

Comprehensive prevention plans should be instituted at every level of every society, every period of growing and should include the following: to prevent juvenile delinquency, asocial and inappropriate behavior through the organization of their free time; to create an environment to involve them in social activities, and community development process; to advocate and create the legal structure for the treatment of juvenile offenders; to improve the relation between governing structures and civic associations for the benefit of all citizens; to create close interdisciplinary co-operation between nations.

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## THE SYSTEM OF CONSTITUTIONAL GUARANTEES OF CONSTITUTIONAL ORDER OF UKRAINE

Ukraine's constitutional order, as well as the constitutional system of any state may properly operate and develop only when it has a reliable guarantee. Any constitution always contains a system of rules that provides its supremacy and inviolability of the highest legal force in relation to other legal acts that may be adopted by various state agencies.

The main goal of security is just implementation of norms and protection of the constitutional system and its principles, since the lack of appropriate safeguards adversely influences the functioning of civil society and the state.

The concept of "system" generally refers to the interconnectedness of all components that constitute it. But that does not mean that the system of guarantees of the constitutional does not have its internal hierarchy and differentiation.

Firstly, all the guarantees of the constitutional system can be divided into

general (they are common to the whole constitutional system, that is, for all or the vast majority of its institutions) and special (they are designed to guarantee the constitutional system of separate institutions, such as only constitutional order, fundamental rights and freedoms of men and citizens, etc.).

At the second, the guarantees of constitutional order can be divided into legal rules and actual subjects. In this sense, we have, on the one hand, the Constitution and other laws (especially those that form the so-called system of constitutional law, for example, the laws of the territorial system, political parties and other public associations, on elections, referendums, on local government, constitutional litigation etc.) and on the other - these are subjects such as: Ukrainian people, the Parliament of Ukraine, President of Ukraine, the Cabinet of Ministers of Ukraine, the political parties and civil society organizations, the media, etc., which operate under these laws and ensure their implementation in daily practice of public life. In addition, the first of our group of guarantees of constitutional order has a clear internal hierarchy. It is showed in the establishment of the formal structure of general laws, as the highest place in the legal system is the Constitution, and all other regulations made under it fixed forms. That is the process of forming of law in any state regardless of socio-economic orientation, size of territory, population, economic and social status is based on the Constitution.

Thirdly, guarantees of constitutional order can be internal and external (international organizations and relevant international law). Traditionally, the role of external guarantees of constitutional system was extremely low but now we are faced with the fact that in the process of ensuring the constitutional order of the institution as fundamental rights and freedoms of men and citizens, the role of international organizations is growing rapidly. Ukraine is also involved in this process. To a large extent this contributed to the adoption of the Constitution of 1996, parts 4 and 5 of article 55 which states: "After exhausting all domestic legal remedies, everyone has the right to appeal for the protection of his or her rights and freedoms to the relevant international judicial institutions or to the relevant bodies of international organizations of which Ukraine is a member or participant. Everyone has the right to protect his or her rights and freedoms from violations and illegal encroachments by any means not prohibited by law".

Fourthly, guarantees of constitutional order can be public and non-governmental. Sometimes, the first group of which is named as "the ultimate guarantor of the constitutional order". Indeed, as the state as a whole and its relevant bodies and institutions in accordance with most currently existing constitutions are the main guarantor of the Constitution, its stability and immutability. Thus, based on the content of art. 17 of the Constitution of Ukraine, we can say that the most important features of the Ukrainian state is to protect the sovereignty and territorial integrity of Ukraine, provision of economic and information security.

Applying the criterion of classification to mentioned guarantees, we have to remember their continued cooperation and the complementary na-

ture of such communication. At the same named private agencies are able to fulfill their role in ensuring the constitutional order, not only indirectly, but directly. Thus, in accordance with applicable law, political parties are not only conducive to expression of the political will of the citizens, but also they take part in elections through which get direct access to government agencies.

So allocating in the system of guarantees of constitutional order of public and private component and using the state regarding the term the "main guarantor of the Constitution", we don't imply giving priority to public authorities of the society. Thus, the analysis of guarantees of the constitutional order of the system approach gives an opportunity to select a number of criteria for classification. In particular, they can be general and specific, external and internal, governmental and non-governmental, to act as the legal rules and actual subjects. In this case, the use of different classification models provides a comprehensive and coherent description of the guarantor of the Constitution, to demonstrate the specificity of their implementation.

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### **SOME QUESTIONS OF CRIMINAL LIABILITY FOR EVASION OF PUNISHMENT NOT RELATED TO IMPRISONMENT**

The article deals with the issues of criminal responsibility and features the avoidance of the subject of punishment unrelated to the imprisonment according to the article №389 of the Criminal Code of Ukraine.

In the modern terms the changes of criminal legislation as well as the euro integration processes indicate the humanization of public relations. One of the major links of campaign against criminality is a guarantee of implementation of the criminal punishments approved by the sentence of court in specific criminal implementations. The ensuring of inevitability of criminal punishment is the aim pursued by the punishment itself. The important condition of effective work of law enforcement authorities is the proper implementation of the sentence approved by the court.

The question of the subject and its features in the theory of criminal law were studied by such Ukrainian and foreign scholars as M. Korzhanskiy, V.S. Orlov, A.A. Piontkovskiy, V.V. Ustimenko and others. The problem of the subject and its features is topical. The main and obligatory legal features of the general subject are the physical sanity (*compos mentis*) of a person and his/her achievement of the age set in the Criminal Code.

The special subject must have special additional features. These features are determined optional in general studies about *corpus delicti* [1].

Some national and foreign scientists consider that system of crimes against the justice to be logical and built according to the subject of these crimes. V.V. Ustimenko determines the special subject of a crime to be a per-