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INVESTIGATION OF SYSTEMS OF CRIMINAL OFFENSES AGAINST ELECTORAL AND REFERENDUM RIGHTS IN BILLS

According to the Concept of Criminal Justice Reform, criminal offenses are not only administrative offenses that are not administrative in nature and have judicial jurisdiction, but also minor offenses. Introduction of institute of criminal offenses was proposed in such draft laws as "On Amendments to Certain Legislative Acts of Ukraine to Implement the Provisions of the Criminal Procedure Code of Ukraine" № 4712 of 16.04.2014; "On Amendments to the Criminal Code of Ukraine on Introduction of the Institute of Criminal Offenses" of 28.02.2012 № 10126 (№ 1202/II of 01.08.2013).

The study of criminal offenses against electoral and referendum rights shows that mentioned bills include only offenses of administrative jurisdiction.

In these draft laws determining the system of criminal offenses the authors used only one criterion – "jurisdic-

tion", but did not include other criterion of transformation of misdemeanors and minor crimes into criminal offenses, such as administrative nature of act, kind of punishment applicable to the offense.

In these draft laws the nature and extent of crime against electoral and referendum rights of citizens, which should be classified as criminal offenses, were not taken into account.

The above shows that the bills № 4712, 10126 (1202/II) do not comply with the provisions of the Concept of Criminal Justice Reform.

Studies of minor offenses under the applicable criminal law show that, according to the degree of public danger, criminal offenses provided by p. 1, Art. 157, p. 1, Art. 158-1, p. 1, Art. 159 of the Criminal Code of Ukraine should be classified as minor offenses.