CRIMINAL PROCEDURAL AND FORENSIC ISSUES IN THE CONTEXT OF LEGAL REGULATION OF LEGAL ASSISTANCE IN CRIMINAL MATTERS

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INTRODUCTION

The objective need for international legal assistance in criminal cases is determined by the fact that in modern conditions crime is becoming ubiquitous, and a favorable solution to the above problem, independently as we know, the state is not able to solve. Problems arising from the legal regulation of legal assistance are relevant in particular in criminal cases that require cooperation of post-Soviet states. In the early years after the collapse of the Soviet Union, there was no cooperation in criminal proceedings between them, so it was problematic to conduct preliminary investigations and refer cases to courts, which complicated the fight against organized crime. At times, requests from one state for references in another state were simply not executed, and investigative actions conducted on the territory of a foreign state lost the force of evidence, since they did not have an appropriate legal framework and were carried out as if by an “unauthorized’ person” (MILINCHUK, 2012). Meanwhile, ZHUKOVA (2015) rightly emphasizes that “legal assistance in criminal matters covers all other forms of international cooperation of states in combating crime”.

Thus, the need for international legal assistance in criminal matters between the states of the post-Soviet space, as well as States of Europe, has led Azerbaijan to conclude interstate treaties with them on such cooperation. Provision of legal assistance in criminal matters at present is carried out on the basis of the Constitution of the Republic of Azerbaijan, multilateral or bilateral international treaties of the Republic of Azerbaijan, the Law of the Republic of Azerbaijan “On legal assistance in criminal matters”, Chapter LVII of the Code of Criminal Procedure of the Republic of Azerbaijan, which establish the grounds and procedure for providing legal assistance, its scope and content, the procedure for deciding on the extradition of persons staying in the territory of the Republic of Azerbaijan, etc.

For the reasons mentioned above, problems related to legal assistance of a foreign state in criminal cases arise in the science of criminal procedural law and in the practice of criminal proceedings in Azerbaijan. At the same time, not all theoretical and applied issues of providing legal assistance in criminal cases in a foreign country on the basis of international treaties or on the basis of the principle of reciprocity are resolved in modern studies.

We emphasize that nowadays such issues as: necessity of modernization of current international treaties of the Republic of Azerbaijan regarding expansion of the list of investigative and procedural actions carried out as legal assistance in criminal cases; collection and use of so called “electronic evidence”; specification of criteria and guarantees of legal effect of evidence obtained on the territory of foreign states; conducting investigative actions using modern technologies and techniques of the criminal investigation are in need of scientific justification.

The principle of legality has its own specificities with regard to the investigation of criminal cases in the territory of a foreign State. In accordance with paragraph 4 of Art. 8 of June 4, 1999, of the Agreement on Cooperation in Combating Terrorism between the Member States of the Commonwealth of Independent States “In executing the request, the law of the requested Party shall apply, but at the request of the requesting Party, its law may be applied”.
Thus, criminal procedural and forensic problems are key in the context of legal regulation of legal assistance in criminal cases, which determines the relevance of the topic. The purpose of the study is to develop specific proposals aimed at improving the norms of criminal procedure legislation of the Republic of Azerbaijan on the grounds, procedure, and form of procedural actions within the framework of legal assistance in criminal matters in order to increase the effectiveness of international cooperation in criminal proceedings.

**LITERATURE REVIEW**

In the legal literature the concept of “legal aid in criminal cases” was interpreted ambiguously. Thus, as far back as 1974 Shupilov referred to legal assistance: “extradition of criminals, issuance of permission to question witnesses in custody, transfer of things acquired through crime (or reimbursement of their value)” (SHUPILOV, 1974). As noted by ZHUKOVA (2015), in the scientific community, the prevailing approach is that “legal assistance in criminal matters” covers all other forms of international cooperation of states in combating crime. According to the Art. 3 of the Treaty between the Republic of Azerbaijan and the Russian Federation on legal assistance and legal relations in civil, family and criminal cases, “legal assistance covers the execution of procedural actions provided for by the legislation of the requested contracting party, in particular the interrogation of parties, accused and defendants, witnesses, experts, examinations, judicial examination, transfer of physical evidence, initiation of criminal proceedings and extradition of perpetrators of crimes, confession of crimes, and the transfer of evidence”.

Legal assistance agreements of Azerbaijan with other states (listed in chronological order of agreement): Turkey, Bulgaria, Georgia, Kazakhstan, Uzbekistan, Kyrgyzstan, Iran, Lithuania, etc., as well as number of conventions and multilateral agreements signed by the Republic of Azerbaijan in accordance with legally established procedure also contain provisions of similar content. Thus, the interpretation of legal assistance in the Law of the Republic of Azerbaijan “On Legal Assistance in Criminal Matters”, which provides that “legal assistance is the implementation of appropriate actions related to the crimes investigated by the relevant competent authority of the requesting foreign country at the time of the request or pending before the court” (ON LEGAL ASSISTANCE IN CRIMINAL CASES, 2001) can be considered successful.

Azerbaijan’s interaction in the investigation and prosecution of crimes with international organizations of which it is a member is graphically illustrated in more detail in Figure 1. Analyzing national legal acts of the Republic of Azerbaijan, in particular Art. 5.1 and 33 of the Law “On legal assistance in criminal cases” and part 5.1 of the Art. 496 of the Criminal Procedure Code of the Republic of Azerbaijan the most important provisions on legal assistance can be defined as follows: relevant executive authority or other competent body of the Republic of Azerbaijan executes the request for providing legal assistance in the manner prescribed by law of the Republic of Azerbaijan; judges, while executing criminal In this regard, it is important to name the criteria that distinguish legal assistance from other forms of cooperation in criminal proceedings, according to KARASEV, & TARATANOV (2019) they include: legal assistance affects only the production of some procedural and operative investigative actions; the requesting state partially transfers its competence in a criminal case to the requested state.

It is important to pay attention to the distinguishing feature of legal assistance as the transfer of competence, which does not occur in criminal prosecution on the territory of another state and in the extradition of a person for criminal prosecution (LATYPOV, 2009; SHERBA, 2018). As ABDULLOEV (2015) rightly points out, it is not simply the transfer of the case file to continue criminal prosecution that is important, but precisely the transfer of competence, because when the case file is sent, not only the criminal prosecution continues, but also the protection and resolution of the case. ZHUKOVA (2015) emphasizes that among all methods, the most effective tool in the fight against crime is such a form of legal assistance as a request, as well as a new form of international cooperation in the fight against crime - the conduct of investigation by joint (international) investigation or investigative teams.
Thus, multilateral legal instruments affecting the problem of legal assistance include, in particular, the European Convention on Mutual Assistance in Criminal Matters of 1959 to which Azerbaijan is a party, its Additional Protocol of 1978; the 1993 Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters (Minsk Convention) and the 2002 Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters (Kishinev Convention) adopted within the CIS. Azerbaijan has become a party to the above Conventions, as well as a number of agreements concluded within the framework of the Organization of the Black Sea Economic Cooperation to facilitate international cooperation among member states in the investigation and prosecution of criminal cases. Legal assistance can also be provided under the United Nations Convention against Corruption 2003, the United Nations Convention against Transnational Organized Crime 2000, the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime 1990 and other multilateral instruments that enable mutual legal assistance in criminal matters (CINDELIANI, 2020).

Legal assistance in criminal matters is also provided for in the Agreement on Cooperation between the Governments of the Participating States of GUAM (a regional organization comprising Georgia, Ukraine, Azerbaijan, and Moldova) in combating terrorism, organized crime, and other dangerous forms of crime, as well as in the framework of cooperation with other States. Financial intelligence units of Azerbaijan are members of the Egmont Group, members of which may exchange information on terrorist financing, money-laundering and predicate offences (including corruption) through this network based on the principle of reciprocity. Azerbaijan’s interaction in the investigation and prosecution of crimes with international organizations of which it is a member is shown graphically in Figure 1.

**Fig.1.** Azerbaijan’s cooperation with international organizations in the investigation and prosecution of crimes

1. CIS (Commonwealth of Independent States)
2. BSEC (Organization of Black Sea Economic Cooperation)
3. GUAM (Georgia, Ukraine, Azerbaijan, Moldova) - Organization for Democracy and Economic Development
4. CCEP (Consultative Council of European Prosecutors)
5. MONEYWELL (Committee of Experts on the Evaluation of Anti-Money Laundering Measures and terrorist financing)
6. Interpol
7. International Association of Prosecutors
8. CPSS (International Intergovernmental Council against Corruption)
9. EPAC/EACN (European Partners Against Corruption Network / European Anti-Corruption Contact Point Network)
10. Egmont Group (informal association of financial intelligence units)

_Source: Search data._
It should also be emphasized that for an international treaty to become part of the national legislation of Azerbaijan, a domestic law must be enacted. In other words, in the absence of implementing legislation, international treaties of Azerbaijan do not have the force of law.

Issues of legal regulation of legal assistance in the investigation of maritime robbery (Article 219-1 of the Criminal Procedure Code of Azerbaijan Republic) and terrorism (Article 214 of the Criminal Procedure Code of Azerbaijan Republic), which are pressing problems in the fight against crime, deserve special attention. In his turn, Gafarov (2006) notes that under the Geneva Convention on the High Seas of 1958 all states are obliged to contribute to eliminating piracy, which gave special rights to warships, which have the right to seize vessels engaged in piracy on the high seas and arrest the persons on board. In order to combat such acts, warships were also granted the right to inspect a foreign merchant vessel if there were reasonable grounds to suspect that the vessel was engaged in maritime robbery (piracy). Maritime terrorism is similar, although somewhat different from maritime robbery.

Under the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, a type of maritime terrorism object is the safety of fixed platforms located on the continental shelf, permanently moored to the seabed for exploration and exploitation of resources or for other economic purposes (PROTOCOL ON CONCERNING ILLEGAL ACTIVITIES UNDER THE SECURITY OF STATIONARY PLATFORMS LOCATED ON THE CONTINENTAL SHELF, 1989). The subjects of both maritime robbery and maritime terrorism may be citizens of a foreign country. Moreover, although territorially these offences may be committed within the internal waters of a State or on the high seas, some stages of their preparation and commission may take place on land, with individual accomplices (or instigators) located on shore.

This makes the provision of legal assistance in the context of combating maritime robbery by terrorism likely, and thus actualizes its criminal law regulation. It should also be noted that not only the criminal procedure aspects of legal assistance in criminal cases are reflected in the existing literature, but also the problems of its forensic support, the requirements for which are increasing. Integration processes, computerization of all sectors of life contribute to the improvement of methods and ways of committing crimes and concealing their traces (ASKEROVA, 2014; PROKOFYEVA, 2010). Crimes are committed with the use of advanced technical means (USTINOV, 2016). This contributes to the development of more advanced types of scientific and technical means to investigate traces. Legal assistance between states is inconceivable without the use of scientific and technical methods and means and requires a special approach to forensic support for the execution of requests.

**METHODOLOGY**

The methodological basis of the study was a set of general scientific and special scientific methods, which were used in their interrelation and interdependence and provided an objective analysis of the subject under study. Taking into account the specificity of the topic of the article, the purpose of the study were used such methods: dialectical method (allowed to consider the issues under study in dynamics, to identify their relationship and interdependence and contributed to the understanding of the object of research in relation to the connection of scientific research and practice of law enforcement agencies, and also made it possible to establish common and special features of doctrinal understanding of the phenomenon of legal assistance between states); the historical and legal method (made it possible to study the evolution of the concept of “legal assistance in criminal cases”, the development of scientific thought about the procedure and mechanism for providing such assistance on an international scale; dogmatic method (used in the interpretation of legal categories, to deepen and clarify the conceptual and categorical apparatus); the use of the comparative legal method made it possible to determine the essence, content and correlation of the national legislation of the Republic of Azerbaijan and international treaties and agreements, specialized laws and by-laws that regulate the issues of legal assistance between states in criminal cases; formal logical methods (used in comparing the norms of the Criminal Procedure Code of the Republic of Azerbaijan and other national and international normative legal acts, substantiating the conclusions and proposals for their addition and clarification); the system-structural method made it possible to systematize the global and international normative legal acts, to study and
analyze their norms on the subject of our research, to analyze the criminal procedural and forensic aspects of legal assistance between states in criminal cases on the example of the Republic of Azerbaijan, as well as to establish the specifics of carrying out certain procedural actions in the investigation of criminal offenses when providing legal assistance).

RESULTS
The conducted study allows us to present an algorithm of actions in the framework of international legal assistance in accordance with the legislation of the Republic of Azerbaijan (Fig. 2). The efficiency of criminal procedure actions in the territory of a foreign state in the form of legal assistance would also be facilitated by regulations allowing the officials of the competent authorities of the Republic of Azerbaijan to be present during the proceedings in the territory of a foreign state. In the implementation of legal assistance, it is advisable to conduct pre-trial investigations and court proceedings by videoconference and using mobile handheld devices to conduct “electronic” criminal proceedings. Law enforcement officers need to be able to access databases and freely verify information about a particular criminal offence subject, and while they are at the scene of the incident, immediately enter all detected evidence into an information bank.

Fig. 2. Algorithm of action in inter-State legal assistance

![Algorithm of action in inter-State legal assistance](image)

Source: Search data.

As part of the provision of legal assistance in criminal cases between States, the question arises of the correct choice and correct application of forensic techniques and tactics that affect the quality of investigative and other procedural actions. The study of forensic problems in the context of legal assistance allows us to present the order of implementation of forensic support of such assistance in the form of a scheme (Fig. 3):
Fig. 3. Procedures in the context of the forensic provision of legal assistance between stat

- **Criminalistics support for the legal help**

  - **Technical and forensic support**
    - Creating conditions for the readiness of services and subdivisions of internal affairs bodies to solve technical and forensic tasks quickly and efficiently
    - Practical implementation of these conditions in order to obtain, accumulate, process forensically relevant information and its use in the detection and investigation of crimes

  - **Tactical and forensic support**
    - Creating conditions for constant readiness of internal affairs bodies to use tactical techniques in crime detection and investigation
    - Practical implementation of these conditions by police officers in their daily practice

  - **Scientific and technical support**
    - Development of scientific and practical recommendations on the application of technical and forensic tools and methods
    - Practical application of these tools to prevent, detect, detect, and investigate crime

*Source: Search data.*
DISCUSSION
According to the results of the study conducted for this article, it can be concluded that the legal regulation of the provision of legal assistance in criminal cases is based both on bilateral treaties and at the international level: through the signing and ratification of conventions, multilateral agreements, compliance with the requirements of constituent documents of international organizations of which Azerbaijan is a member. In addition, individual government agencies may conclude their own bilateral agreements with partners in foreign countries. As recommended by the OECD Anti-Corruption Network for Eastern Europe and Central Asia, the direct exchange of information between foreign law enforcement agencies will in many cases be an effective way of obtaining information, as the adoption of legislative measures to the extent possible is necessary to ensure that legal assistance can be provided to other countries.

The possibility of concluding additional bilateral legal assistance agreements with countries that are not party to the main multilateral agreements remains incompletely explored. It seems possible that, if it may be difficult to conclude a bilateral treaty, then executive agreements, exchange letters or other types of agreements could be concluded. It should be noted that the aforementioned Recommendation of the Anti-Corruption Network of the Organization for Economic Cooperation and Development, which provides that the state should undertake to fully comply with international agreements concerning legal assistance, including the requirement that a reciprocity guarantee is not required for its provision to another state party (i.e., one with which Azerbaijan has no legal assistance treaty), is also controversial. It would be premature for a State to accept this type of undertaking as it would be prejudicial to the national interest of Azerbaijan. Another recommendation of the Anti-Corruption Network of the Organization for Economic Cooperation and Development, which provides for the revision and adoption of relevant legislation to ensure that legal assistance can be provided to other countries to the maximum extent possible, is also objectionable, since such changes may, in particular, contradict the provision of Part 5 of the Art. 496 of the Criminal Procedure Code of the Republic of Azerbaijan, which establishes the grounds for refusing to extradite a person to a foreign state, in particular, if this person is a citizen of the Republic of Azerbaijan. Azerbaijan currently provides legal assistance to other countries on the basis of the “reciprocity” principle, i.e., on the condition that the requesting State will provide similar assistance in the future.

At the same time, the Organization for Economic Cooperation and Development’s Anti-Corruption Network plays an important role in the global community, it supports anti-corruption reforms by assessing countries and constantly monitoring the implementation of recommendations to implement the UN Convention against Corruption, other international standards and best practices, therefore the recommendations of this organization look relevant for Azerbaijan such as: adoption of guidelines for public authorities (both domestic and foreign) to help those requesting. The designation of a central authority responsible for receiving mutual legal assistance requests and either executing them or forwarding them for execution to the competent authorities and possessing the relevant powers seems to be a matter of debate.

Note that Azerbaijan has designated the Ministry of Justice as its “central authority” under the UN Convention against Corruption and the Prosecutor General’s Office as its “central authority” under the Minsk and Kishinev Conventions; requests that are submitted under the Council of Europe Convention on Mutual Legal Assistance can be addressed to the Ministry of Justice, the Prosecutor General’s Office or directly to the relevant court. A requesting State can easily become confused as to which “central authority” should be used. Such confusion can result in a delay in obtaining the necessary evidence or other information. It is for this reason that Azerbaijan’s legislation should clearly indicate which authorities should be used to make what kind of request for legal assistance. Frequent changes in international law in the field of legal aid in criminal matters create certain difficulties, as it becomes necessary to keep track of all developments. Sufficient resources should be allocated to monitor current developments so that the relevant authorities can be prepared to provide international assistance when required.

It should also be noted that in today’s global pandemic, transnational videoconferencing is becoming a significant means of legal assistance in criminal matters. In order to improve the
use of videoconferencing in international cooperation in criminal proceedings it is suggested to complement the Algorithm of actions in the framework of legal assistance between states, in accordance with the current legislation of Azerbaijan, is, in our opinion, insufficient. An expanded list of investigative actions for the purpose of gathering evidence relevant to the criminal case is necessary in the framework of legal assistance that may be conducted in a foreign country at the request of the requesting party. During pre-trial investigation, depending on the investigative situation and circumstances of objective and subjective nature caused by it, performance of investigative actions with the maximum capacity is an important factor in increasing efficiency and quality of criminal investigations. In order to prevent loss of evidence, the importance of which has been mentioned above, it is suggested to introduce in the Criminal Procedure Code of the Republic of Azerbaijan or in the subordinate legislation a provision that the request for legal assistance in conducting the investigation or other procedural actions in a foreign country, as well as the attached materials may be sent by telex, fax, e-mail or other means of communication, which, in turn, shall ensure immediate detection and proper fixation of evidence. Emphasis has also been placed on the need to establish in the Code of Criminal Procedure of the Republic of Azerbaijan a rule providing that evidence obtained in the territory of a foreign State by its officials in the execution of instructions from the Republic of Azerbaijan on rendering legal assistance in criminal cases, which is attached to an instruction for criminal prosecution as legal assistance, shall be certified and transmitted to the competent authorities of the Republic of Azerbaijan.

CONCLUSION

The processes of globalization that are taking place in the world have an impact not only on the content and implementation of legal assistance between States, but also on its functional role, goals, and objectives. The issues of criminal procedure and forensic support for such assistance deserve attention because the legal assistance in criminal matters that different countries provide to each other is important in the current context for a number of reasons, chief among them being the new threats to the international community posed by modern crime. These threats require the adoption of radically new measures with respect to new ways of cooperation between States in order to improve the existing mechanisms of cooperation, in particular starting from the stage of pre-trial investigation. Based on this analysis, the following conclusions can be drawn:

(1) Legal assistance in criminal matters in Azerbaijan shall be regulated by the Constitution, the Law on Legal Assistance, the Code of Criminal Procedure of the Republic of Azerbaijan, as well as bilateral and multilateral treaties concluded in the manner prescribed by law and implemented in the national legislation of the Republic of Azerbaijan.

(2) Legal assistance, in accordance with the norms of the legislation in force in Azerbaijan, consists in conducting actions related to the crime under investigation when a request is submitted by the competent authority or is under judicial investigation in the requesting foreign country. Such actions may include: obtaining testimonies and explanations; producing court documents; conducting searches or seizures; conducting searches of facilities, residential or other areas; providing materials, information, or material evidence; providing expert opinions; providing originals or copies of documents; establishing identity or place of residence; conducting a search for property or seizing property; establishing proceeds of crime, etc.

(3) The current legislation of Azerbaijan also provides for the extradition of a person who is in the territory of the Republic of Azerbaijan upon an official request of a foreign State for criminal prosecution or execution of a sentence. “However, extradition of a person may be refused if the person sought for extradition is a citizen of the Republic of Azerbaijan or has been granted political asylum in the Republic of Azerbaijan”; if the offence was committed by that person in Azerbaijan; if the person sought for extradition is prosecuted for religious racial or political affiliation; if the person sought for extradition is prosecuted in peacetime for committing a war crime; if the State requesting extradition of the person does not have with Azerbaijan

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In order to improve the provision of legal assistance in criminal cases it is proposed to establish in the criminal procedure legislation of Azerbaijan such provisions as: the procedure of videoconferencing for interrogation or confrontation with a person who is in the territory of a foreign state and for good reasons cannot come to Azerbaijan; procedure and conditions of application of means of forensic provision of legal assistance in criminal cases; list of authorities and their officials executing the requests; and the list of the rights and duties of the bodies and their officials carrying out criminal proceedings. Such norms should contain the full range of powers and rights of employees of foreign competent authorities in the implementation of procedural actions in the territory of the Republic of Azerbaijan; ensuring at the legislative level the rights and obligations of persons regarding whom certain procedural actions will be conducted, as a form of international legal assistance, especially at the request of a foreign state.

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Criminal procedural and forensic issues in the context of legal regulation of legal assistance in criminal matters

Questões processuais e forenses criminais no contexto da regulação jurídica da assistência jurídica em matéria criminal

Cuestiones procesales penales y forenses en el contexto de la reglamentación jurídica de la asistencia jurídica en materia penal

Resumo
O artigo trata dos aspectos processuais penais e de criminalística da assistência jurídica mútua em matéria penal no contexto da regulamentação jurídica da prestação de tal assistência pelos Estados. O artigo revela o conteúdo da assistência jurídica em processos penais como um importante pré-requisito para assegurar a luta contra o crime nos tempos modernos, quando o crime transcende as fronteiras nacionais. É estabelecido que a observância de condições razoáveis de prestação de assistência jurídica, estipuladas por lei, é uma das garantias de eficácia dos processos penais. Foi realizada a análise jurídica comparativa das normas que regulam esta forma de cooperação internacional em processos penais como um pedido de assistência jurídica; foram estudadas as normas jurídicas que determinam o volume da assistência jurídica; foi dado um parecer sobre as distinções desta forma de cooperação em relação a outras formas. Foi avaliado o impacto da prestação de assistência jurídica forense em processos penais em termos de fiabilidade e persuasão de provas.

Keywords: Assistência jurídica em casos criminais. Regulação processual da assistência jurídica. Pedido de assistência jurídica. Escopo da assistência jurídica. Processo criminal.

Abstract
The article deals with the criminal procedure and criminalistics aspects of mutual legal assistance in criminal matters in the context of the legal regulation of the provision of such assistance by States. The article reveals the content of legal assistance in criminal cases as an important prerequisite to ensure the fight against crime in modern times, when crime transcends national borders. It is established that the observance of reasonable terms of rendering of legal assistance, stipulated by law, is one of the guarantees of efficiency of criminal proceedings. The comparative legal analysis of norms regulating such form of international cooperation in criminal proceedings as a request for legal assistance was performed; the legal norms determining the volume of legal assistance were studied; an opinion on the distinctions of this form of cooperation from other forms was given. The impact of forensic provision of legal assistance was performed; the legal norms determining the volume of legal assistance were studied; an opinion on the distinctions of this form of cooperation from other forms was given. The impact of forensic cooperation in criminal cases in terms of reliability and persuasiveness of evidence is evaluated.

Keywords: Legal assistance in criminal cases. Procedural regulation of legal assistance. Request for legal assistance. Scope of legal assistance. Criminal prosecution.

Resumen
El artículo aborda los aspectos procesales y criminalísticos de la asistencia judicial en materia penal en el contexto de la regulación jurídica de la prestación de dicha asistencia por parte de los Estados. El artículo revela el contenido de la asistencia judicial en materia penal como un requisito importante para garantizar la lucha contra la delincuencia en los tiempos modernos, cuando la delincuencia trasciende las fronteras nacionales. Se establece que el cumplimiento de los términos razonables de la prestación de asistencia jurídica, estipulados por la ley, es una de las garantías de la eficiencia de los procesos penales. Se realizó un análisis jurídico comparativo de las normas que regulan esta forma de cooperación internacional en los procesos penales como una solicitud de asistencia jurídica; se estudiaron las normas jurídicas que determinan el volumen de la asistencia jurídica; se dio una opinión sobre las distinciones de esta forma de cooperación de otras formas. Se evaluó el impacto de la prestación forense de asistencia jurídica en casos penales en términos de fiabilidad y persuasión de las pruebas.

Palabras-clave: Asistencia jurídica en causas penales. Regulación procesal de la asistencia jurídica. Solicitud de asistencia jurídica. Alcance de la asistencia jurídica. Persecución penal.