

Kolomiyets V.Yu. Social condition of criminal responsibility for encroachment on bodily integrity. The social conditionality of the criminal responsibility for encroachment on bodily integrity as a crime against life and health of a person was established (Articles 121-125, 128 of the Criminal Code of Ukraine).

The emphasis is placed on the fact that one of the main tasks of the state in the field of criminal law protection of human rights is the protection of her life and health. The Constitution of Ukraine in Art. 3 proclaimed that a person, her life and health, honor and dignity, inviolability and security are recognized in Ukraine as the highest social value. The prohibition of causing bodily harm is an extremely important matter of the modern social legal, European democratic state. Health is a natural benefit and value of a person that is transmitted to it genetically and belongs to the most important object of criminal law protection.

It is proved that the act of causing bodily harm is socially dangerous, typical and sufficiently widespread, has a certain dynamics, needs influence by criminal-law measures, the system of criminal justice in counteracting this act has the appropriate opportunities and material resources, the positive consequences of its criminalization are clearly overwhelming negative, at many stages of development, this act was criminalized, and such punishment was supported by society.

It was stated that the act of causing bodily harm was condemned in society and punished with the help of criminal-law measures from ancient times. Penalties for the above-mentioned crimes were foreseen even in "Rusaya Pravda" - one of the most ancient legal acts, which extended its effect to most of modern Ukraine, which, in essence, is the cultural successor of Kievan Rus. Moreover, the level of elaboration of this issue already at that time suggests that the specified socially dangerous act was punishable at the earlier stages of development of Ukrainian lands. The above shows how the existence of ancient historical traditions of criminalization of the act in the form of causing bodily injuries, and the approval of such a criminalization by society.

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