

society. In order to become a full-fledged member of the European democratic society, Ukrainians must get rid of the post-Soviet stereotypes and the Ministry of Education must make sex education of high quality.

References:

1. Standards for Sexuality Education in Europe. WHO Regional Office for Europe and BZgA. Federal Centre for Health Education, BZgA, Cologne, 2010. 75 p.
2. Бойченко Т. Є., Василяшко І. П., Гурська О. К., Коваль Н. С. Основи здоров'я: підручник для 8 класу закладів загальної середньої освіти. 2-ге видання, перероблене. Київ: Генеза, 2021. 143 с.
3. HIV/AIDS surveillance in Europe 2021 — 2020 data. European Centre for Disease Prevention and Control (ECDC) and the WHO Regional Office for Europe. 2021. 90 p.
4. Nikitina V. Lack of sex education fuels teen pregnancies in Ukraine. Kyiv Post, 16.02.2018. URL: <https://www.kyivpost.com/post/7362>
5. Сайт проєкту “Teenergizer”. URL: <https://teenergizer.org/>

RAPE (ARTICLE 152 OF THE CRIMINAL CODE OF UKRAINE): CRIMINAL-LEGAL CHARACTERISTICS OF THE CORPUS DELICTI

OKSANA KHOMUTNYK, student

IRYNA SEN, Associate Professor, Doctor of Science in Law, Scientific Adviser

LILIA KUZNETSOVA, Associate Professor, PhD in Philology, Language Adviser
Ivan Franko National University of Lviv

Introduction. The Special Part of the Criminal Code of Ukraine contains offenses against sexual freedom and sexual integrity of a person. One of them is the criminal offense provided for in Article 152 of the Criminal Code of Ukraine - rape. The necessity to research this topic is due to some changes in national legislation, which require research to optimize their application in practice. These changes need a balanced scientific understanding, particularly, in order to understand how successfully our country fulfills international legal obligations and recommendations. It is important to have deep understanding of the corpus delicti of this criminal offence, since the number of rapes has not only decreased, but it is increasing.

Objectives. The main task is to research whether the changes in the article, which provides criminal liability for rape fall within the scope of the law of Ukraine dated December 6, 2017, correspond to the provisions of the Istanbul Convention, and to analyze the qualification of corpus delicti in current Criminal Code of Ukraine.

Methods. We used the scientific and analytical methods for analysing the legislation of Ukraine and international legal agreements.

As a result of signing the Istanbul Convention in 2011 Ukraine has become the eleventh country in Europe (following Great Britain, Luxembourg, Belgium, Germany, Cyprus, Iceland and others) where sexual acts committed without the

voluntary consent of the partner qualify as rape or sexual violence. To implement the provisions of the Istanbul Convention, Law № 2227-VIII (2227-19) was adopted on December 6, 2017 and entered into force on January 11, 2019. It made some changes to Chapter IV of the Special Part of the Criminal Code of Ukraine. Point a of Article 36 of the Istanbul Convention provides that parties shall take the necessary legislative or other measures to ensure that the following intentional conducts are criminalised:

a. engaging in non-consensual vaginal, anal or oral penetration of a sexual nature of the body of another person with any bodily part or object.

Part 1 of Article 152 provides for criminal liability for committing sexual acts involving vaginal, anal or oral penetration into the body of another person using the genitals or any other item, without the voluntary consent of the victim (rape).

Now we can see the difference between the Criminal Code of Ukraine and the Istanbul Convention in defining the concept of "rape".

First of all, the convention calls for criminalizing sexual penetration itself, but Criminal Code of Ukraine sexual acts related to penetration (vaginal, anal, oral).

We also want to note that the definition of the concept of "rape" as committing sexual acts involving vaginal, anal, or oral penetration into the body of another person using the genitals or any other item in the Criminal Code of Ukraine is not perfect, because the penetration itself by its very nature is already a sexual act.

Secondly, Article 36 of the Istanbul Convention indicates "penetration of a sexual nature of the body of another person with any bodily part or object." Part 1 of Art. 152 of the Criminal Code of Ukraine - for "penetration into the body of another person using the genitals or any other item." It is more expedient to apply the wording developed in the Istanbul Convention.

Comparing the provisions of the Istanbul Convention and the Criminal Code of Ukraine, another question arises: "Why does the Criminal Code criminalize only sexual acts and does not criminalize inaction?"

Accordingly the implementation of the provisions of the Istanbul Convention into the national legislation of Ukraine cannot be considered complete and perfect.

It is very essential to analyze the corpus veridictum of this criminal offence.

The object of rape is a person's sexual freedom or sexual integrity (depending on who is the victim).

The objective side of rape consists in committing sexual acts involving vaginal, anal or oral penetration into the body of another person using the genitals or any other item, without the voluntary consent of the victim.

The subject of this crime is a reprehensible (in particular, limited reprehensible) male or female person who has reached the age of 14.

The subjective side of this criminal offense is characterized by direct intent.

Conclusion. To sum up, the provisions of Law № 2227-VIII dated 06.12.2017, which were supplemented by the Criminal Code of Ukraine as a result of the implementation of the provisions of the Istanbul Convention, require revision and improvement.

References:

1. Конвенція Ради Європи про запобігання насильству стосовно жінок і домашньому насильству та боротьбу з цими явищами (CETS №210) Стамбул, 11 травня 2011 року [Електронний ресурс]. URL: <https://rm.coe.int/1680096e45>.

2. Про внесення змін до Кримінального та Кримінального процесуального кодексів України з метою реалізації положень Конвенції Ради Європи про запобігання насильству стосовно жінок і домашньому насильству та боротьбу з цими явищами: Закон України від 06.12.2017 р. *Відомості Верховної Ради (ВВР)*. 2018. № 5. Ст. 34.

3. Кримінальний кодекс України : Закон України від 5 квітня 2001 р. № 2341 –III. *Відомості Верховної Ради України*. 2001. № 25–26. Ст. 131.

4. Митрофанова Ю. С. Деяке порівняння положень Стамбульської конвенції та Кримінального кодексу України щодо криміналізації зґвалтування. *Актуальні проблеми сучасної науки в дослідженнях молодих учених*. Харків. 2020. С. 184-189.

5. Дудоров О.О. Злочини проти статевої свободи та статевої недоторканості особи (основні положення кримінально-правової характеристики) : практи. порадник / О.О. Дудоров; МВС України, Луган. держ. ун-т внутр. справ ім. Е.О. Дідоренка. – Северодонецьк : РВВ ЛДУВС ім. Е.О. Дідоренка, 2018. – 92 с.

DEVELOPMENT OF THE INSTITUTE OF INFORMATION SECURITY IN UKRAINE

VLADYSLAV KOSHELNYK, graduate student

OLEKSANDR A. FISUN, Doctor of Science in Politics, Professor, Scientific Adviser

NATALYA M. SAVCHENKO, Associate Professor, PhD, Language Adviser
V. N. Karazin Kharkiv National University

In our time, information security is one of the main elements of society's security. With the rapid development of technologies and the worldwide Internet, threats to the regional and national security of states have grown rapidly. The rapid development of civilization creates a number of new challenges for humanity, in particular, the creation of a safe information space. The formation of the information society, the introduction of new technologies, in turn, create a number of new threats.

We note that the study of information as a strategic resource for the development of humanity has shown that it can be reliable and relevant, new and outdated, but it cannot be transmitted, accepted or preserved in its pure form. Any information has its own carrier and is transmitted through communication