawmakers aimed at extending essential elements of crimes encroaching on cultural property, namely possibility to establish individual responsibility for cultural property theft and return of stolen cultural objects back to Ukraine.

Some essential elements of crimes are analyzed based on the Criminal Code of the Russian Federation (CCRF), namely: 1) stealing of objects of exceptional value (Art. 164 of CCRF); 2) Non-return to the territory of the Russian Federation

within the fixed time of items of the artistic, historical, or archaeological heritage of the Peoples of the Russian Federation and foreign countries (Art. 190 of CCRF). These elements of crimes are not stipulated in the Criminal Code of Ukraine.

Having analyzed the above articles and some issues of classification of the above crimes, the conclusion has been made that it is necessary to adopt practices of the Russian Federation by Ukrainian lawmakers for the purpose of accurate classification of crimes encroaching on cultural property, as well as for facilitating work of law-enforcement agencies in the given field.