

The purpose of provoking a crime is an artificial creation of evidence of a crime or blackmail. Of course, the creation of evidence under this order, indicating the presence of a crime in the actions provoked person.

Provocation is in the form of expression as well as the provocative activities

of law enforcement in practice.

Any premeditated crime could be provoked. In this connection, it is expedient to define provocation of crime as «deliberate unilateral actions of the person aimed on engaging a person who is provoked in crime with the aim to exposure the person in the crime which was done».

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AMENDMENTS AND SUPPLEMENTS TO CHAPTER VIII OF THE SPECIAL PART OF THE CRIMINAL CODE OF UKRAINE: PENALIZATION OR DEPENALIZATION?

Since the adoption of the current Criminal Code of Ukraine some amendments to Chapter VIII «Criminal offences against environment» have been made. The actions covered by the Art. 239-1 and 239-2 of the CC of Ukraine have been criminalized, sanctions of the Art. 240, 245, 247, 248, 249, 254 of the CC of Ukraine have also been amended and supplemented. In connection with that it is very important to conduct the analysis of the essence of these amendments and supplements to Chapter VIII of the Special Part of the Criminal Code of Ukraine on kinds and dimensions of penalties for the offences against environment, namely penalization (depenalization) of these offences.

Penalization is a process of establishment, expansion, enforcement of punitiveness for criminal actions as well as imposition of punishment. Depenalization is a process of restriction, softening of state forcing for committed offences as well as

discharge of criminal responsibility and punishment.

On the basis of the analyzed amendments and supplements to Chapter VIII of the Special Part of the Criminal Code we can say that they penalize actions covered by Art. 239-1 (Misappropriation of soil cover (surface layer) of land), Art. 239-2 (Misappropriation of lands of water resources on an especially large scale), 240 (Violation of rules related to the protection of mineral resources), 247 (Violation of law on plants protection), 248 (Illegal hunting), 249 (Illegal fishing or hunting or any other sea hunting industry) of the CC of Ukraine. Concerning depenalization of offences against environment it is represented by amendments to Art. 245 (Destruction or impairment of forests) and Art. 254 (Wasteful use of lands). Therefore, we can state the fact of enforcement of criminal punishment for offences against environment.