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## **PENALTIES IN LIABILITY REDUCE THE RIGHT TO LAUNCH LEGAL POSTS OR LOAN MONEY ACTIVITIES IN THE LEGISLATION OF FOREIGN COUNTRIES**

In recent years, the legislation of foreign countries, as well as the norms of international law, is aimed at increasing the use of the alternative deprivation of liberty of punishment and criminal law. In December 1990, the United Nations General Assembly adopted the UN Minimum Standard Rules for Non-Prison Measures, the so-called «Tokyo Rules.» They define the basic principles of the use of sentences alternative to imprisonment. Among them, there is also «civil rights defeat» (Section 8.2 of the Tokyo Rules).

In the legislation of most foreign countries, the investigated measure of coercion is foreseen as a form of punishment for a crime (usually additional). In some criminal laws, such punishment provides for the deprivation of those rights that are «natural» and given to a person from birth [1, p. 354]. For example, according to the Criminal Code of France (Articles 131-26), the following rights may be prohibited: to elect; to be elected and to hold a public office; occupy a judge's position; to be an expert in court; to assist any party in the trial; give testimony in court; be a guardian or trustee [2, p. 98-99].

The prohibition of using political, civil and family rights can not exceed ten years in the case of conviction for a crime and five years in the case of conviction for misconduct. The prohibition to hold a public office or to carry out professional or civic activities is either an indefinite or temporary measure (for a term not exceeding five years).

In accordance with the Criminal Code of Germany, such measures as deprivation of the right to occupy certain positions; the ability to use the rights acquired as a result of public elections (these two types of deprivation of rights are «added» only to imprisonment for a term of at least a year and lasts for a term up to five years); the right to vote (appointed for a term of two to five years); the right to be elected and the right to vote (paragraph 45) [3, p. 23] are classified not as punishments, but as so-called «additional consequences».

Additional these effects are referred to as they may occur without mentioning them in a court sentence.

In the Criminal Code of Spain, deprivation of rights is attributed to those penalties that may be applied either as principal or as additional. Severe penalties include, in particular, absolute defeat of rights, a special defeat of rights for a term of more than three years, the deprivation of the right to be involved in certain activities for a term of more than three years, the deprivation of the right to drive a vehicle for a term of more than six years. Less severe are: special damage to rights for up to three years; deprivation of the right to occupy a certain type of activity for a term up to three years; deprivation of the right to drive a vehicle for a period of one year and a day to six years [4, p. 145].

According to Art. 39 of the Criminal Code of Spain, the punishment of deprivation of liberty is an absolute loss of rights, deprivation of the right to participate in certain activities, deprivation of parental rights, the right of guardianship and care, the right to vote or any other right, dismissal, deprivation of the right to drive and etc. [4, p. 150].

According to the Criminal Code of Sweden, in particular, Art. 4, chapter 20, «On abuse in official position», provides for such a type of additional punishment that can be applied only to certain convicts, such as the dismissal of a person elected to a national or local government or appointed to another position in state or public bodies. This punishment is applied for a crime, through the commission of which a person has demonstrated his mismatch with this post, and if the sanction for the crime provides the possibility of imprisonment for a term more than two years [5, p. 169-170].

In the Criminal Code of the Netherlands, deprivation of certain rights is attributed to additional punishments. According to Art. 28 convicted persons may be deprived of such rights: to hold a state or other post; to serve in the armed forces; to elect or to be elected to the representative bodies; to be an counselor in the courts; the right to take part in certain activities [6, p. 147-148].

Interesting is the rule regarding the definition of the term of deprivation of liberty. According to Art. 31 Criminal Code of the Netherlands, if a person has been sentenced to life imprisonment, then such deprivation of liberty must also be life-long. If a person is

sentenced to a term of imprisonment, then deprivation of liberty shall extend to a term of at least two years and no more than five years after the date of the main punishment.

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### **QUALIFICATION OF CURRENT EVENTS OF INDUCEMENT TO SUICIDE**

In judicial and investigative practice, there are no universal approaches to the identification of socially dangerous acts. The most widespread variants of qualification of such actions are deliberate murder (Article 115 of the Criminal Code of Ukraine) and inducement to suicide (Article 120 of the Criminal Code of Ukraine).

Let's look at the most typical situations of such unlawful actions and try to give them a legal assessment.

To the first option, we include cases where adolescents who are members of groups and who were assigned a day of suicide through social networks or SMS-messages, arrived at the site of a