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OBJECTIVE SIDE OF CRIMES AGAINST THE CONSTITUTIONAL NATIONAL SECURITY OF UKRAINE (ART. 109,110 OF THE CRIMINAL CODE OF UKRAINE)

Determined that the legal literature describing different forms of the objective of the crimes stipulated in Articles 109, 110 of the Criminal Code of Ukraine.

When crimes against national security of Ukraine understand under criminal law intentional socially dangerous acts that infringe on the constitutional order, sovereignty and territorial integrity of Ukraine. Mandatory feature of the objective side of the crimes envisaged in Articles 109-110 of the Criminal Code of Ukraine is a violent act that can manifest itself in two ways: 1) action; 2) conspiracy to commit such acts. That is, we can state that the manifestations of peaceful revolutions or other kinds of disobedience of the people due to certain constitutional system that it is not supported, not «be subject» under Art. 109 of the Criminal Code of Ukraine.

In our opinion, the most acceptable point of view appears A. Bantyshev and E. Suslov, describing the objective side of art. 109 of the Criminal Code as: 1) an act committed with the aim of violent change of the constitutional order (Part 1 of Art. 109 CC), 2) an act committed with the aim of overthrowing the consti-

tutional order (Part 1 of Art. 109 CC), and 3) an act committed with to seize state power (Part 1 of Art. 109 CC), 4) conspiracy to commit such acts (Part 1 of Art. 109 CC), 5) public calls for violent change of the constitutional order (Part 2 of Art. 109 of the Criminal Code); 6) public calls for the violent overthrow of the constitutional order (Part 2 of Art. 109 CC), 7) public calls for the seizure of state power (Part 2 of Art. 109 CC), 8) distribution materials calling for the violent overthrow of the constitutional amendments or failure or seizure of state power (Part 2 of Art. 109 of the Criminal Code), as the authors covered all possible actions that can be committed and alternatively entail criminal liability under Art. 109 of the Criminal Code.

Investigated, that the objective side of the offense under the Criminal Code st.110 maybe in three ways: 1) acts done for the purpose of changing the boundaries of a territory or state borders in violation of the procedure established by the Constitution of Ukraine, 2) public calls to commit these action, and 3) the distribution of materials calling for such actions.