

## **CRIMINAL LIABILITY FOR DRIVING TO SUICIDE IN THE LAWS OF AZERBAIJAN, RUSSIA, UKRAINE, KAZAKHSTAN AND THE BELARUS REPUBLIC**

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***DOI:10.32782/EP.2020.1.12***

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It is well known that events occurs on the ground of such principles as history, development and succession. Samandarov F.Y. states that the improvement of the existing criminal legislation should not only be based on the current state of the struggle against crime, its future perspectives, but also the historical development of criminal law and its succession should be taken into consideration. Unfortunately, sometimes we forget the principle of succession, relation between the law in force and its historical past. Lack of knowledge of the past not only undermines the perception of the present reality, but also undermines the credibility of the actions that will be taken. The present level of human culture takes its source from material, cultural, moral and legal values of the past times that gone away from the historical scene. It should not be forgotten. The legal literature supporting the opinion of Samandarov F.Y. shows that people who forget their past have no future, whetehr his past subject of proudness or vice versa. People and nations need to know their past so that they can build their present and future by learning from their past. It is impossible to erase the past, we must enjoy the things that are acceptable and follow them, correct their defects, reject the useless and harmful ones. It is not difficult to comprehend the relevance of this issue, especially when the past reflects on the entire historical-socio-political period, the provisions of the criminal (penal) code, which is the main normative document of criminal and criminal policies of that period.

Consider the views of the French philosopher Auguste Comte, author of Positive Philosophy, about the importance of learning the history of the development of any concept: "Each concept can only be properly understood if its history is known".

Following the aforementioned ideas, let's take a look at the history of the development of criminal legislation regarding driving to suicide in Azerbaijan. Investigating the history of Azerbaijan's criminal legislation in relation to this crime is important both in terms of studying the origin and formulation of statutory acts to combat this crime, as well as to reveal stable trends in the improvement and evolution of legislation.

When Northern Azerbaijan was part of Tsarist Russia, according to Article 1947 of the "Criminal and Correctional Law" of Tsarist Russia, adopted in 1845, "driving man to commit suicide as a result of abuse by parents, guardians, or other authoritative persons was a crime and considered detention in the correctional camp for a period of 1 (one) to 2 (two) years for the said crime". N.Taghansev notes that the criminal system of the Law "On Crime and Correctional Punishment" dated 1845 was quite extensive. For example, if "exile" is excluded from this system, imprisonment, that is at the center of the prison system, would be divided into the following types:

1) penal servitude (imposed for an indefinite time or from 4(four) years up to 15 (fifteen) years, and in some cases up to 20

(twenty) years; exile for an indefinite time with a predetermined place of punishment);

2) imprisonment in a correctional camp (this type of punishment was imposed from one and half year to 6(six) years, and in some cases up to 8 (eight) years);

3) imprisonment in the castle (this type of punishment is fixed from 2 (two) weeks to 6 (six) years, and in some cases up to 8 (eight) years);

4) Detention in a jail (this type of punishment was fixed for a period of 2 (two) weeks to 1(one) year, and in some cases up to 2 (two) years).

Although the disposition of Article 462, which was dedicated to driving to suicide, of the Criminal Code of Russia of March 22, 1903, was the same with the disposition of Article 1947 of the Criminal and Correctional Act of 1845, it has different sanction. Thus, for driving to suicide, The Criminal Code dated March 22, 1903 provides imprisonment in correction camp for 3 (three) years or for the same term imprisonment in the castle.

After the establishment of the Soviet power in Azerbaijan, according to Article 6 of the Penal Code of the Azerbaijan Public Council Republic, adopted by the 2nd session of the Central Executive Committee of Azerbaijan on December 9, 1922 and entered into force on February 1, 1923, «Any socially dangerous act or inaction threatening the foundations of the Soviet system and the rule of law set by the peasant government for the transition to communism was a crime». Article 148 of this Code is dedicated to the crime driving to suicide. The article stated: «Encouraging or assisting an underaged person or a person who is unable to understand the nature and nature of his or her actions or directing his actions to commit suicide, and at the result of these actions, if that person commits suicide or attempted suicide – shall be subject to punishment by imprisonment up to three years» (This article is stated in Chapter 5 of the Code, «Life, Health, and Crimes Against Personal Identity»).

Apparently, according to the Penal Code of Azerbaijan Public Council Republic of 1922, the intrinsic aspect of the suicide crime was only the offence of inciting or assisting

suicide. Imanly M.N. points out that «the sphere of victims is also limited: the law considers a crime such actions that directed to underaged persons or those who are unable to understand the nature of the work or manage their actions».

On December 30, 1922, the Union of Soviet Socialist Republics (USSR) was established, and on January 31, 1924, the Second Congress of the Soviet Union adopted the first Constitution of the country. The Constitution entrusted the highest authorities of the USSR with the authority to determine civil law and criminal law, as well as the grounds for judicial proceedings. For this reason, on October 31, 1924, the Presidium of the Central Executive Committee of the USSR adopted «Basic Principles of the Criminal Legislation of the Soviet Union and the Union Republics», which consisted of 4 sections comprising 39 articles. In this document, the state's foremost protection was defined as the main task of the government against public-dangerous acts that undermined workers' power or violated the rule of law.

Under the guiding of basic principles, in 1926-1940 allied republics adopted new Criminal Code. By the decree of the Central Executive Committee of the Azerbaijan SSR and the Council of People's Commissars the Criminal Code of the Azerbaijan SSR consisting of 270 articles adopted on December 3, 1927 and entered into force on January 15, 1928. One of the peculiarities of this Code was that the structure of the general units (general unit consisted of 6 (six) sections) duplicated the Criminal Code of the RSFSR dated November 22, 1926.

Article 6 of the Criminal Code of the Azerbaijan SSR dated December 3, 1927 sets out the definition of a crime and states the following: «Any action or inaction that is against the Soviet system or violates the rules established by the peasant government for the transition to communism is considered to be socially dangerous».

Note. Any acts, that is officially under the influence of any article of the Special Part of the Code, but which is obviously less significant and is not socially dangerous because it has no harmful consequences, are

not crime. Regarding to this note of this article, Professor Gahramanov V.P. writes: «The note to that article, which is directly related to the general definition of the offense under article 6, is fundamentally important in the socialist justice system. This note considers these and other acts that officially refers to the character of any part of a particular article and and considers these and other actions, that are not considered a crime because of not being obvious negligibility and malicious effect. In these cases, the investigating bodies and judicial authorities have the right to terminate the criminal case under reference to Article 6. According to Article 6-1 of the Criminal Procedure Principles of the USSR and the Union Republics, If the acts committed by the defendant are formally socially dangerous, but do not have any socially dangerous nature and do not have harmful consequences or certain public and political circumstance, criminal prosecution can be terminated at each stage of the case.

In order to consider the criminal acts having no socially dangerous nature the law requires two conditions: no harmful consequences and obviously negligible acts. It is only possible to apply the note given to Article 6 if both of these conditions exist. Therefore, for example, attempting to kill a person having no harmful consequences (bullet missed) cannot be considered in any way (on the basis of which there are no harmful consequences) as an act with no socially dangerous nature, because an assassination attempt cannot be regarded worthless action».

Article 178, dedicated to the suicide crime, of the Criminal Code dated December 3, 1927, states: (This article «Life, Health, and Crimes Against Personal Identity» is sated in the Chapter 6 of the Code): «Degrading treatment of person (or such treatment in other ways), who is financially dependent on or dependent on some other reasons, by the person, or driving him to commit suicide or attempting to commit suicide shall be subject to punishment by imprisonment up to five years». «Encouraging or assisting an underaged person or a person who is unable to understand the nature of his or her actions or managing his/ her actions, to incite that

person to commit suicide or to assist the person to attempt suicide – shall be subject to punishment by imprisonment up to three years».

By decision dated July 14, 1936 the second part in the following content was added to the Article 178 of the Criminal Code and the existing Part 2 has been considered Part 3.

«If self-immolation occurs as a result of the same actions – shall be subject to punishment imprisonment for up to ten years».

The aforementioned crime was characterized as follows:

1) degrading treatment with victim or such treatment in other ways (in other ways such treatment is understood to maltreat, insult, falsely accuse, etc.);

2) Suicide of victim or attempting to commit suicide;

3) The causal link between these actions.

As can be seen, features of the suicide crime reflected in the article 178 of the Criminal Code of December 3, 1927, is quite different from the Criminal Code of December 9, 1922. According to the first part of the Article 178 «Degrading treatment of person (or such treatment in other ways), who is financially dependent on or dependent on person by some other reasons, or driving him to commit suicide or attempting to commit suicide shall be subject to punishment by imprisonment up to five years, if self-immolation occurs as a result of the same actions – shall be subject to punishment imprisonment for up to ten years.

That is, if suicide or attempting suicide was a method of self-immolation, it was regarded as a particularly severe form of suicide.

Experience shows that suicide by self-immolation is usually committed by women. Thus, by choosing of this method of suicide women want to draw public opinion that they have been subjected to some form of domestic violence and abuse.

It is also important to note that the third part of Article 178 of the Criminal Code of December 3, 1927 was similar to Article 148 of the Criminal Code of December 9, 1922. Thus, Article 148 of the Criminal Code of December 9, 1922 and the third part of Article 178 of the Criminal Code of December 3, 1927 state, that «Encouraging or assisting an

underaged person or a person who is unable to understand the nature of his or her actions or managing his/her actions, to drive that person to commit suicide or to attempt suicide – shall be subject to punishment by imprisonment up to three years».

Professor.Gahramanov V.P commented on Article 178 of the Criminal Code: «if it is determined that a person committed a suicide or attempted to commit a suicide as the result of driving to commit suicide or assist to commit suicide, only in this case, it should be considered a crime referred in Article 178».

An essential prerequisite for the application of Part 1 of Article 178 of the Criminal Code is to determine whether the victim who is financially or otherwise dependent, and at the result of degrading treatment (or such treatment in other ways), committed suicide or attempted suicide.

Financial dependence could arise from either personal or subordinancy relations: for example, a man, being under the patronage (completely or partially) of a person or being in subordinate to a person, is financially dependent. In the context of other dependencies, for example, it is important to understand cases where a student obeys a teacher or a patient obeys a doctor.

Degrating treatment means beating, torture, insulting that cause physical pain and moral suffering and other treatment as bullying.

The words «In such other ways» can be understood as negligence toward the person who was financially dependent on the person driving him to suicide.

In court practice, suicide is defined as the breakdown of legal relationship between people. Therefore, the Plenary Session of the Supreme Court of the USSR stated in one of its decisions: «A legal interrupting of a relationship cannot be viewed as an act under the sign of the aforementioned article».

**Severe form of driving to suicide.** For existence of this component of crime, apart of given conditions, self-immolation suicide should be determined.

«Encouraging or assisting a person to commit suicide shall be subject to punishment only in that case, if a person in an underage

or is unable to understand the nature of his or her actions or is unable to manage his/her actions.

Persons under 18 years of age shall be considered underage persons.

Person unable to understand the nature of his or her actions or unable to direct his/her actions, with certain mental illness, temporarily impaired mental status or in other condition of illness (for example, when a person raves because of high fever) is a person who is unable to understand the nature of his or her actions or is unable to manage his/her actions.

To assist suicide, every aid that speeds up the act of suicide may appear in the following forms: to give weapons, poison, creating conditions to suicide (for example, evicting the persons from the apartment that could prevent the suicide and so on).

Assistance to suicide by minors (for example, to give poison, weapon to a 5- or 8-year-old child, etc.) should be treated as an intentional killing under Article 171.

To incite, by any way, (words, writings and so on) usually reinforces to attempt suicide or the intention of suicide that could be in future».

Unlike Article 148 of the Criminal Code of December 9, 1922, Article 178 of the Criminal Code of December 3, 1927, included into intrinsic aspect of components of the crime the following: any person could be the victim; financial or other dependence of the victim on the accused.

It should be noted that the Criminal Code of the Azerbaijan SSR of December 3, 1927 was considered as the next stage in the development of Soviet criminal legislation and was in force until January 1, 1961. The new Criminal Code of the Azerbaijan SSR came into force on that date. The Law of the Supreme Soviet of the USSR of February 11, 1957 «On Transferring Empowerment of the Adoption of Legislation On the Establishment of Courts, the Adoption of Civil, Criminal and Procedural Codes to the Allied Republic», and the «The Fundamental Principles of Judicial Structure of the USSR, Allied Republics and Autonomous Republics «of December 25, 1958, played a great role in the process of adoption

of new Criminal Code. In accordance with the Act of February 11, 1957, determining the basics of criminal legislation was transferred to the jurisdiction of the legislature of the USSR, and the adoption of criminal codes was transferred to the competence of the Union republics legislature.

The III Chapter of the Criminal Code of Azerbaijan SSR consisting of 264 Articles, approved by the law of the Azerbaijan SSR dated December 8, 1960 and entered into force on March 1, 1961 dedicated to the «Crime against persons» (Articles 94-130). Article 100 titled «Driving to suicide» of the said Code states: «Degrading treatment of person, who is financially dependent on or dependent on some other reasons, by the accused person, or driving him to commit suicide by systematic humiliation of personal dignity shall be subject to punishment by imprisonment up to seven years». The same deeds shall be subject to punishment by imprisonment up to three years, if it is directed to the person, who is not dependent on the accused person».

As can be seen, for the first time in the Criminal Code of the Azerbaijan SSR of December 8, 1960 driving to suicide of a person who was not dependent on the accused was stated as a criminal act.

It is important to note that, in the history of the criminal legislation of Azerbaijan, only the II part of the Article 100 of the Criminal Code dated 8, 1961 stated that driving to suicide of a person who was not dependent on the accused should be a criminal act. Criminal Code of Azerbaijan SSR dated December 8, 1960 did not reflect the following, that was given in the second part of the Article 178 of the Criminal Code dated December 3, 1927: «Encouraging or assisting an underaged person or a person who is unable to understand the nature of his or her actions or managing his/her actions, to drive that person to commit suicide or to attempt suicide».

If the underaged person or a person who is unable to understand the nature of his or her actions commits suicide or attempts to suicide as the result of stated actions, these actions shall be considered premeditated murder (Article 95 of the Criminal Code, dated 1960).

All former Soviet republics, which became independent states after the collapse of the USSR, adopted a new criminal code. Recommended legislation act The Model Criminal Code for the Member Nations of the Commonwealth of Independent States (CIS), adopted by the decision of the Inter-Parliamentary Assembly of the Commonwealth of Independent States in St. Petersburg on February 17, 1996 played a great role in the adoption of codes.

Thus, from former Soviet Republics, only Republic of Uzbekistan adopted own Criminal Code before the adoption of The Model Criminal Code, the other republics preferred to develop Criminal Code according to the recommendation of The Model Criminal Code. The Model Criminal Code is consisted of 341 articles and 34 chapters. Article 117 of the Model Criminal Code titled «Driving to suicide» and Article 118 titled «Incitement to suicide».

The articles states: Bringing a person to suicide or attempted assassination by threats, ill-treatment or systematic humiliation of personal dignity is a moderate crime.

The same act committed in respect of a person who was financially or otherwise dependent on the perpetrator is a crime of medium gravity (Article 117).

The tendency to suicide, that is, the incitement of another person to decide to commit suicide by persuasion, deceit or otherwise, if the person committed suicide or attempted suicide, a crime of moderate gravity (Article 118).

We would like to state that by the Law of the Republic of Azerbaijan dated October 21, 1994, No. 913, in the name of the Criminal Code of the Azerbaijani SSR dated December 8, 1960, the words «Azerbaijan SSR» were substituted for the words «Republic of Azerbaijan».

Article 125 of the new Criminal Code of the Republic of Azerbaijan, effective from September 1, 2000 (this article is stated in Section 8 of the Code, titled «Offenses against life and health» in Chapter 18 titled «Crimes against life and health») reflected criminal liability for suicide, and the nature of the relevant punishment. Degrading treatment of

person, who is financially dependent, or being under supervision of the accused, or dependent on some other reasons, by the accused person, or driving him to commit suicide by systematic humiliation of personal dignity shall be subject to punishment by restriction of freedom up to three years or shall be subject to punishment by imprisonment from three years up to seven years.

The words «restriction of freedom up to three years or» from the sanction of the Article 125 of the Criminal Code of the Republic of Azerbaijan dated May 31, 2011 were excluded.

Lets see criminal legislation of some foreign countries related to criminal responsibility for driving suicide. Changes in the system of public relations of states, including the legal sphere, are of particular importance to each of them. Cooperation of the states in the legal sphere, taking into account each other's experience in the field of law, lawmaking and implementation is necessary and serves as a mutual enrichment.

The study of criminal legislation of some foreign countries related to criminal liability for the driving to suicide is pressing issue from scientific and practical point of view. Thus comparative research in criminal liability investigations for driving suicide, the study of foreign criminal law, their value and defects are of particular importance.

They are the followings:

1) The study of legal norms providing criminal liability for suicide in criminal law of foreign countries contributes to a deeper understanding of the issue under investigation;

2) lay the groundwork for the adoption of the best legal decisions of the Criminal Code of the Republic of Azerbaijan for the improvement of criminal liability norms related to driving suicide and further updating of the national legislation;

3) Assist in addressing an important problem, such as bringing in line the norms of the national legislation criminal liability for driving suicide.

The analysis of the legislation of foreign countries shows that the criminal legislation of certain countries has certain points in terms of harmonizing the norms of criminal responsibility for driving to suicide. These moments

need to be carefully researched. In the present context, it is imperative and urgent to create a common legislation related to criminal liability for driving to suicide.

It should be noted that the criminal codes of the member countries of the Commonwealth of Independent States are quite similar. To the same extent, this also applies to criminal liability standards for driving to suicide. Hajiyev Kh.I. points out that lawyers of the Republic of Azerbaijan, when conducting comparative legal investigations, should focus on the legislation of the countries that were previously part of the same country and having similar legislation, first of all, should refer to the legislation of the Russian Federation.

Article 110 titled "Driving to Suicide" of the Criminal Code of the Russian Federation dated June 13, 1996, states:

Driving a person to suicide or to attempted suicide by means of threats, ill-treatment or systematic humiliation of the human dignity of the victim shall be punishable by forced labor for a term of up to five years, with or without deprivation of the right to occupy certain positions for a term of up to seven years, or deprivation of liberty for a term of two to six years, with the deprivation of the right to occupy certain positions or engage in certain activities for a term of up to seven years or without it.

2) The same act committed:

a) in relation to a minor or a person who is obviously helpless for the guilty person or in material or other dependence on the guilty person;

b) in relation to a woman, obviously for the guilty woman who is pregnant;

c) in relation to two or more persons;

d) by a group of persons by prior conspiracy or by an organized group;

e) in a public speech, a publicly demonstrated work, the media or information and telecommunication networks (including the Internet), - the applicable sentence is deprivation of liberty for a term of eight to fifteen years, with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to ten years or without it, and with restriction of liberty for a term of up to two years or without it.

According to Article 120 titled «Driving a person to Suicide» of the Criminal Code of Ukraine dated April 5, 2001, «Driving a person into suicide or attempted suicide by means of cruel treatment, blackmail, coercion to unlawful actions or systematic humiliation of his/her human dignity, - shall be punishable by restraint of liberty for a term up to three years, or imprisonment for the same term».

The same act committed in respect of a person who was in financial or other dependence upon the culprit, or in respect of two or more persons, - shall be punishable by restraint of liberty for a term up to five years, or imprisonment for the same term.

The same act committed in respect of a minor,- shall be punishable by imprisonment for a term of seven to ten years.

Article 105 titled «Driving a person to suicide» of the Criminal Code of the Republic of Kazakhstan dated 3 July, 2014 states: «Driving a person to suicide or to attempted suicide by means of threats, ill-treatment or systematic humiliation of the human dignity of the victim shall be punished by restriction of liberty for the term up to three years or imprisonment for the same term.

The same act committed:

1) in relation to a person who is obviously helpless for the guilty person or in material or other dependence on the guilty person;

2) in relation to two or more persons;

3) by a group of persons by prior conspiracy or by an organized group;

4) by use of telecommunication networks, including the Internet-shall be punished by restriction of liberty for a term of five years or imprisonment for the same term.

An action, provided by first or second part of this Article, committed in relation of a minor shall be punished by imprisonment for the term of three years up to seven years».

According to Article 145 titled «Driving a person to suicide» of the Criminal Code of the Republic of Belarus, dated July 9, 1999 «Driving a person to suicide or attempted suicide by means of cruel treatment, systematic humiliation of his/her human dignity, - shall be punishable for a term up to two years reformatory colony or imprisonment or restraint of liberty

for a term up to three years, or imprisonment for the same term».

The same act committed in respect of a person who was in financial or other dependence upon the culprit, or in respect of a minor,- shall be punishable by restraint of liberty for a term up to five years, or imprisonment for the same term.

As can be seen, according to the Article 125 of the Criminal Code of the Republic of Azerbaijan, only a person who is in financial dependence, or being under supervision of the accused, or dependent on some other reasons of the accused, committed a suicide shall be considered the victim. Article 125 of the Criminal Code of the Republic of Azerbaijan excludes criminal liability of the accused, if a person who is not in financial or other dependence on the accused, committed a suicide. But according to the legislation of Russian Federation, Ukraine, the Republic of Belarus, if a person committed suicide, who is in financial dependence, or being under supervision of the accused, or dependent on some other reasons, or who is not in financial or other dependence of the accused, shall be considered a victim.

#### **Conclusions:**

1) When Northern Azerbaijan was part of Tsarist Russia, according to Article 1947 of the Criminal and Correctional Law of Tsarist Russia, adopted in 1845, driving man to commit suicide as a result of abuse by parents, guardians, or other authoritative persons was a crime and considered detention in the correctional camp for a period of 1 (one) to 2 (two) years for the said crime.

2) After the establishment of the Soviet power in Azerbaijan, Article 148 of the Penal Code of the Azerbaijan Public Council Republic, adopted by the 2nd session of the Central Executive Committee of Azerbaijan on December 9, 1922, entered into force on February 1, 1923 and Article 178 of the Criminal Code of the Azerbaijan SSR dated December 3, 1927 dedicated to driving to suicide crime. The mentioned crime was stated in Chapter 5 under the title «Life, Health, and Crimes Against Personal Identity» of the Code dated December 9, 1927 and in Chapter 6 under the title «Life, Health, Liberty and

Crimes Against Personal Identity» of the Code dated December 3, 1927.

Criminal Code dated 3, 1927 states the features of suicide crime different from the Penal Code dated December 9, 1922. Thus according to the Article 148 of Penal Code dated December 9, 1922. Encouraging or assisting an underaged person or a person who is unable to understand the nature and nature of his or her actions or managing his actions, if that person committed suicide or attempted suicide – should be considered a crime, but according to the Criminal Code dated December 3, 1927 Degrading treatment of person (or such treatment in other ways), who is financially dependent on or dependent on some other reasons, by the person, or driving him to commit suicide or attempting to commit suicide should be considered a crime. As can be seen, different from the Penal Code of December 9, 1922, the Criminal Code of December 3, 1927, included to the components of crime that any person could be the victim who is financially dependent on the accused or dependent on some other reasons.

3) Article 100 under the title «Driving to suicide» of the Criminal Code, approved by the Law of the Azerbaijan SSR, dated 1960 and entered into force on March 1, 1961 stated that driving to suicide of a person who was not dependent on the accused should be a criminal act.

4) All former Soviet republics, which became independent states after the collapse of the USSR, adopted a new criminal code. Recommended legislation act The Model Criminal Code for the Member Nations of the Commonwealth of Independent States (CIS), adopted by the decision of the Inter-Parliamentary Assembly of the Commonwealth of Independent States in St. Petersburg on February 17, 1996 played a great role in the adoption of codes. Article 117 of the Model Criminal Code titled “Driving to suicide” and Article 118 titled «Incitement to suicide». But according to Criminal Code of the Republic of Azerbaijan, that came into force on September 1, 2000, only driving to suicide was determined as criminal liability. The mentioned Code does not include a separate article dedicated to Incitement to suicide.

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**УГОЛОВНАЯ ОТВЕТСТВЕННОСТЬ  
ЗА ДОВЕДЕНИЕ ДО САМОУБИЙСТВА  
В ЗАКОНОДАТЕЛЬСТВЕ  
АЗЕРБАЙДЖАНА, РОССИИ,  
УКРАИНЫ, КАЗАХСТАНА И  
РЕСПУБЛИКИ БЕЛАРУСЬ**

В статье указывается, что на основании статьи 125 Уголовного кодекса Азербайджанской Республики доведение лица, находившегося в материальной, служебной или

иной зависимости от виновного, до самоубийства или до покушения на самоубийство путем угроз, жестокого обращения или систематического унижения его достоинства, - наказывается лишением свободы на срок от трех до семи лет.

Согласно статье 110 Уголовного кодекса Российской Федерации, доведение лица до самоубийства или до покушения на самоубийство путем угроз, жестокого обращения или систематического унижения человеческого достоинства потерпевшего - наказывается принудительными работами на срок до пяти лет с лишением права занимать определенные должности или заниматься определенной деятельностью на срок до семи лет или без такового либо лишением свободы на срок от двух до шести лет с лишением права занимать определенные должности или заниматься определенной деятельностью на срок до семи лет или без такового.

В соответствии со статьей 120 Уголовного кодекса Украины, доведение лица до самоубийства или до покушения на самоубийство, что является следствием жестокого с ним обращения, шантажа, систематического унижения его человеческого достоинства или систематического противоправного принуждения к действиям, которые противоречат его воли, склонение

к самоубийству, а также других действий, способствующих совершению самоубийства, - наказываются ограничением свободы на срок до трех лет или лишением свободы на тот же срок.

На основании статьи 105 Уголовного кодекса Республики Казахстан, доведение лица до самоубийства или до покушения на самоубийство путем угроз, жестокого обращения или систематического унижения человеческого достоинства потерпевшего - наказывается ограничением свободы на срок до трех лет либо лишением свободы на тот же срок.

Согласно статье 115 Уголовного кодекса Республики Беларусь, доведение лица до самоубийства или покушения на самоубийство путем угрозы применения насилия к нему или его близким, уничтожения, повреждения или изъятия их имущества, распространения клеветнических или оглашения иных сведений, которые они желают сохранить в тайне, жестокого обращения с потерпевшим или систематического унижения его личного достоинства - наказывается арестом, или ограничением свободы на срок до трех лет, или лишением свободы на тот же срок.

**Ключевые слова:** Уголовный кодекс, законодательство, угроза, покушение, совершение, здоровье, статья.