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CRIMINAL ISSUES FOR HARASSION IN SOME FOREIGN COUNTRIES

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ABSTRACT

This article describes how the crime of bullying is expressed in the legislation of some foreign countries, as well as the issues of responsibility for this crime in these states. Also the definition of the crime of bullying is illuminated by its composition and the difference in this crime from other socially dangerous acts. The article describes the legislation of most European states.

KEYWORDS

Crime, hooliganism, bullying, disposition, Emergency, motive, public order.

INTRODUCTION

If we talk about the issues of responsibility established for the crime of hooliganism in the criminal law of foreign countries, then by analyzing the norms of responsibility for the crime of hooliganism in the criminal law of foreign countries, five types of dispositions of these norms can be distinguished. Mark:

Established criminal liability for hooliganism and disposition that does not contain signs of contradiction to moral norms - this type of disposition is defined in Part 1 of Art. 195 of the Criminal Code of Estonia[1];

An order with signs of violence, damage to property or destruction and not contrary to moral standards - this type of order is defined in Article 221, Part 1 of the Civil Code of Azerbaijan [2], Article 258 - Part 1 of the Civil

Code of Armenia [3], Article 239 of the Civil Code of Georgia, part 1 in part [4], in part 1 of Art. 234 of the Criminal Code of Kyrgyzstan [5], in part 1 of Art. 237 of the Criminal Code of Tajikistan [6], in part 1 of Art. 279 of the Criminal Code of Turkmenistan [7], as well as in part 1 of Art. 277 of our national CC [8 , 9] defined;

An order containing signs of a contradiction to moral standards in the case of extreme arbitrariness or extravagance - this type of order is defined in article 339 part 1 of the Civil Code of the Republic of Belarus [9], art. 257 of the Civil Code of the Republic of Kosovo [10] and Article 296 of the Civil Code of Ukraine, part 1 [11];

An order containing signs of opposition to a representative of the authorities or other persons who did not stop the behavior of a representative of the authorities or other persons who did not stop the behavior of violent behavior or moral norms - this type of order is defined in part 1 of article 287 of the Civil Code of Moldova [12];

hooliganism committed with the use of weapons or other similar items or on the basis of political, ideological, racial hostility or on the basis of hostility towards any social group is determined by disposition - this type of disposition is defined in Part 1 of Art. 213 of the Criminal Code of the Russian Federation [13].

In part 1 of article 257 of the Criminal Code of the Republic of Kosovo, hooliganism is defined as a gross

violation of public order, gross disrespect for society, mockery of violence against citizens or mockery of it, as well as encroachment on or damage to someone else's property[14, 151].

Article 296 of the Criminal Code of Ukraine defines hooliganism as a motive for violating the rules of conduct in society [15, 26].

In the Criminal Code of the Republic of Belarus and Ukraine, intentional non-compliance with the rules of behavior in society, beatings, causing minor bodily harm or damage or destruction of other people's property, other signs of hooliganism are recognized as committed in an act of serious violation of public order.

On the other hand, in the criminal legislation of some countries, responsibility for the crime of hooliganism is not defined; Poland can be cited as an example of such countries [16 , 25].

In the Republic of Poland, the issue of criminal liability for hooliganism was expressed in the question of liability for similar offences.

According to article 156, signs of damage to the skin are 1, 3-

given in paragraphs

If someone is well

if a person is deprived of the opportunity to see, hear, swim;

other severe, life-threatening injury, incurable or long-term, collective mental illness, if it leads to permanent or significant disability, if it leads to significant disfigurement of the body,

subject to imprisonment for a term of one to ten years [17, 127-128].

Chapter 25 of the Danish Penal Code, entitled "Crimes with the use of violence against the person", provides, first of all, criminal liability for encroachment on the life and health of another person. This article shows that it is directly manifested in bullying behavior.

Their analysis shows that crimes against health differ in the ways they are committed [18, 183-189]. In this case, firstly, the use of violence (Article 244), secondly, beatings (Article 245) and, thirdly, beatings (Article 248). Under § 244, any person who uses violence or otherwise attacks another person is liable to fine, imprisonment, or imprisonment for any term not exceeding one year and six months.

In this case, the objective side of the crime in question is violence or assault. At the same time, the legislator did not specify the consequences of such actions. The commission of these actions constitutes the composition of the completed crime.

In particular, an attack committed with aggression or cruelty, or of a dangerous nature, or found guilty of cruelty (Article 245 § 1) must be qualified as an offense

and provided that it is punishable by imprisonment for any term. no more than four years. If such an attack caused significant harm to another person or the health of another person, then it is considered as an aggravating circumstance. In other cases (part 2) causing harm to another person or his health - shall be punished by imprisonment for any term up to four years.

According to § 248 of the Danish Penal Code, if the beating occurred during a violent conflict (hooliganism) and if the person who was attacked was also attacked in response, the application of the punishment can be waived as a special mitigating circumstance.

An analysis of this norm allows us to draw the following conclusion: firstly, here we are not talking about beating each other as a result of a quarrel with a hooligan intention. In this case, the quarrel turns into a fight, and as a result, a fight occurs. Secondly, it is shown that water is a necessary defense, and as a result of which there is resistance in response to the attacker, this situation can be recognized as a mitigating circumstance, allowing the punishment to be canceled.

The form of the crime of negligence is reflected in § 249 of the Danish Penal Code, which states that if a person negligently causes serious harm to another person or to the health of others, he is liable to a fine or

imprisonment for up to four years. months, or in the presence of extenuating circumstances - deprivation of liberty for a term of up to four years, may be punished by kamogami.

Article 135 of the Swiss Penal Code, entitled "Depicting violence", should be considered as a deterrent against criminal violence, which does not require protection due to its insignificant cultural or scientific value, which clearly expresses cruelty towards people or animals and thus towards anyone was. , places, stores, distributes, advertises, exhibits, offers, demonstrates, gives away, publicly demonstrates audio recordings, photographs, images, other objects or programs that grossly violate certain (elementary) qualities, or is punishable by a fine and confiscation of things. [19, 50-51]".

If a person acts with the intentions of Faraz, the punishment is imprisonment or a fine.

In US criminal law, the system of crimes against health, in turn, provides for liability for "assault and battery". Their separation from each other is determined by the sign of the physical impact of the perpetrator on the victim. For example, it is an attack if one person waits for another to hit him before falling. If the threat

If you're trying to do something, it's an error [20 , 353-360]. In our opinion, as a way of committing this crime, our criminal law provides for the use of physical or mental force.

Assaults are divided into simple and aggravated assaults, which are taken into account when sentencing. A simple assault is called a misdemeanor.

Aggravated assault is called a felony. Such crimes mainly include the following; assault with intent to kill, assault, robbery, assault with a dangerous weapon, etc.

The United States does not include the crime of disorderly conduct in its state criminal laws. It can be seen that when causing serious bodily harm as a result of bullying, the motive and purpose of the person are not taken into account.

CONCLUSION

In conclusion, we can say that the analysis of the criminal legislation of foreign countries shows the presence of a wide network legal framework that implies responsibility for causing harm to human health as a result of bullying.

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