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THE IMPACT OF GLOBALIZATION ON THE PENAL LEGISLATION OF UKRAINE

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Abstract

Purpose: *The aim of this study is globalization, which affects all sectors of Ukrainian society, science, the development of science of criminal law, the legislative process and practice of regulatory policy. Globalization in criminal law in our opinion reveals in the process of harmonization of legislation, which is directed to the approaching and adjustment of normative legal precepts for the achievement of international, European and national legal standards. The harmonization helps in achieving of mutual consent for legal systems or for their structural parts within certain community.* ***Methods:*** *The main methods of unification in law are systematization of rules of national legislation, the implementation of legal propositions of international law into domestic legislation and its adaptation to international requirements. It should be highlighted such methodological reasons for harmonization as unity, integrity, proportionality, coherence and excellence.* ***Results:*** *It is shown that there are many problems of globalization in the criminal legislation area. Particular attention is paid to the problem of implementation of rules of criminal liability for legal persons for corruption offenses into domestic law. It is concluded that realization of this idea is impossible and inappropriate in present conditions because of the principle of individual and guilty liability, which should be considered as the important achievement of human civilization.* ***Discussion:*** *In our opinion we should investigate concrete legal systems of single countries instead of investigation of Anglo-Saxon legal system or Romano-Germanic system of law. Also the concept which used to understand as "family of law" should be scrutinized as some specifications of certain legal systems in different countries. Those specifications could be present or could be absent in certain legal system of each country. This issue is given much attention in the work of local scientists in the field of criminal law and comparative law Y. Baulin, V. Grischuk, V. Tihiy, V. Tuliacov, etc. But the unresolved problems related institute of criminal liability of legal persons, penalties, institute of measures of legal influence and others that have undergones significant changes under the influence of globalization.*

Keywords: conventional crimes; criminal liability; harmonization; implementation legal person;

1. Introduction

Globalization is the process of universal economic and cultural integration and unification. Among the main results of globalization are such as world division of labor; migrations of capital, human resources and production resources in dimension of the whole planet; standardization of legislation; convergence and integration of cultures of different countries. This is an objective systematic process, so it includes all spheres of social life. The whole world becomes more connected and increasingly dependent from all of its subjects as a result of globalization. There is a general problems expansion for some groups of states and increase of number and types of integrating subjects [1].

2. Problem and its connection with scientific and practical tasks

Globalization affects all sectors of Ukrainian society and the development of science of criminal law, the legislative process and practice of regulatory requirements.

Globalization in criminal law in our opinion reveals in the process of harmonization of legislation, which is directed to the approaching and adjustment of normative legal precepts for the achievement of international, European and national legal standards. The harmonization helps in achieving of mutual consent for legal systems or for their structural parts within certain community. First of all, it aims to avoid of legal obstacles which could appear because of national differences in legal area

or in external legal relations of relevant subjects. Secondly, it aims to provide the creation of single legal standards, principles and rules in some concrete areas, such as human rights, economics, ecology etc. These standards should formulate single policy of relevant states at these areas.

3. Analysis of recent research

This issue is given much attention in the work of local scientists in the field of criminal law and comparative law Y. Baulin, V. Grischuk, V. Tihiy, V. Tuliacov, etc. But the unresolved problems related institute of criminal liability of legal persons, penalties, institute of measures of legal influence and others that have undergones significant changes under the influence of globalization.

Globalization processes anticipate brand new level of international cooperation and competition. That is why the strategy of European choice of Ukraine staticizes the task of analysis for state development issues of current importance to domestic legislation in the context of common European research area [2].

There are different forms of harmonization of legislation: adaptation, implementation, standardization. However, it is difficult sometimes to distinguish the process of law harmonization from the process of law unification. The main methods of unification in law are systematization of rules of national legislation, the implementation of legal propositions of international law into domestic legislation and its adaptation to international requirements. It should be highlighted such methodological reasons for harmonization as unity, integrity, proportionality, coherence and excellence.

The development of scientific backgrounds for harmonization of national criminal law system is especially urgent today, when Ukraine had been joined to a number of international agreements and became obliged to perform duties resulted from its membership in international organizations, as well as in the preparatory work for the European Union membership.

4. Setting objectives

Undoubtedly, the process of globalization has an irreversible character today, so the issue of its positive or negative appraisement has no answer. That is why this process in general should be considered as world phenomenon, as objective reality. Nevertheless there are a lot of questions connected with criminal law and domestic doctrine without unequivocal answer. We should analyze the situation trying at least to understand what if the process of convergence of different law systems will destroy the national traditions of criminal law of certain countries.

In our opinion we should investigate concrete legal systems of single countries instead of investigation of Anglo-Saxon legal system or Romano-Germanic system of law. Also the concept which used to understand as “family of law” should be scrutinized as some specifications of certain legal systems in different countries. Those specifications could be present or could be absent in certain legal system of each country. For example, such feature of Romano-Germanic tradition as multi source nature of law start to “appear” now in domestic legal system, which was not inherent to it before. It could be said about case law as well [3].

5. Presenting main material

The basis of legal system contains history, specification of legal sources, juridical thinking, legal culture and ideology besides legal proposition itself. Every legal system is a phenomenon existing in some state, which combines the system of law, practice of its using, social foundation of law, legal culture of society and organizational structure of legal institutions [4].

We agree with authors who show that in modern moment of social evolution presents an interesting situation: the representors of national juridical law try to revive the theory of legal families (or subgroups) by Rene David. , this theory had lost its relevance, but in spite of that, some scholars are still trying “to push” legal systems of their own countries into Romano-Germanic family.

It is a paradox, but such countries as Uzbekistan, Kazakhstan and Mongolia declare now their belonging to Romano-Germanic legal subgroup. This position is obviously doubtful [5].

We ought to agree with the thought L. O. Korchevna according to which becoming the state of Romano-Germanic legal family means for each state to bring in line national doctrine with principles of Romano-Germanic understanding, creation and realization of law. In circumstances of world globalization state legal particularism will unavoidably cause the position of outcast. It will not help neither to development of state nor to society evolution [6]. But we should also argue to this author and indicate that Ukraine must not adapt its doctrine to legal system that exists exclusively virtually on a scientific level. However, taking on

account Ukraine's membership in the Council of Europe and its desire for join to the European Union, attention should be paid to the need (if it is really necessary) of bringing of the national legislation to the standards of Council of Europe and the European Union.

We pay special attention to the most serious issues for domestic criminal law in the world globalization process in this article.

The liability of legal persons for criminal offenses is the main principle in many countries for a long time. It is especially obvious in states with the system of common law. This is quite new conception for a majority of West European countries with continental law. It has only started develop in a lot of other countries including states of Eastern Europe; still here this process has influence of the European Union. Whereas, this conception has its evolution in many countries, where the liability of legal persons had been already existed before, thanks to the inclusion of legislator's amendments aimed to improve its efficiency.

The plan of actions in fight against corruption for Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Russia, Tajikistan and Ukraine was adopted at September 2003 in Istanbul under the assistance of the Organisation for Economic Co-operation and Development (OECD) in issue of struggle against corruption for countries of Eastern Europe and Central Asia.

The Convention on the Organisation for Economic Co-operation and Development has been signified in Paris on 14 December 1960. According to Art.1 of it, OECD shall be support the realization of policy for achieving of the highest sustainable economic growth and employment and a rising standard of living in its member countries, while maintaining financial stability, and thus contribute to the development of the world economy. It shall be contribute to sound economic expansion in member as well as non-member countries in the process of economic development; and to the expansion of world trade on a multilateral, non-discriminatory basis in accordance with international obligations. The first members of the OECD became Austria, Belgium, Germany, Greece, Denmark, Ireland, Iceland, Spain, Italy, Luxembourg, Netherlands, Portugal, Great Britain, United States, Turkey, France, Switzerland and Sweden. Later to OECD have joined Japan (1964), Finland (1969), Australia (1971), New Zealand (1973), Mexico (1994), Czech Republic (1995), Hungary (1996), Poland (1996), Korea (1996), Slovakia (2000).

During 2004 and 2005 within Istanbul plan of actions in fight against corruption had been performed an analysis of legal and institutional foundations of corruption struggle in member countries. The recommendations, based on this analysis, were formulated to each country in such branches as anti-corruption policy and institutions, criminalization and law on fight against corruption, and measures to prevent corruption in public service. It was started the monitoring for evaluation of recommendations implementation in each of these countries in 2005.

Pursuant to these recommendations in criminal legislation and corruption criminalization all countries were advised to change their national legislations in accordance to international standards proposed by the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (OECD Anti-Bribery Convention), by Council of Europe Criminal Law Convention on Corruption, and by United Nations Convention against Corruption. In majority of cases these conventions do not have direct application, namely it do not act automatically. In other words, conventions only require form states to pass relevant legislation and to take measures for execution of it. Conventions set up minimum standards for which national legislations should be compliant with.

First of all, the state should determine if its legislation is corresponded to standards of Convention for ratification of these documents and perception of ideas formulated in it. For example, non-compliance could appear in cases when internal legislation of each state does not predict criminalization of some types of crime (subornation of foreign public officials). Contradictions are possible as well in cases where *corpus delicti* is understood more barely, than in corresponded case in convention (for example, the definition of bribery subject may do not include the intangible benefits). The lacunae which had been identified in internal legislation ought to be eliminated. The country legislature may decide to enter into criminal legislation completely new *corpus delicti.*

There is meanwhile more simple way: to make deeper an existing classification for bodies of crime. For example "bribery of foreign public officials" can be formulated on the basis of "bribery of public

officials". The advantage of this approach is that the main part remains unchanged, the basis of current legislation that ensures its clearness and stability. The disadvantage of this approach can be considered as the need to interpret legal terms.

The first approach, which includes the formulation of a new corpus delicti in criminal code or in another one source of criminal law, or in particular legal act, could seem simpler. It will let to emphasize the actuality of struggle with new types of crimes such as genocide, ecocide, trafficking in human beings, piracy, etc.

Despite the fact that responsibility of legal persons is not predicted in international conventions, the discussion about substantiation of such demand in countries of Istanbul plan of actions still lasts. The opponents of this approach claim that understanding of corruption as something that has criminal intent is unnatural.

Besides the organization could not be imprisoned for achieving of few penal goals (correction and punishment). Whereas the proponents of this position are sure that corporations have very important role in economics and society that is why their activity may bring a lot of damage. The sanctions have influence on corporations by destroying their business reputation and financial condition (in case of property sanctions).

The bringing to liability of legal persons for corruption activity has very important role in some situations. Corporations become huger and less centralized, that is why their activity and the system of decision making are also dispersed. It is complicated to put on liability for concrete decision for one of few persons at the one company. So the temptation of subornation becomes evident because the possibility of being brought to criminal account is vague. The financial structure and the order of accountancy are also complicated. It makes easier the veiled bribery for persons who make decisions. That is why, there is a chance that bringing to criminal liability of juridical persons will have an effect of containment.

The purpose for introduction of criminal liability for legal persons is to restrain and prevent crimes of leaders and employees. Whereas, legal person shall not be liable for crimes committed by its employees themselves. Liability should only occur if there is connection between the crime and the same legal person (for example, affiliated with it or any other entity that belongs to the same corporate group).

The order of liability forcing for legal persons must not demand necessary accusation and judgment of natural person for a lot of reasons. Firstly, it is not always possible to force natural person for liability, if person who has committed a crime is hiding from investigation authorities or if he or she is dead now. Secondly, complicated structure of decision making of legal persons (firms, corporations, etc.) set difficulties in recognition of certain persons included in crime perpetration. Although proceedings initiated for legal person only could become appropriate and just alternative of accusation of corporation representor or an employee, who possibly gave bribe by pressure from someone of company leaders.

The opposite situation is important too: the liability of legal persons should not influence on criminal liability of natural persons. That is why the Conventions of the Council of Europe, the European Union and United Nations propose that responsibility of legal persons do not eliminate criminal proceedings against natural persons who might become accomplices of an offence.

Legal persons should be subjected to effective, proportionate and deterrence sanctions for corrupt actions according to international standards. Concerning OECD Convention, if criminal liability for legal persons cannot be applied, in accordance with a particular country's legal system, the country must adopt effective, proportionate and deterrent non-criminal legal sanctions, including financial sanctions for bribery of foreign public officials. According to the conventions of the Council of Europe and UN sanctions may be not only criminal but also civil, financial, administrative.

Ukraine ratified the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime as member of the Istanbul plan of actions. The Criminal Code of Ukraine (CC of Ukraine) suggests liability for legalization (laundering) of proceeds earned in criminal way (Art. 209, CC of Ukraine) and for intentional contravention of legal propositions for prevention and counteraction to legalization (laundering) of proceeds from crime (art. 209, CC of Ukraine). Ukraine also ratified UN Convention against Transnational Organized Crime (UNTOC), UN Convention against Corruption (UNCAC), Council of Europe Criminal Law Convention on Corruption. The only one convention, which Ukraine has not ratified yet, was OECD Convention on Combating Bribery of Foreign Public Officials.

The Ukrainian legislature passed three anti-corruption acts at 11 June 2009 trying to bring domestic legislation into line with international rules and standards:

the Law of Ukraine "On The Liability Of Legal Persons For Corruption Offenses", the Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine regarding liability for corruption", Law of Ukraine "On Principles of Prevention and Combating Corruption". The bills of these legal acts had passed determinations of EU and Council of Europe experts (Drago Kos from Slovenia, Ivar Tallo from Estonia, Marina Mrhema from Croatia, Boshtena Penko from Slovenia). The experts made conclusion that bills had absorbed majority of international standards which would help Ukraine join to countries with strong historical experience in corruption struggle. Nevertheless, no one among experts has admitted that those bills were great examples of discrepancy with doctrine of national criminal law and criminal legislation of our country. That is why, despite the fact that Viktor Yushchenko, who at that time was the president of Ukraine, still signed these laws, most of the highly skilled lawyers of Ukraine did not perceive it positively. The content of the laws firstly should implement the fundamental principles of the legal system of Ukraine. It is a fundamental condition which must be taken into account in determining the scope and content adaptation and implementing measures directed to precise and correct application of treaty provisions. The numerous amendments to the Criminal Code and to the Code of Administrative Offences of Ukraine are not able to achieve the declared goal. The changes have been introduced instead of simple and reasonable systematic propositions were not substantiated on existing law doctrine, had been making it complicate and unreasonable. It essentially fades the effectiveness of valid articles, institutions and even certain chapters of these codices at the same time.

In our opinion, the supplementation of the Special Part of CC of Ukraine with the new one chapter "The Offences in the Area of Service Activity in Legal Persons of Private Law and Professional Activity, Connected with Providing of Public Services" should be appraised as negative. Whereas, this chapter is a set of articles with imperfect content in spite the fact that these problems could be resolved in more reasonable and logical way by making changes of current legislation.

Furthermore, the term "legal person of private law" is still not specific and not regulated enough in theory of civil law. It is proposed "new bodies of crime" in the laws, which have been already predicted in concrete articles of administrative legislation. The approach for definition of administrative offences corruption subjects is inappropriate from the point of view of internal creation of regulatory acts.

In accordance with the Constitution of Ukraine the elements essential to the subject of crime or administrative offence should be determined actually in norms of codified acts of these branches of law, but not in laws.

In "new" Art. 212 of the Codex of Ukraine about Administrative Offences it is proposed the liability of persons, foreseen in P. 1 P.1 Art. 2 of Law of Ukraine "On principles of prevention and combating corruption" except people's assessors and jurymen, for violation of moonlighting that will be ground for a decision on bringing these persons to administrative liability and displacement them from posts associated with the use of state functions. Such mechanism therefore cannot be used for certain category of persons, for example to President of Ukraine, People's Deputies of Ukraine, judges etc., because it is in contradiction with the norms of the Constitution of Ukraine. The changes proposed to codified acts justify that the tasks have not achieved the goal in accordance to adaptation, implementation improvement of anti-corruption legislation.

As for the liability of legal persons, taking into account the existing domestic criminal law doctrine, the subject of criminal responsibility is individual (natural person). Following the logic of the new laws, legal persons are brought to legal liability, the type of which is vague. Such liability is only possible as a civil law that, in general, is consistent with the terms of the Criminal Convention on Combating Corruption.

V. Y. Tatziy suggests that not all demands of anti-corruption conventions, standards and recommendations of western experts are possible to be implemented into national legislation and to be used in practice in Ukraine because of Ukrainian particularities of social and economic development, existing law system, national mentality etc.

For example, it refers to the issue of inserting of the principle of criminal liability of legal persons for

corruption offenses. This type of liability of legal persons is not perceived by domestic legal doctrine, as we know. And in practice it is impossible to implement such idea in present conditions in our country. It is also inappropriate from the point of view the principles of individual and fault liability for the crime that are important achievements of human civilization, from which we should not refuse, even given the separate international legal recommendations and rich, but rather ambiguous international experience related to the criminal liability of legal persons [7].

The analysis of the Law of Ukraine "On The Liability Of Legal Persons For Corruption Offenses", the circumstances and order of bringing to liability of legal persons indicates an attempt of introduce of "quasi responsibility" of mixed type (criminal and administrative), which is a direct departure from the fundamental principles of doctrine, both criminal and administrative law. This for a first sight new type of responsibility cannot be used separately or independently from criminal prosecution of certain natural person. At the same time financial sanctions (as the type of administrative liability) are put on legal person singly from other types of responsibility.

6. Conclusions

All that was said earlier would let to do a conclusion that passing of new laws (not only those which were mentioned in this article) under pressure of international organizations is the one of negative features of the process of globalization. This process ignores national characteristics of certain countries under the influence of ambitions of its leaders to join to the more economically developed countries. It causes violations of economic, political and legal system of some countries and in particular Ukraine. At least it should be mentioned the negative results of implementation of Bologna system in Ukraine while county was not ready to realization of its ideas and to adaptation of educational system to world standards.

Although, we must admit, that not all of developed countries accepted the Bologna system.

Simultaneously, not all of domestic scholars express pessimism according to Ukrainian system of education in conditions of globalization. The academician V. Y. Tatziy writes that the common spirit of Bologna process is oriented on harmonization of high European education that is why it should be supported.

So we should not talk about creation of new category "European" degrees and qualifications, because we can talk only about the creation of unified criteria for comparison. There are some concerns that the Bologna Declaration will effect on usual functioning of universities in Europe. It should also be noted that the fundamental principles of university autonomy are supported the Bologna process and stay unchanged [8].

At the same time, there is a question on the ratification and implementation of the Rome Statute and introduction of command responsibility. In the decision of the Constitutional Court on this matter, the arguments of opponents, who advocate the implementation of this important international act, are reasonable and deserve for attention. While criminal law will stay an instrument of political influence on society, still its scholar value will be humiliated.

One of the positive moments of globalization is the possibility of formulation of international standards in approach to the process of criminal legal protecting of human values and determining of the types of crimes, the liability for which must be provided in the codes of all countries, or at least in criminal legislation of individual states. The situation is more problematic in accordance to scientific basis of criminal law in the process of globalization. Some bodies of crimes of certain conventional crimes often are implemented without changes as separate norms in codes of individual states.

That is why there are some discrepancies between the state scientific criminal law doctrine and its commitment to include the proposition for the liability of conventional crime in its legislation. For example, we can remember the Rome Statute and command responsibility, which is predicted in it. European norms and standards in the field of criminal law have been discussing by foreign scientists [9,p.148-151; 10, p.174-183].

On the one hand, it cannot be ratified the only one part of the statements of Rome Statute of the International Criminal Court, for example, only rule about genocide. This proposition is conventional; it provides liability for a crime, the composition of which had appeared in the criminal law as an obligation to adhere of an international agreement after its entry into force.

The rule for criminal liability for genocide was appeared earlier in the Criminal Code of Ukraine than in the Rome Statute, but a liability for this

crime might not be brought only to the immediate perpetrators of genocide. This is one of examples of conflicts, and there are a lot of them in modern criminal law. Such kind of issues should be solved on scientific basis. The well-known German scientist Peter-Alexis Albreht also raises the question of the autonomy of jurisdictional processes [11, p.23-31].

So, back to such objective phenomenon as globalization, we should ask about scientific study of approaches to the regulation of globalization processes, especially in areas of criminal law and legislation. It means that globalization should now concern to such areas of human activity as science.

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Вплив глобалізації на кримінальне законодавство України

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Мета: Метою даного дослідження є глобалізація, яка зачіпає всі верстви українського суспільства, науку, зокрема, науку кримінального права, законодавчий процес та практику регуляторної політики. Глобалізація в галузі кримінального права, на наш погляд, проявляється в процесі гармонізації законодавства, яке спрямоване на наближення і коригування нормативних правових приписів для досягнення міжнародних, європейських і національних правових норм. Узгодження допомагає в досягненні взаємної згоди для правових систем або їх структурних частин в межах певної спільноти. **Методи:** Основним методом уніфікації законодавства є систематизація норм національного законодавства, реалізація правових положень міжнародного права у внутрішньому законодавстві і його адаптація до міжнародних вимог. Слід особливо відзначити такі методологічні основи гармонізації як єдність, цілісність, пропорційність, узгодженість і сучасний досвід. **Результати:** Показано, що існує багато проблем щодо глобалізації саме в галузі кримінального законодавства. Особливу увагу приділено проблемі реалізації норм про кримінальну відповідальність юридичних осіб за вчинення корупційних правопорушень у вітчизняному законодавстві. Автор доходить висновку, що реалізація цієї ідеї є небажаною і недоцільною в сучасних умовах через принцип індивідуальної і винної відповідальності, який слід розглядати як важливе досягнення людської цивілізації. **Обговорення:** На нашу думку, ми повинні досліджувати конкретні правові системи окремих країн, а не англо-саксонську правову систему або романо-германську правову систему права в цілому. Крім того, поняття, яке використовується для позначення терміна

«сім'я права» необхідно ретельно вивчити. Адже існують певні спільні характеристики деяких правових систем в різних країнах. В той же час ці характеристики можуть бути присутніми або можуть бути відсутніми у певній правовій системі кожної країни. Цій проблемі приділяється значна увага в роботах вітчизняних вчених в галузі кримінального права і порівняльного правознавства Ю. Бауліна, В. Грищука, В. Тихого, В. Тулякова і т.д. Але існують не вирішені проблеми, пов'язані з інститутом кримінальної відповідальності юридичних осіб, покараннями, інститутом інших заходів правового впливу, що мають зазнати значних змін під впливом процесу глобалізації.

Ключові слова: гармонізація; імплементація; конвенційні злочини; кримінальна відповідальність; юридична особа.

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Влияние глобализации на уголовное законодательство Украины

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Цель: Целью данного исследования является глобализация, которая затрагивает все слои украинского общества, науку, в частности, науку уголовного права, законодательный процесс и практику регуляторной политики. Глобализация в области уголовного права, на наш взгляд, проявляется в процессе гармонизации законодательства, которое направлено на приближение и корректировку нормативных правовых предписаний для достижения международных, европейских и национальных правовых стандартом. Согласование помогает в достижении взаимного соответствия правовых систем или их структурных частей в пределах определенного сообщества. **Методы:** Основным методом унификации законодательства является систематизация норм национального законодательства, реализация правовых положений международного права во внутреннем законодательстве и его адаптация к международным требованиям. Следует особо отметить такие методологические основы гармонизации как единство, целостность, пропорциональность, согласованность и современный опыт. **Результаты:** Показано, что существует много проблем в сфере глобализации именно в области уголовного законодательства. Особое внимание в отечественном законодательстве уделено проблеме реализации норм об уголовной ответственности юридических лиц за совершение коррупционных правонарушений. Автор приходит к выводу, что реализация этой идеи является нежелательной и нецелесообразной в современных условиях в связи с существованием принципа индивидуальной и виновной ответственности, который следует рассматривать как важное достижение человеческой цивилизации. **Обсуждение:** По нашему мнению, мы должны исследовать конкретные правовые системы отдельных стран, а не англо-саксонскую правовую систему или романо-германскую правовую систему права в целом. Кроме того, понятие, используемое для обозначения термина «семья права» необходимо тщательно изучить. Ведь существуют определенные общие характеристики некоторых правовых систем в разных странах. В то же время, эти характеристики могут присутствовать или могут отсутствовать в определенной правовой системе каждой страны. Этой проблеме уделяется значительное внимание в работах отечественных ученых в области уголовного права и сравнительного правоведения Ю. Баулина, В. Грищука, В. Тихого, В. Тулякова и т.д. Существующие нерешенные проблемы, связанные с институтом уголовной ответственности юридических лиц, наказаниями, институтом других мер правового воздействия, должны претерпеть значительные изменения под влиянием процесса глобализации.

Ключевые слова: гармонизация; имплементация; конвенционные преступления; уголовная ответственность; юридическое лицо.

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