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COMMON FEATURES OF CRIMES AGAINST ELECTORAL RIGHTS

The article analyzes objective and subjective signs of crimes against the electoral rights of citizens, which makes it possible to distinguish them among the whole array of criminal offenses. The ambiguity in the interpretation of the constituent characteristics of these crimes is emphasized. Attention focused on the incoherence of approaches to understanding the object of these crimes in the science of criminal law, both in general theory and within the limits of its allocation in the context of criminal attacks on citizens' electoral rights. At the same time, there is a certain contradiction at the level of legislative inclusion of voting rights to other personal human and civil rights and freedoms, having found themselves in the process of grouping these crimes within the Criminal Code of Ukraine. Such a grouping clearly contradicts fundamental legal notions of human rights. Moreover, the author supports the position of placing social relations as the most universal category in the basis of objective determination. Allegedly, this is because representing the object of such crimes through a system of values is impossible, given the complexity and multidimensional nature of the electoral process. The specified allows drawing a conclusion about the necessity to separate crimes against electoral rights of citizens into an independent structural subdivision within the framework of the criminal law. In analyzing the objective signs of these crimes, most are committed through active action, but there may be cases of inactivity. In such a case we are talking about an illegal abstention from necessary actions, as a result of which electoral relations are damaged. The problems existing in the legislation to define a special subject of certain crimes against the electoral rights of citizens are outlined. The inconsistency of the legislator in relation to the identification of a

member of the election commission as an official is revealed; it can negatively affect the qualification of crimes of this type.

Keywords: electoral rights, public relations, crime composition, infringement object, actions, intent.

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