

from criminal liability is necessary to liquidate since this is a kind of permission to unlawful appropriation of a vehicle [3; с. 79]. Instead of this circumstances from p. 4 art. 289 can be qualified as circumstances mitigating punishment (for example as surrender, sincere repentance or actively assistance in detecting the offense and voluntary compensation of losses or repairing of damages).

List of references:

1. URL:

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THE QUESTION OF DEFINING THE CONCEPT OF PROTECTING THE INTERESTS OF A PERSON FROM SOCIALLY DANGEROUS ENCROACHMENTS

As a general rule, lawful protection, necessary defense, self-defense is a legitimate defense of the individual and the rights of the defending and other persons, as well as the interests of society and the state protected by law from socially dangerous encroachment, by inflicting harm on the infringing person. It is this extended definition

of the concept that will be studied in this paper. Despite the fact that in science and practice, as well as among ordinary inhabitants there is an understanding of the phenomenon mentioned above (the legal institution), nevertheless, today there are a lot of disagreements in its interpretation. According to the established opinion, the necessary defense, lawful defense, self-defense is the natural right of every person. This means that such a right can not be restricted, regardless of whether the person whose interests the attacker encroaches on, could avoid encroachment or turn to law enforcement agencies for help. Such a definition seems correct to us.

First of all, we note that in the countries of the post-Soviet space the institution of criminal law that we studied was called "necessary defense" and the main attention was paid to the criteria for the necessary defense; persons and interests that can be protected as a result of its application; the amount of damage that can be caused to the attacker, as well as issues of premature and late defense, etc.

On the contrary, studying international experience, we are resting on the questions: who and under what conditions has the right to protect his interests from criminal assault; procedural position of the defending person.

It should be noted at once that the terminology governing this type of criminal legal relations does not always match. Without delving into the criteria of the necessary defense, its limits, objects subject to protection through necessary defense, let us dwell on the question of terminology, which designates this criminal-legal phenomenon. It should be noted that the criminal law of the countries of the post-Soviet space uses the notion of "necessary defense", in the USA it is "self-defense", in France - "lawful defense", etc. Not all terms can claim to be true.

So, if the protection of one's own life, health and other socially important objects from criminal encroachments is a natural inalienable legal basis for any person, then the criteria for such a right must be worked out at the level of an international act.

In our opinion, the most precise term is the one mentioned in the French legislation, namely, "lawful protection". Explanatory dictionary SI. Ozhegova gives the following meaning of the words "lawful" and "defense." So, the RIGHT (book). 1. Internally justified, natural. Quite a legitimate question. Your doubts are legitimate. 2. Based on the right, based on the law. Lawful actions. Lawful act. II noun: legitimacy. PROTECTION 1. Look, protect. 2. What protects, serves as a defense. Seek protection. Be my protection. Take under your protection. 3. Defending party in the trial. Defense speech. 4. Part of the sports team, having the task not to admit the ball, the puck into their own goal. Play in defense.

Thus, proceeding from the etymology of the words chosen to determine the legal phenomenon we are studying, it can be affirmed that they most accurately reflect this.

After all, firstly, "law" is a term in itself legal and means "one of the types of regulators of social relations; system of universally binding, formally-defined, state-guaranteed rules of conduct ", which, among other things, is criminal law.

Secondly, "dimensionality" from the word "lawful" means that protection alone must be commensurate with socially dangerous encroachment. And finally, the term "protection" is also deeply and firmly rooted in criminal law, especially since the very nature of this branch of law is predominantly not in the regulation of social relations, but in their protection and protection.

Concerning the rights, freedoms and other objects that can be put under protection in the process of lawful protection, in our opinion, they should be: first of all, the life and health of a person who has decided to take advantage of this right; life and health of other persons who do not have the opportunity at all or in this situation to protect their rights and freedoms independently; as well as the property of the said persons; public interests.

The interests of the state, mentioned in the law on criminal responsibility, should not figure in the context of this norm, including because it is primarily a natural law, and its carrier is an

individual, not a state. The latter is intended to clearly regulate such a legal institution, determine its criteria and limits of action.

In addition, the criteria for such a circumstance, excluding the criminality of the act, should be unified and maximally adapted for the entire international system of law. In favor of this provision, says that the basis for such protection, the right to protection is the instinct of self-preservation, inherent in nature itself and one that can not be confined to the state.

Thus, I cross the border of one of the states, everyone should have a clear idea of what rights, freedoms and objects are to be protected from criminal encroachments and what are the limits of such protection. Important importance for the implementation of such a right, as the study shows, has a jurisprudence.

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CHEMICAL CASTRATION AS A TYPE OF PUNISHMENT FOR RAPE

Imposing a punishment, the court, on the basis of the principles of criminal law, determines its type and in its extent, so that it is necessary and sufficient for correcting the person and corresponds to the purpose of the punishment, specified in Part 2 of Art. 50 of the Criminal Code of Ukraine (hereinafter – the CCU). However, the imposition of punishment can not always ensure the achievement of the above goal, therefore, it is necessary to apply other measures, including those which go beyond purely criminal-legal and affect other areas, medicine in particular. Such measures, which are not provided for by the current CCU, but which are imposed by the courts of certain foreign countries, include the