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THE COMPARATIVE ANALYSIS OF THE ARTICLE 386 OF CC OF UKRAINE WITH THE ARTICLES OF CRIMINAL CODES OF THE STATES OF POST-SOVIET SPACE

Analyze the Criminal Code states post-Soviet space in terms of criminal protection order to obtain evidence in criminal proceedings to establish criminal responsibility for the crimes that infringe on the procedure for obtaining evidence in criminal proceedings, including the criminal liability for such acts as

obstruction of The appearance of the participants in the criminal proceedings, forcing them to refuse to testify or conclude by comparing the relevant rules of the Criminal Code of Ukraine.

Criminal Codes states establish responsibility for such acts as obstruction of appearance of participants in criminal proceedings, forcing them to refuse to give evidence or conclusion: Art. 386 Criminal Code of Ukraine, 299 of the Criminal Code of Azerbaijan, 403, 404 of the Criminal Code of Belarus, 340 of the Criminal Code of Armenia, 372 of the Criminal Code of Georgia, 317, 322, 323 of the Criminal Code of Estonia, 422 of the Criminal Code of Kazakhstan, 332 of the Criminal Code of Kyrgyzstan, 301 of the Criminal Code of Latvia, 233, 234 of the Criminal Code of Lithuania, 314 CC Moldova, 309 of the Criminal Code, 350, 353 of the Criminal Code of Tajikistan, part 2 of Art.238 of the Criminal Code of Uzbekistan. Thus, in the Criminal Code of Belarus, Estonia, Lithuania and Tajikistan responsibility for such actions is provided in separate articles, in the Criminal Code of Uzbekistan - in ostiyniy of the article "perjury."

The constitutive features of these syllables of crimes are:

- the victim, the witness (in all CC), the victim (in all CC), Expert (all CC), translator (all CC except CC), Specialist (CC Kyrgyzstan, Lithuania, Russia), actors (CC Estonia) suspect (CC Latvia), accused (CC Latvia), defendant (CC Latvia), justified (CC Estonia), convicted (CC Estonia);

- acts: 1) to prevent the appearance before the court, the bodies of pre-trial investigation, temporary investigators and a special temporary investigation commission of the Verkhovna Rada of Ukraine (CC of Ukraine), to the court, to the bodies of preliminary investigation or inquiry (CC of Belarus, Tajikistan), to pre-trial or judicial proceedings (Criminal Code of Estonia); interdiction of giving testimony (Criminal Code of Byelorussia), arrive on call to an official of a pre-trial investigation, or to the prosecutor, to a court or to the International Criminal Court (CC of Lithuania); 2) coercion to refuse to give testimony or opinion (the Criminal Code, Belarus), to refuse to testify (the Criminal Code of Georgia), to avoid giving

testimony (Criminal Code of Azerbaijan, Armenia, Kyrgyzstan, Russia), to avoid giving testimony, the conclusion, Transformation (CC of Moldova, Tajikistan); 3) compulsion to give knowingly false testimony and conclusion (CC, Belarus), to give false testimony (Criminal Code of Armenia, Georgia), to give false testimony, to give false conclusions, to make incorrect translation (Criminal Code of Azerbaijan, Estonia, Kazakhstan, Kyrgyzstan, Russian Federation, Tajikistan) to the false conclusion (the Criminal Code of Armenia, Georgia); to the false testimony (the Criminal Code of Uzbekistan), to the intentional misrepresentation (Criminal Code of Georgia), the motivation to give false testimony, to false conclusion, to make incorrect translation (CC of Moldova); 4) bribery (Criminal Code of Ukraine, Azerbaijan, Belarus, Armenia, Georgia, Kazakhstan, Kyrgyzstan, Russian Federation, Tajikistan, Uzbekistan); 5) a threat to perform specified acts of revenge for earlier evidence or conclusion (the Criminal Code of Ukraine, Belarus); 6) use of violence (Criminal Code of Estonia); 7) unlawful influence (Criminal Code of Latvia), influence in any way (CC of Lithuania);

- the way of interdiction and coercion (prompting): violence (Criminal Code of Estonia, Lithuania); blackmail (Criminal Code of Azerbaijan, Armenia, Kazakhstan, Kyrgyzstan, Russian Federation, Tajikistan); threat of murder (Criminal Code of Ukraine, Azerbaijan, Belarus, Armenia, Kazakhstan, Kyrgyzstan, Russian Federation, Tajikistan), murder of the victim or his close relatives (Criminal Code of Georgia); threat of harm to health (Criminal Code of Azerbaijan, Armenia, Kazakhstan, Kyrgyzstan, Russia), harm to the health of the victim or his close relatives (Criminal Code of Georgia), violence (CC, Belarus); threat of destruction of the property of these persons or their close relatives (CC, Armenia, Kazakhstan, Tajikistan), destruction or damage to the property of these persons or their close relatives (close relatives) (Criminal Code of Azerbaijan, Belarus, Georgia, Kyrgyzstan, Russian Federation); the threat of disclosure of information that they reproach (Criminal Code), the dissemination of defamatory or disclosure of other information that these persons wish to keep secret (the Criminal

Code of Belarus); other coercion (CC of Lithuania); coercion (CC of Moldova); promise, offer or provision of property, services, advantages of property or non-property nature (CC of Moldova); mental or physical influence on them or their close relatives (the Criminal Code of Uzbekistan);

- purpose: (CC, Belarus), false statements, false conclusions or indications or misrepresentations (Criminal Code of Azerbaijan, Armenia, Georgia, Kyrgyzstan, Russian Federation, Tajikistan, Uzbekistan), obstruction of the performance of their duties or the exercise of rights in criminal proceedings in the case or from retaliation for his rightful actions in such proceedings (Criminal Code of Estonia), giving false testimony or conclusion or carrying out a translation or refusal to testify or conclude or carry out a translation (Criminal Code of Latvia), giving false sentences ment, conclusion, explanation or translation during pre-trial investigation in court or in the International Criminal Court (CC Lithuania).

The CC of Lithuania provides for criminal liability for influence on the victim, a representative of a state or a legal entity for reconciliation with the guilty, if it was carried out with the use of violence or other to the compulsion. Thus, the criminal law of the states of the post-Soviet territory provides an extensive system of criminal law that protects the procedure for obtaining evidence in a criminalproceeding.