

**Raiko Alexander Vadimovich, Shugov Denis Gennadievich**

Belarusian State University of Transport

The research Advisor: Piatrou-Rudakouski Anton Piatrovich, PhD in Economics, Associate professor

**TACTICS OF CONDUCTING A PERSONAL SEARCH OF PERSONS WHO HAVE COMMITTED A CUSTOMS CRIME AND THEIR DELIVERY TO THE PREMISES OF THE CUSTOMS AUTHORITY OR TO THE INTERNAL AFFAIRS BODY**

*Research Field:*

*Current issues of state border protection*

Customs crimes, such as smuggling, cause serious damage to the economic security of the Republic of Belarus. One of the guarantees of its ensuring are the activities of customs authorities to identify, prevent and suppress customs crimes in this regard are one of the important means of positive influence on this situation.

The customs authorities, as part of the preliminary investigation in the form of an inquiry, are authorized to carry out various investigative actions provided for by law, for example, a search.

Personal search of the detainee is a measure to ensure the administrative process applied to a person subject to administrative detention in order to detect the tools and means of an administrative offense, objects, documents and values that are important for the administrative process.

The grounds for conducting a personal search are the following:

- the commission by a person of an act containing signs of an offense subordinate to the customs authorities;
- administrative detention of this person<sup>1</sup>.

One of the most pressing issues related to the conduct of a personal search is the safety of customs officials during its conduct. Since a search requires direct physical contact, the detained person may attempt to injure the search officer for the purpose of to be released and to avoid arrest and responsibility. In this regard, a special procedure was developed for conducting a search and movement of the detained person, minimizing the probability of negative consequences.

---

<sup>1</sup> Procedural and Executive Code of the Republic of Belarus on Administrative Offenses//National Legal Internet Portal of the Republic of Belarus [Electronic Resource]. – 2023. - Access mode: <https://pravo.by>. – Date of access: 22.04.2023.

If there are grounds, in order to ensure the safety of customs officials involved in the persecution and others, it is advisable to immediately conduct a personal search of the detainees.

When conducting a search of the driver and passenger of a vehicle, the following procedure should be followed:

1. Along with the search for weapons, it is necessary to pay attention to the presence of documents, notebooks, receipts, business cards, ignition keys, etc.

2. Care must be taken: to kneel the detainee, not to let him to put his hands on his head and perform other actions that facilitate the attack.

3. Searching the detainee, who is not handcuffed, should require him to lean on the wall, hood or body of the car, setting his legs as far as possible from the points of support. At the same time, the customs officer conducting the search puts his leg in front of the searched person in order to be able to strike preemptively from below in the event of an attack.

4. The detained person is searched from top to bottom, first from the right and then from the left side. The search for weapons is carried out, first of all, behind the sinus, in pockets, behind the belt, on the back, under the headdress, on the neck under the hair and in the crotch. You cannot force the person being searched to independently take out anything from pockets or from folds of clothes. Since the outerwear can be quite thick and dense, it must be unbuttoned by checking the lining, sleeves, etc.

5. Firearms should be taken only with the barrel up, do not touch the trigger, since the weapon can be on a combat platoon.

6. The customs officer conducting the search should not relax and take into account the helpfulness with which the detainee performs the commands submitted to him.

7. At the end of the search, the detainees are handcuffed (if this was not done after they left the vehicle). To avoid stabbing customs officers, it is better to put handcuffs on your hands behind your back. To do this, the following commands are issued:

- Do not turn around! Put your left hand back!
- Rest your head against the wall (vehicle body) and put your right hand back!

8. After the detainees are put into the customs car, one of the employees must carefully inspect the area adjacent to the stopped vehicle, the vehicle itself, or remain at the place of detention and ensure its protection until the arrival of the investigative-operational group.

Delivery to the office of the customs authority or to the internal affairs body of a person suspected of committing a crime, as well as a perpetrator of an administrative offense, is carried out on foot or by transport. It is necessary to deliver the detainee to two or more customs officers or with the help of citizens.

When delivered on foot by one official of the customs authority, it is necessary:

- to follow from the back on the right side of the offender, holding him, as a rule, by the elbow of the right hand, other citizens providing assistance must follow from the back at a distance of 3-4 m;
- not to go forward or bend near the detainee, prevent unauthorized persons from approaching him;
- when approaching someone from behind or in front, stop with the person being delivered and let the passing pass, be prepared to repel an attempt to release the detainee;
- report to the customs officer, if necessary, ask for help.

When delivered on foot by two or more customs officials:

- report to the customs officer on duty;
- one customs official must walk near to the person being delivered and lead him by the elbow of his hand;

other customs officials and citizens providing assistance must follow the rear at a distance of 3-4 m;

- be prepared for an attempt by accomplices to create conditions for the detainee's escape or forced release.

When delivered by transport, it is necessary to:

- perform a personal inspection of the offender's stabbing or cutting objects before entering the vehicle;
- take precautions to rule out the possibility of him attacking customs officials. One of the customs officers must be behind the detainee, holding his elbow of his hand and landing, the second, opening the door of the car, observe the safety of landing;
- land the detainee in the vehicle on the right side of the rear seat.

It is prohibited to use public transport for delivery (tram, trolleybus, bus, metro, etc.), as well as transport belonging to diplomatic and consular missions.

In company cars with sedan and coupe type bodies, detainees can only be transported one at a time. When there are not enough cars for this purpose, alternate delivery of detainees is organized or measures are taken to call a special vehicle intended for transporting detainees.

The first in the back seat behind the driver is a customs officer who insures the landing of the detainee, the second is a handcuffed detainee, the third is a customs officer accompanying him. The employee who insures the delivery must constantly observe the detainee by turning towards him and placing his right hand on the back of the back seat.

In no case should you allow handcuffs on detainees directly in the car, as well as stay with them alone, since inside the cabin, attackers receive a number of advantages to counter the official and attack him. It should be remembered that it is not always possible to use well-known self-defense techniques in a car. Therefore, it is necessary to work out tactics of actions taking into account the specifics of a particular situation<sup>1</sup>.

After the suspect in the crime is taken out of the car, examine it inside in order to find items, documents, things left by him and are material evidence in the case<sup>2</sup>.

Thus, the personal search of the detainee and the seizure of things and documents are those measures to ensure the administrative process, which are aimed at the forced seizure of certain material objects that are important for the conduct of the administrative process. During the search, as well as the movement of the detained person, the safety of the searching officer plays a significant role. Despite the search procedure used, negative outcomes still occur, mainly due to specific subjective circumstances (weather conditions, spatial limitations, human factor). Taking all this into account, it is necessary to develop universal and effective measures to ensure the own safety of customs officers when they search and move detainees.

**Struts Daniil Valerievich, Potapchuk Tatyana Dmitrievna**

Belarusian National Technical University

The research Advisor: Zhevlyakova Anastasia Yurievna, lecturer

## **STATE REGULATION OF FOREIGN ECONOMIC ACTIVITY IN THE CONTEXT OF THE IMPLEMENTATION OF THE IMPORT SUBSTITUTION STRATEGY WITHIN THE UNION STATE**

*Research Field:*

*Customs in the context of globalization and regionalization*

**Import substitution** is one of the priorities of the state. The development of both individual regions and the whole country directly depends on this indicator. The term "import substitution" implies an import substitution policy of the state, the essence of which is the complete replacement of imported goods, which in turn are in great demand on the domestic market, with domestically produced goods. The concept under consideration implies the search for alternative, domestic channels for obtaining and producing socially useful goods. The use of this technique is reflected in such measures of the country as increasing the expenditure

---

<sup>1</sup> Dubik, I. I. Personal security measures and tactics of customs officials in various situations: training-method. manual/I.I. Dubik, V.M. Santarovich, V.M. Patara. - Minsk: Amalfey, 2013. - 116-125 p.

<sup>2</sup> Procedure for personal search, seizure of things and documents by customs authorities in the administrative process [Electronic resource] - Access mode: <https://bypravo.ru>. – Date of access: 22.04.2023.