

In conclusion, we can say that volunteering is free and hard work, but now it is crucial for our people to survive. Any person should do good deeds, develop himself spiritually, and participate in various projects aimed at helping those in need. Volunteering is an interesting activity that brings pleasure, new acquaintances, and most importantly, visible results.

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## VOLUNTARY RENUNCIATION IN AN UNCONSUMMATED CRIMINAL OFFENCE: THE CONCEPT AND FEATURES

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**Introduction.** Today, in the modern world, the institute of voluntary renunciation is quite popular, and this problem is repeatedly raised in textbooks and works of scientists. After all, the current trend in the development of the criminal legislation of Ukraine should be aimed precisely at ensuring the necessary measures that would provide a person with the opportunity not to commit a criminal offense that he is preparing, or the commission of which has already started, and thereby avoid criminal prosecution.

**Objectives.** The main task is to consider the concept and features of such legal institute as voluntary renunciation in an unconsummated criminal offence.

This institute contains a number of important and debatable issues.

**Methods.** We used the following methods in our research such as: generalization and descriptive analysis.

According to the Part 1 of Article 17 of Criminal Code of Ukraine, the voluntary renunciation shall mean the final discontinuation of the preparation for crime or a criminal attempt by a person on his/her own will, where that person has realized that the criminal offence may be consummated [1].

**It should be emphasized that the current** criminal legislation of Ukraine differs mostly from the countries of the Anglo-Saxon and Continental system of law.

In this form, as the phenomenon under study exists in the mentioned countries, it is not entirely characteristic of Ukrainian legislation, because on the one hand, the law has separate rules on voluntary renunciation, for example,

Article 17 of the Criminal Code of Ukraine, and on the other hand, the law provides for one of the signs of an attempt failure to complete a criminal offense for reasons that did not depend on the will of the person.

In turn, the presence of legislative consolidation of this legal phenomenon, of course, is a positive point, which indicates that the legislator takes into account possible positive changes in the consciousness and behavior of a person who, although has started to commit a criminal offense, changed his mind in time and voluntarily stopped his criminal offense.

Since the state is interested in encouraging feelings of remorse, regret, which, as a rule, with voluntary renunciation are the dominant motives for not bringing a criminal offense to the end - there is a need for the existence of normative provisions on voluntary renunciation that exclude criminal liability of the guilty person.

Due to the complexity and prevalence of the institution of voluntary renunciation in an un consummated criminal offense, the signs of this legal phenomenon often became the subject of discussion among scientists.

The analysis of Part 1 of Article 17 of the current Criminal Code of Ukraine gives grounds to assert that there are three main signs of voluntary renunciation: the final cessation of preparation for a criminal offense or attempt on it, the offender's awareness of the possibility of bringing the criminal offense to an end and the rejection of the criminal offense at the individual's own will.

That is, such a sign as the finality of a voluntary renunciation should be interpreted as the final decision of the guilty person to terminate an un consummated criminal offense.

Voluntary renunciation is essentially the absence of coercion by other people. In turn, if the renunciation is accompanied by coercion or a series of threats from the victim or other persons to contact the police, then in this case it is impossible to talk about the voluntariness of the renunciation.

A person consciously and voluntarily ceases his wrongful act. Separately, it should be noted that the motivation for voluntary renunciation can come both from the victim herself and from her relatives, friends and other persons in the form of advice, requests, etc. However, if such an initiative from another person bears signs of coercion, such a renunciation, again, will not be considered as having been carried out on the person's own will, since in fact there is no possibility of committing a criminal offense, that is, there are obstacles in the way of the offender.

By such a sign as the presence of a person's awareness of the possibility of bringing a criminal offense to the end, it should be understood that a person, having a real opportunity to bring it to the end, refused this and, of his own free will, stopped criminal illegal actions.

In general, this sign of awareness of the possibility of stopping a criminal offense is subjective and depends on the person's internal assessment of external conditions (the person's awareness of the presence or absence of factors that prevent the end of a criminal offense).

In turn, law enforcement agencies can accurately determine whether a person voluntarily renounced to act, having already studied the objective circumstances of a criminal offense.

The criminal legal consequences of voluntary renunciation in an un consummated criminal offense are enshrined in Part 2 of Article 17 of the Criminal Code of Ukraine, under which we should understand that person who voluntarily renounced to consummate a criminal offence shall be criminally liable only if the actual act committed by that person comprised elements of any other offence [1].

At the scientific level, there are some disagreements regarding the interpretation of this article, because in this position a person may not be criminally liable at all, according to some scientists who believe that the above paragraph does not contain the composition of a criminal offense.

Others, in turn, consider fair the conclusion under which someone is criminally liable, but can be exempted from it in certain circumstances, since the actions of the perpetrator still meet the criteria of a criminal offense, even before voluntary renunciation.

However, despite a number of discussions on the part of scientists, it can be assumed that there are sufficient grounds to single out voluntary renunciation as a separate type of exemption from criminal liability.

Since, despite the fact that the culprit is no longer a potential carrier of social danger, such a change in his consciousness does not affect the act he/she actually committed at the stage of preparation or attempted criminal offense and cannot undo the damage already done by the person.

Consequently, the guilty person, who voluntarily ceased to commit a criminal offense, does not pose a threat to society and is exempted from criminal liability. In other words, there is no need to apply criminal liability measures against such a person.

**Conclusion.** To sum up, consolidation such an institute as a voluntary renunciation in an un consummated criminal offence, in particular its concept and characteristics at the legislative level is extremely important. After all, this provision of the criminal law to some extent encourages persons who are preparing a criminal offense or have begun an encroachment - to refuse to bring the criminal offense to an end. Actually, as a result, such a person will not be subject to criminal liability, and the legislator will not have any claims against him.

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