

11. Бізнес Цензор. Мініюст США знайшов вкрадені біткойни на рекордні \$3,6 мільярда. URL: https://biz.censor.net/news/3315121/minyust_ssha_znayishov_vkradeni_bitkoiny_na_rekordni_36_milyarda (дата звернення: 09.10.2022).
12. Що таке TOR браузер? Як його налаштувати і користуватися. URL: <https://wifi-help.net/chto-takoe-tor-brauzer-kak-ego-nastroit-i-polzovatsya> (дата звернення: 09.10.2022).
13. Що таке VPN, і як ним безпечно користуватись / офіційний вебсайт Державної служби спеціального зв'язку та захисту інформації. URL: <https://cip.gov.ua/ua/news/sho-take-vpn-i-yak-nim-bezpechno-koristuvatis> (дата звернення: 09.10.2022).
14. Silk Road. Вікіпедія. URL: https://uk.wikipedia.org/wiki/Silk_Road (дата звернення: 09.10.2022).

REFERENCES

1. Reuters. FTX to start U.S. bankruptcy proceedings, CEO to exit URL: <https://www.reuters.com/business/ftx-scrambles-funds-regulators-take-action-2022-11-11> (Date of Application: 09.10.2022) [In English].
2. Vloomberg. FTX Latest: Police Consider Criminal Probe URL: <https://www.bloomberg.com/news/articles/2022-11-12/ftx-latest-unauthorized-outflows-bankman-fried-in-the-bahamas?srnd=premium-europe> (Date of Application: 09.10.2022) [In English].
3. Noworries. Кryptovaliutna birzha Kraken diznalasya imia khakera, shcho vkraiv \$ 600 milioniv u FTX. “Cryptocurrency exchange Kraken has learned the name of the hacker who stole \$600 million from FTX”. URL: <https://noworries.news/kryptovalyutna-birzha-kraken-diznalasya-imya-hakera-shho-vkraiv-600-miljoniv-u-ftx> (Date of Application: 09.10.2022) [In Ukrainian].
4. SoimarketSap URL: <https://coinmarketcap.com> (Date of Application: 09.10.2022) [In English].
5. Kryptovaliutnyi Salvador: yak bitcoin upershe stav natsionalnoiu valiutoiu. “Cryptocurrency El Salvador: How Bitcoin Became a National Currency for the First Time”. URL: <https://mind.ua/publications/20230885-kryptovalyutnij-salvador-yak-bitkoin-upershe-stav-nacionalnoyu-valyutoyu> (Date of Application: 09.10.2022) [In Ukrainian].
6. Lohoida V.M. (2022). Pravovyi status kryptovaliuty v krainakh Afryky. “Legal status of cryptocurrency in African countries”. Zakarpatski pravovi chytannia. Transformatsiia natsionalnykh pravovykh system krain Tsentralnoi ta Skhidnoi Yevropy v umovakh suchasnykh vyklykiv. “Transcarpathian legal readings. Transformation of the national legal systems of the countries of Central and Eastern Europe in the conditions of modern challenges”. Uzhhorod: Vydavnychiy dim “Helvetyka”. P. 262–265 [In Ukrainian].
7. Pro virtualni aktyvy. “About virtual assets”: Law of Ukraine dated February 17, 2022 No. 2074-IX. officer text: veb-sait Verkhovnoi Rady Ukrainy. URL: <https://zakon.rada.gov.ua/laws/show/2074-20#Text> (Date of Application: 09.10.2022) [In Ukrainian].
8. Binance. Systema dlia zdiisnennia zapytiv derzhavnymy ta pravookhoronnyymy orhanamy (LERS). “State and Law Enforcement Inquiries System (LERS)”. URL: <https://www.binance.com/uk-UA/support/law-enforcement> (Date of Application: 09.10.2022) [In Ukrainian].
9. Nosov V.V., Manzhai I.A. (2021). Okremi aspekty analizu kryptovaliutnykh transaktsii pid chas poperedzhennia ta rozsliduvannia zlochyniv. “Certain aspects of the analysis of cryptocurrency transactions during the prevention and investigation of crimes”. Law and security. No. 1 (80). P. 93–100 [In Ukrainian].
10. Kryptovaliutni miksery: dopomoha khakeram chy bazhannia svobody. “Cryptocurrency mixers: helping hackers or wanting freedom”. URL: <https://noworries.news/kryptovalyutni-miksery-dopomoga-hakeram-chy-bazhannya-svobody> (Date of Application: 09.10.2022) [In Ukrainian].
11. Biznes Tsenzor. Miniust SShA znayshov vkradeni bitkoiny na rekordni \$3,6 miliarda. “Business Censor. The US Department of Justice found stolen bitcoins worth a record \$3.6 billion. URL: https://biz.censor.net/news/3315121/minyust_ssha_znayishov_vkradeni_bitkoiny_na_rekordni_36_milyarda (Date of Application: 09.10.2022) [In Ukrainian].
12. Shcho take TOR brauzer? Yak yoho nalashtuvaty i korystuvatysia. “What is the TOR browser? How to set it up and use it”. URL: <https://wifi-help.net/chto-takoe-tor-brauzer-kak-ego-nastroit-i-polzovatsya> (Date of Application: 09.10.2022) [In Ukrainian].
13. Shcho take VPN, i yak nym bezpechno korystuvatys. “What is a VPN and how to use it safely: Official website of the State Service for Special Communications and Information Protection.

URL: <https://cip.gov.ua/ua/news/sho-take-vpn-i-yak-nim-bezpechno-koristuvatis> (Date of Application: 09.10.2022) [In Ukrainian].

14. *Silk Road*. Wikipediia URL: https://uk.wikipedia.org/wiki/Silk_Road (Date of Application: 09.10.2022) [In English].

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FUNDAMENTALS OF INVESTIGATION CRIMES REGARDING ILLEGAL POSSESSION OF CRYPTOCURRENCY

The article is devoted to the study of the fundamentals of the investigation of crimes related to the illegal possession of cryptocurrency.

The purpose of this article is to determine the basics of the investigation of crimes related to illegal possession of cryptocurrency, and to find ways to solve them. Dialectical, comparative-legal, systemic-structural, and formal-logical methods were used to achieve the goal. The concept of cryptocurrency and the peculiarities of its circulation and functioning are analyzed, problematic issues of the investigation of crimes related to the illegal acquisition of cryptocurrency are identified, which are subject to resolution both at the scientific level and in the practical activities of investigative bodies of pre-trial investigation and prosecutors. The main methods of committing crimes of this category are defined and practical recommendations are formulated regarding the methodology and tactics of investigating the illegal possession of cryptocurrency. Emphasis is placed on the need to know the peculiarities of the functioning of cryptocurrency blockchains, to use their analysis. Specialists in the field of cryptocurrencies should be involved in the investigation. The importance of cooperation with cryptocurrency exchanges for the seizure of stolen cryptocurrencies was noted. It shows the problems of investigating the theft of anonymous cryptocurrencies, the use of cryptocurrency mixers by criminals, as well as Tor and VPN services.

The importance of establishing during the investigation the addresses of electronic wallets with transactions, the IP addresses from which the exchanges or electronic wallets were entered, the phone numbers associated with the accounts, the bank card numbers to which the money received from the sale of cryptocurrency was received was also emphasized.

Keywords: cryptocurrency, pretrial investigation, crimes in the field of cryptocurrencies, blockchain, illegal possession of cryptocurrency, investigation of illegal possession of cryptocurrency.

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