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**A NEW PROJECT «MANIAC HUNTERS»
(INFORMATION FEATURES OF SPECIALIZED INTERSTATE
INVESTIGATION TASK FORCE ON COMBATING SEXUAL TOURISM
AND TRAFFICKING OF CHILDREN INTO SEXUAL SLAVERY)**

Annotation

Here we present proposals for building an innovative model in the activity of law enforcement, an institute of specialized investigation task force for combating the transnational sexual crime. Organizational and psychological aspects of international cooperation of criminal justice in Commonwealth of Independent States are analyzed.

Formulation of the problem and methodological bases of research.

The analysis of criminal investigation of transnational crimes shows that in the next few years there will be a tendency of increasing of the rights of international search's subjects in the form of participation in the operational-search activities on the territory of the members of integration union. The removing of "Iron Curtain", the time of restructuring, integration processes in the world community led not only to the increasing of "classic" crime but also to the appearance and rapid development of its new forms including sexual cybercrime. It also led to the formation of organized criminal groups, which are closely related to the international

human traffic for sexual purposes. It has set new unsolved problems for criminal justice agencies of the CIS. But at the same time the institute of international disclosure of crimes remains one of the most controversial and uncertain. Therefore, this article concerns not so much the formal-legal aspect of the problem of creation and functioning of interstate specialized investigation task force (hereinafter – ISITF) but substantiates the innovative approach to the development of the organizational and psychological model of the given out procedural institution.

In the context of the development of activities for the system resistance to the new manifestations of sexual crime, the search for optimal solutions and implementation of

them in the general practice of criminal justice officials of the Commonwealth has a great chance to promote closer inter-state cooperation and formation of the single updated practice of investigation of transnational crimes, which are committed in the territory of countries - members of CIS.

On the one hand, methodology is a science and art of the perfect thinking and effective activity in all spheres of public life [15, p. 87]. But on the other hand, an empirical social psychology involves the examination of common and different in the psychological parameters of personality, behavior and activities of representatives of different social groups [9, c. 508]. The structure of law enforcement agencies and modern achievements, especially in the field of synergetics in mostly all post-Soviet states, provide wide opportunities for modeling of anti-criminal technological processes using the methods and approaches, which are traditionally dualistic and can be used not only in the interdisciplinary research in the field of natural and exact sciences but also in the field of public (law) sciences. Each of these methods has its own specifics.

Systems analysis is not only a methodological basis for research and development of the new technological and managerial decisions. For the systematic problem solving the maximum effect is possible only when macro and microapproach combine in the knowledge of any hierarchically structured formation like ISITF. The mature science consists of research programs, according to which the unknown facts are studied, predicts new subsidiary theories, one of which is the theory

of criminal perversology, the key element of which is the doctrine of specialized investigation task force on resistance to transnational sexual crime, which we propose to designate by the conventional brand "Maniac Hunters."

Analysis of the results of research on this topic.

First of all it is necessary to note that at different times the scientists (K.Antonov, P. Bahin, V.Boiarov, A.Gerasun, I.Gerasimov, K.Grankin, I.Gutkin, V.Doroshenko, A.Dubinsky, G.Dusheiko, I.Kozachenko, P.Koliada, A.Larin, V.Rogozhin, V.Fedchenko, A.Chuvilev and others) were actively discussing the problems of activity of investigation task force (hereinafter - ITF). The standard acts with instructions for the organization of cooperation were adopted at different times but they often contained regulations contradicting each other. And it was not accidentally, since the crimes were and are often unsolved in the present conditions as a result of serious professional mistakes made by investigators and operations staff and lack of proper cooperation between them [8]. So, let's summarize retrospectively the consideration of the procedural aspect of the ITF activity: there is still no united approach concerning the classification of data of non-procedural formations in most countries - members of CIS. However, we must admit that for the past decades the numerous researchers of the activities of ITF on systemic problems have been developing nothing significant or radically new, and therefore the dynamics of this interaction model, unfortunately, is in "reserved" form. It should be noted that certain aspects of the problem were raised by the

number of modern Russian authors (in particular A.Soloviev, A.Dvorkin and some others) [6, 10].

Author's conception.

When investigating such crimes as trafficking of children for sexual purposes concerned the interests of few (mostly contiguous) states, there are such typical situations: 1) it is established that a citizen of one state who has committed the crime in his own and another states, will be detained in any of them and will be brought to trial there; 2) the same will be against the group of people who have citizenship in one or different states; 3) the same will be in relation to one person or group of people hidden in the mentioned states; 4) by the investigation of the crime committed by these people in one state the information about the crime committed in another state (or about the persons involved in them) was received but this crime has not yet been prosecuted or prosecuted but the involved persons were not identified; 5) there is credible information about the functioning of interstate governmental criminal groups; 6) crimes of the same kind with similar method were committed in several states and there are strong reasons to believe that they were committed by the same person (group of persons) who is not personally identified [6, pp. 580 - 589].

Recently it appeared the need to expand the classification of ITF by creating such group as *interstate specialized investigation task force* (hereinafter - ISITF), which will contain the most experienced prosecutors, criminologists and investigators of Public Prosecutor's Office and Police Internal Affairs, workers of crime detection, experts in the field of criminology,

forensic medicine and psychiatry, specialists in criminal psychology and sexual pathology, as well as the need to involve other law enforcement staff and single-functioned workers (for example hypnologist or specialists in negotiating work) for more quickly solving of the crime and professional investigation of sexual crimes that were committed non-obviousnessly or show the signs of seriality. The question about the full ISITF management and the limits of such management in international legal acts concerning the states - participants of CIS is not defined. Moreover, there are no data concerning the supervisory credentials of the prosecutors on observance of law in transnational activity of ISITF. Therefore, we propose and justify an unprecedented project in the network of criminal jurisdictions of the countries - members of CIS.

Results of research.

Methodology of investigation of "typical" sexual crimes and especially murders is studied in detail by criminalistics [10], therefore the organization of this process is carried out according to the standard schemes with additional working out of "international" factors. But at the same time, notwithstanding the recent scientific and practical activity [5, 9], the problem of human trafficking for sexual purposes still partly remains the "black hole", both literally and figuratively. Therefore, we think that we should identify separately *the problem of transportation of women, girls and children into sexual slavery*. On the one hand it is said that Ukraine is not only a transit country for migrants from other countries [7, pp. 14]. But at the same time, on the other hand, Ukraine is identified as a country-supplier of women in

the world markets of intimate business in the international system.

The organization of human trafficking and illegal exports over the border has become one of the priorities of transnational organized crime. Moreover, the increasing evidence leads to the conclusion that there is a conspiracy with law enforcement officials, representatives of the authorities. Everyone knows that police officers, who supervise the large part of the criminal sex and pornography industry, impose taxes streetwalkers, brothel owners and pimps practically openly. It turns out that all these parts of transnational criminal groups are involved in human trafficking.

In view of possible corrupt relationships between criminals and workers of public authorities, such information should be received strictly confidentially [1, pp. 17]. Since the identification of signs of illegal border crossing is impossible without implementation of operation and search activity (operating workers and investigators say that in the investigation of illegal human trafficking across the state border online data take the main position) [11, pp.69]. But there are many unsolved practical problems, the most important of which is to identify the ways of trafficking of girls and, especially, children abroad for sexual slavery. The general classification is: by plane, through forest belt, by motor, rail and water transport. The most realizable methods with minimal technological costs at the maximum mass are the last two.

The peculiarities of identification of such crimes in the international passenger trains have not been studied fully by criminalistics yet. In the scientific and practical literature the

organizational preventive measures at the level of illegal interstate transportation of people for sexual purposes have not been reviewed yet. When investigating such crimes the investigative and operational staff meets difficulties and makes some tactical and organizational mistakes caused by the specifics of training methods, committing and concealing of the crimes of this group. Difficulties in the forming of evidential base are caused by considerable reasons, the central among which is exterritoriality: the recruitment of victims takes place in the country - the birthplace of future victims, and their sale is usually abroad. In connection with this there are difficulties in obtaining the evidences connected with insufficient or non-operational cooperation with law enforcement of foreign countries, long and sometimes formal execution of applications for legal assistance. In addition, the criminal groups of sex industry have the opportunity for organization of transportation of victims into the country with the help of legal documents. There is an efficient mechanism of acquisition of private invitations for work, training, tourist trip, which give the opportunity to go abroad.

The dynamics of this type of crime is influenced by two major factors: 1) lack of proper data ware at the state level and 2) increasing of the flow of illegal migration through the territory of Russian Federation, and then in the countries of Central Asia and Turkey; or vice versa - through Ukraine, and then - in the European Union. An additional determinant is the fact that there is a visa-free regime between the majority of CIS countries. The practice shows that the abduction or "buying" people for sexual purposes is carried out mainly by skilled criminals who are

organized in persistent criminal groups. But we must keep in mind, what some authors point to, that many of these crimes can be committed only with the help of railway workers [2, pp. 1944]. In consideration of the fact that ITF reacts to such cases too late, work in the train for a short time, sometimes with shortened to the minimum membership; there is a need for the new correction of cooperation, the linear headquarters of LIAD, which are located in different states at the time of international train running.

The basis for the formation of ISITF is the need to investigate criminal cases, including the kidnapping for sexual purposes, especially in border regions, where there are strong “neighborly” relations. The possibility of creating inter-state investigative and operational units (of course, without any question of possible specialization) is mentioned vaguely in Art.63 of the Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Cases, which was accepted by the heads of countries - participants of CIS on Oct. 7, 2002 in Kishinev. Questions of general ISITF management and limits of its competence, activities of directorate of public prosecutor and response in international legal acts relating to the states of CIS, have not yet been determined. Similar to ISITF in contrast to national can not be permanent. This means that the suggestions about specialization (in particular in this case of disclosure of serial sex crimes), based on the uncertain criminal law status of the examined formations, can be again up in the air. Although the simultaneity of ITF does not preclude specialization.

It is clear that in the real situation such ISITF, especially at the beginning of the investigation process, can not go out but then, if the activity of serial criminal can not be stopped in the short term - it becomes not only permissible but even necessary to observe the scene of action with knowledge of problem’s specific. As we see, the stumbling block is the answer on the question “whose” is the maniac and representatives of which country must look for him. All the more, in the case of crimes in the border areas, local law enforcement authorities decide whether to help the foreign colleagues or not.

Structural imaging of these groups must rely on the basic axis, but have flexibility (regional offices, experts from additional disciplines, etc.). We believe that one of the variants could be the model of ISITF, the internal structure of which consists of 6 sectors: compliance and enforcement, procedural, detective, coordinating and analytical, expert and subsidiary, with the first and sixth are external, and the second, third and fourth - internal. The fifth (expert sector) represents an intermediate sector, because in some events it acts as obligatory (for example the examination of the scene of actio, appointment and carrying out of examination, removal of specific objects, etc.) but in the purposeful work on the implementation of the service work (indictment, selection of restraint, etc.) isn’t used constantly [13, 14].

One of the most important aspects of the ISITF’s activity is fast staffing of the group of people who need to organize the effective cooperation together. Staffing of such group depends on the nature of sexual crime, local

conditions and other factors. Thus, in the case of direct confrontation or taking a hostage, a special role can play the negotiating subgroup, which will form the connective thread between ISITF and sex criminals (in the case of detection of the part of international sex industry, this can be a criminal group).

There is a structure of subgroups of the negotiations abroad, and this direction is a separate function of policing. They can help to create social and psychological portrait of the criminal, who entered into the open or hidden negotiations. If the first points on the “swan song” of the serial criminal, the second is more typical for serial maniacs who are in the “active phase”. It is unusual, in the context of this category of crimes, to watch the experience of the UK, Germany, USA, and France, who use professional women in negotiations [3, pp. 181 - 184]. In Russia the subgroup of negotiations appeared in the Ministry of the Interior at the beginning of this century. Of course, such an adequate modern measure was connected not so much with serial sexual crimes, as with the introduction by the government of the anti-terrorism policy, which influenced the specifics of the training of such specialists. Such subdivisions don't exist in the most of the countries of CIS, and if there is an exigency in the immediate implementation of these measures, the specialized methodology is carried out extempore, by touch. That's why it is not always effective.

The main thing in the success of contacts between representatives of different states, which are the part of ISITF, is in the perception of each other like partners, and hence - the ability of workers of different law enforcement

agencies, who are citizens of different countries, to work productively together. There are no disputes about personal prestige of leadership in such groups. Social psychologists established the fact that a group of intelligent, experienced and talented people, which was formed to deal with the important production problem, can not do it because of the struggle for leadership among two or more participants. This social-psychological regularity affects the work of ISITF, when its members begin to follow the prestige, departmental or national affiliation. Therefore, it is recommended to foresee these factors and not to include persons with effusive authoritarian habitude in such formations [16, pp. 223].

The mentioned displays are especially important by the collective solving of difficult problems. But this is where the sign of remotability is hidden, as the emotional state is seen through the speech, the attitude to the subject and to the interlocutor, as the psychological cooperation between the partners of the communication takes place both inside ISITF and with other external subjects (witnesses, victims, suspects).

The originality of functional purpose of ISITF determines the character and nature of microclimate in the group. Microclimate also depends on the informal relationships of employees. For example, the workers of the same departmental affiliation can talk much easier service themes, rather than to build a contact in the sector “investigator of the public prosecutor's office of one country - the police officer of another” or “expert-criminalist of one country - medicologist of another. Here in this place a special attention should be paid to

the psychological compatibility of the ISITF members, investigators, police officers and experts who are included in the composition of such interstate groups. Make a start from the typology of investigators proposed by P. Baranov and V. Kurbatov - "investigator-organizer", "investigator - interlocutor", "investigator - thinker", "investigator - tracker" and "investigator-instructor" [17, pp. 176 - 177], for guiding the ISITF the most suitable is the first type "investigator-organizer", in the structure of professionogram of whom the organizational qualities, realized in a professional activity of the group, dominate.

As you can see, the cooperation and efforts' coordination of law enforcement agencies of CIS countries in the struggle against the serial crimes, including sexual crimes (pedophilic murders, trafficking of women and children for sexual slavery) can become even more effective than Interpol. Thus, the legitimation of using of appropriate technical means for the control of railways will allow the law enforcement agencies to struggle more effectively with illegal transportation of persons by railway and decrease the level of crimes.

In the context of this problem another important aspect should be marked, namely the commercial sexual using of children by foreigners who come into the country with difficult socio-economic situation to satisfy their pedophilic needs, and for the manufacturing of cheap pornography, that in recent times has been called child sex tourism [5].

Taking into account the large number of street children and orphans, as well as attractiveness to earn money for the child, we

can predict a substantial increase of such crime. More than a half of children, victims of human traffic, often traveled through Ukraine and Moldova to Europe, through the Caucasus states to Turkey and through the Far East Federal District of Russia to China and Southeast Asia. However, this does not mean that the main "customers" are Russians, Moldovans, Turks or Chinese (?!). In Ukraine the facts of sexual tourism involving citizens of France, Sweden, the United States and other countries were fixed, and this confirms that the CIS countries with "transparent" borders are transit links in the modern scheme of transnational sexual crime.

In 2007 the Ukrainian National Bureau of Interpol detained on the territory of Ukraine 44-year-old Steven Michael Conklin, who was one of the ten the most known pedophiles of this country. For the first time he was arrested for pedophilia 25 years ago, and since then he was the target of police reports more than 20 times. Stephen was found in the Kiev region. He got acquainted with the inhabitant of this region with the help of Internet and came to visit her. What is interesting, the woman worked at school and her mother worked in an orphanage. Due to the lack of an extradition treaty between two countries it was impossible to arrest Conklin in Ukraine. The employees of NCB of Interpol and FBI in the U.S. Embassy in Kiev suggested him to go home immediately and he did it. In New York he was arrested at the Kennedy airport. That same year the employees of Odessa police according to the information of Interpol detained an Estonian citizen, wanted for raping of girls aged 8 and 11 years.

There are a lot of references and addresses in the Internet where you can get the child to satisfy this perversion. Unfortunately, we should agree with the statement of some experts that it is almost impossible to prove these crimes, because the pornographic materials are usually stored on digital media, which, if necessary, can be deleted in few seconds [4].

In connection with this problem the Government of Armenia has developed a new national program to struggle against human traffic, but practical steps have not been taken yet, because the funds for these purposes were not appropriated from the state budget. With the help of the OSCE Yerevan Office and the funding of Drug Enforcement and Legal Cooperation Administration of the State Department of the USA, State Armenian Sociological Association (ASA) and Armenian Help Fund (AHF) have conducted two researches in Armenia “The illegal Armenian migrants traffic and labour exploitation.” As the chairman of ASA G. Pogosyan marked, according to research the Armenian women are sexually exploited mainly in Turkey and Armenian men are exploited for labour in Russia, USA and Greece. The participants of the research noted the sexual exploitation in the UAE, Turkey, Russian, U.S. and Greece. Moreover, for the first time in the recent years, the General Prosecutor of Armenia A. Ovsepiyan made a statement about the progress in the struggle against human trafficking. According to official statistics, in 2006, Armenia fixed 35 cases of human trafficking, 63% of which were adjudicated or the cases are investigated. The Public Prosecutor’s Office of Armenia considers this the big achievement

and associates it with the formation of the Department on Struggle Against Trafficking [18, pp. 335]. The other CIS countries don’t have such department.

These proposals will find support in most former Soviet republics. For example, in Kazakhstan, the youth wing of the party “Adilet” fights for the improvement of morality. They appealed to the public in the National Press Club in Astana with their manifesto. “We believe that it is necessary to support the cult of the family in the state and society, - one of the activists T. Narikbaiev read out the manifesto.- First of all it concerns the world support of motherhood, rising birth rate, family upbringing, as well as the limitations of such negative phenomena as free sex, divorces, abortions, homosexuality “[19].

Previously, we examined the problem of the determination of pedophilia and made suggestions for the typology of pedophiles [12]. But now the attention should be paid to the fact that for the tracing of “international orders” for satisfying pedophilic fantasies in the Internet, the most efficient can be a new direction in the activity of joint staff (interdepartmental centre) of ISITF, namely the “criminological patrol” of cyberspace, which requires the carefully checked technological construct. The criminal perversological monitoring (monitoring of criminal perversions) is an information system for observation, analysis of statistical information about the level of aggressiveness of certain categories of persons, assessment of multilevel micro- and macrosocial factors and prognosis of sexual anomalies that may threaten the society. Thus, in the process of monitoring

the cumulative influence of many factors on the state of sexual health of the person is observed. But this aspect requires further study at the present conditions.

MAIN SUMMARY AND SUGGESTIONS:

1. One of the main features of ISITF is in the fact that it consists of two national investigation task forces. But such a strict “arithmetic” separation is not necessary. For example, the specialized ITF of “their” maniacs’ hunters can be created in every state that agrees to participate in this project. Therefore, taking into account the totality of the objective factors, which is common for the Commonwealth countries, there could be the next model of ISITF including 11 specialized groups: the only national monogroup of Belorussia, three joint ITF: the first group - Ukraine and Moldova with Kiev as the centre, the second - the Caucasus states with Baku as the center, the third - the countries of Central Asia with Alma-Ata as the centre, each of which would have independently consisted of their national, and seven federal district groups in Russia.

2. The project requires the certain solving of the problem of oversight over the legality of such created non-procedural groups, which operate in several countries. Therefore, we propose to work out a special interstate provision about supranational supervisory boards at the activity of interstate special mixed investigation task forces, the membership of which would be formed on a proportional basis from the specialized supervising attorneys - the representatives of those countries that decide to participate in the project.

3. The headquarters could become a common analytical coordinating centre for all mobile national and combined ITFs, which work on this specialization permanently but are in the standby mode in the full readiness for instant work in extreme conditions, both in its country and in the border regions of neighboring countries.

4. The leadership, based on a half-century experience of specific activity should be entrusted to the institute of criminal procurators, which exists in the country since 1954 and had justified all the placed hopes. Criminal prosecutors are the prosecutor and investigative vanguard as the most energetic, initiative and mobile workers. Psychologically they also are adapted to the hardships and deprivation of prosecution service. Every of them expects the immediate and informal assistance of colleagues (friends and strangers) from other regions, as well as he can help them himself. Prosecutor-criminologist takes care of a lot of young investigators organizing the professional education, explaining the methodology of conducting of investigative actions, helping to appoint the most complex forensic enquiry. Being in the constant cooperation with the staff of the bodies of internal affairs and experts, the prosecutor-criminologist helps the investigators of public prosecutor’s office to master the forms and methods of this cooperation avoiding the “off-scale” in the formalism on the paper, too close relationships and chummy manners. But, unfortunately, the service of prosecutors-criminologists becomes quite diverse “post-Soviet legacy” of all the Commonwealth countries, where because of various reasons (for

example due to the change of jurisdiction and the transfer of functions of investigation to the Ministry of Internal Affairs of Ukraine) loses its invaluable potential abruptly.

5. To improve the quality of the ISITF activity the international scientific and practical seminars for permanent members of these groups should be held (for investigators, operational employees, experts, sexologists and psychologists). They should be held in Russian (general for the CIS countries). With every new case (at the national level and at the interstate level) the professionalism would increase and the “team fist” would be formed. Of course, taking into account the current political situation the prospect of participation in this project of Georgia and Ukraine remains the problem. However, we still hope that this project will be the know-how for the countries of the Commonwealth, which will allow to control the new interstate manifestations of “classical” crime more effective.

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