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MAIN ISSUES AND ASPECTS OF DEATH PENALTY IN WORLD PRACTICE

Introduction. Death penalty also known as capital punishment is a government sanctioned practice whereby a person is put to death by the state as a punishment for a crime. There are 2 general types of death penalty: death sentence and execution.

Crimes that are punishable by death are known as capital crimes or capital offences and commonly include offences such as murder, war crimes, crimes against humanity and genocide. So, **the objective of the paper** is to discuss the main issues and aspects of death penalty in world practice.

Today 58 countries still have death penalty in active use and even in countries of First World, for example, in the U.S., Japan, South Korea, China. According to Amnesty International, 25 countries are known to have performed executions in 2015, three more than in 2014

The researchers find out main executors in the world 2015-2017:

China – more than 2000 executed

Iran – 977

Pakistan – 326

Saudi Arabia – 158

The USA – 28 [3].

Only one country of Europe still has death penalty. It is Belarus. According to Amnesty International, in 2015 were executed at least 2 individuals and in 2016 – 4. South Korea is going to get back death penalty. According to the poll, in 2015 approximately 69% of Koreans support returning of death penalty [3]. Support for capital punishment has sagged in recent years, but it remains strong in a situation where the offense is so outrageous, the process so open, the defense so robust and guilt beyond dispute.

The following methods of execution were used in the world:

Hanging (Afghanistan, Iran, Iraq, Japan, Malaysia, Pakistan, Palestinian National Authority, Yemen, Egypt, India, Myanmar, Singapore, Sri Lanka, Syria, Zimbabwe, Malawi, Liberia, Chad, Washington state in the USA).

Shooting (China, Vietnam, Belarus, North Korea, Indonesia, Yemen, and in the U.S. states of Oklahoma and Utah).

Lethal injection (United States, Guatemala, Thailand, the People's Republic of China, Vietnam).

Electrocution and gas inhalation (some U.S. states, but only if the prisoner requests it or if lethal injection is unavailable).

Beheading (Saudi Arabia) [4].

Here are top 10 questions that have positive and negative sides about death penalty:

- Morality.
- Constitutionality.
- Deterrence of society.
- Retribution.
- Irrevocable mistakes.
- Cost of death vs. life in prison.
- Race discrimination.
- Closure for victims' families.
- Attorney quality.
- Physicians at executions [2].

In many countries death sentences are not carried out immediately after they are imposed; there is often a long period of uncertainty for the convicted while their cases are appealed. Inmates awaiting execution live on what has been called "death row"; in the United States and Japan, some prisoners have been executed more than 15 years after their convictions. The European Union regards this phenomenon as so inhumane that, on the basis of a binding ruling by the European Court of Human Rights (1989), EU countries may extradite an offender accused of a capital crime to a country that practices capital punishment only if a guarantee is given that the death penalty will not be sought.

Many scientists from different countries still argue about question of death penalty. Capital punishment has long engendered considerable debate about both its morality and its effect on criminal behaviour. Contemporary arguments for and against capital punishment fall under three general headings: moral, utilitarian, and practical.

Supporters of the death penalty believe that those who commit murder, because they have taken the life of another, have forfeited their own right to life. Furthermore, they believe, capital punishment is a just form of retribution, expressing and reinforcing the moral indignation not only of the victim's relatives but of law-abiding citizens in general.

Supporters of capital punishment also claim that it has a uniquely potent deterrent effect on potentially violent offenders for whom the threat of imprisonment is not a sufficient restraint. Opponents, however, point to research that generally has

demonstrated that the death penalty is not a more effective deterrent than the alternative sanction of life or long-term imprisonment [1 :34].

They argue that, because the appeals process for death sentences is protracted, those condemned to death are often cruelly forced to endure long periods of uncertainty about their fate.

For example one of the most popular aspect of death penalty is cost of death vs life in prison.

Cost of death in China	4 Cny ~ 16 Uan ~ 0,6 \$
Life in prison in Switzerland	280 Cnf ~ 278 \$ ~ 7470 Uan (per day)

Despite extraordinary efforts by the courts and enormous expense to taxpayers, the modern death penalty remains slow, costly and uncertain.

At the same time many countries have retained capital punishment, and, in fact, some have extended its scope. More than 30 countries have made the importation and possession for sale of certain drugs a capital offense. Iran, Singapore, Malaysia, and the Philippines impose a mandatory death sentence for the possession of relatively small amounts of illegal drugs.

In the United States, where roughly three-fourths of the states and the federal government have retained the death penalty, about two-thirds of all executions since 1976 (when new death penalty laws were affirmed by the Supreme Court) have occurred in just six states—Texas, Virginia, Florida, Missouri, Louisiana, and Oklahoma. China was believed to have executed about 1,000 people annually (no reliable statistics are published) until the first decade of the 21st century, when estimates of the number of deaths dropped sharply.

In only a few countries does the law allow for the execution of persons who were minors (under the age of 18) at the time they committed their crime. Most such executions, which are prohibited by the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights, have occurred in the United States, which has not ratified the convention and which ratified the covenant with reservations regarding the death penalty.

Conclusion. The vast majority of democratic countries in Europe and Latin America have abolished capital punishment over the last fifty years, but United States, most democracies in Asia, and almost all totalitarian governments retain it.

Crimes that carry the death penalty vary greatly worldwide from treason and murder to theft. In militaries around the world, courts-martial have sentenced capital punishments also for cowardice, desertion, insubordination and mutiny. Passions in the world are sharply divided, and equally strong among both supporters and protesters of the death penalty.

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INTERPRETATION OF THE CONCEPT “HISTORICAL MEMORY” IN THE SCIENTIFIC SURVEY

Introduction. The life of any individual includes three components: the past, the present and future. It means that the essence of human existence beyond these aspects does not exist. It is a kind of a logical chain between these aspects. From the viewpoint of this formula a human being is regarded as a combination of these components. Any logical or chronological chains are characterized by the certain link between the constituents. This is not a bound connection, but a reciprocal chain. It is possible to scrutinize only one part of the aspects (the present – the past).

The above mentioned chain between such components is called “historical memory”. It embodies a certain form of national identity and helps to identify facts and events accurately. In particular, it recognizes the past and creates the idea of it. It (the past) is valuable, because it is “encouraged” by the past, it is appreciated. Information about it ensures us with a data transmission. This happens in several ways:

- 1) the transmission of data by people who witnessed those events or facts;
- 2) the receipt of certain documents, which testify the same facts or events;
- 3) the combination of the first and second items, that is, the testimony of individuals in certain documents.

Therefore, **the objective of the paper** is to analyze the refraction of the concept “historical memory” in the historical science. This will assist to trace back the process of honouring one or another historical event or person.