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**ENTITY AS A SUBJECT OF CRIMES  
AGAINST ENVIRONMENTAL SAFETY AND ENVIRONMENT****ALESYA GOLOSUI, IRINA VEGERA****Polotsk State University, Belarus**

*The article describes the issues related to the consideration of the legal person as the subject of crimes against the environmental safety and the environment in other countries. The list of the main provisions of the criminal liability of legal entities which can be applied to the Belarusian legislation is suggested.*

Today the environmental protection is one of the most important international and national problems. According to all forecasts and assessments the state of environment on the planet is steadily deteriorating: the climate is changing, shrinking forest area is depleting the ozone layer and polluting the atmosphere. One of the causes of the present situation is the result of the sharp rise in scientific and technological progress and economic growth in the second half of the twentieth century. Consequently, the prevention of these problems requires serious attention from the government, including efforts aimed at optimization, improving the quality, efficiency of legal environmental safety and protection of the environment as a whole.

The international community has an active standard-setting policy in the field of nature, which is primarily due to the reduction of the biological diversity of fauna and flora, especially the illegal transboundary movement of hazardous substances and waste, destruction of the ozone layer of the Earth, an immense absorption of minerals.

The changes in the environment, according to experts, are induced by certain kinds of economic activity, the rapid growth of industry and transport, irrational use of natural resources, environmental management entities. All the above-listed indicates an increase in the growth of crime in the environmental field and leads to a reduction in life expectancy, an increase in the incidence. The specific crimes against the environmental safety and the environment not only constitute a threat within the country but also affect the interests of the world community. Thus, the level of social danger of environmental crimes is reflected in the fact that they are a threat to national security and its subspecies – ecological security.

In order to ensure environmental safety, preservation of the environment, its nature-governmental components, the life and health of citizens, and the rights of future generations to a healthy environment in the home-state they establish measures of criminal law in relation to the subjects of nature. However, every year the number of environmental crimes increases significantly, but they are mostly latent [1, p. 181–182]. It leads to the conclusion that currently existing legal mechanism for regulating the environmental safety, including criminal law measures, is not functioning fully.

We believe that the above-mentioned problems are associated with the specifics of this type of crimes. That happens because the crimes against environmental safety and the environment are committed as a rule within the activities of economic entities, i.e. entities. According to the modern doctrine of criminal law of the Republic of Belarus legal entity is not subject to criminal liability, therefore he remains unpunished even in the case of a socially dangerous act, that has caused significant damage to the ecological safety or the environment.

However, in the scientific community, there is an alternative position on the criminal-responsibility of legal persons for "environmental" offenses, implemented in the law of a number of countries. In this regard, the issue in question is still relevant.

A number of scientists consider the legislation denial to provide for the possibility of legal persons' criminal responsibility to be a possible barrier to ecological security and the preservation of the natural environment.

For example E. J. Antonova considers bringing legal persons to account appropriate, in connection with the fact that punishing only the performers of "environmental" offenses, that is, phi-natural persons, can not guarantee that in the future the same legal entity will not commit such acts since only the performers will change [2, p. 30].

Along with measures to "environmental" restructuring of the economy, as well as other (non-criminal legal) forms of legal liability, E. N. Zhevlyakov suggests introducing criminal responsibility of legal entities for the negative impact on the environment. He considers that it will help improve the environmental safety and prevent the attempts to devastate natural wealth [3, c.11].

The international experience of counteraction to "environmental crime" also shows the usefulness of the application of criminal sanctions to legal persons. It should be noted that European countries started thinking about this in the 70s. For example, in 1978, the European Committee on Crime Problems of the Council of Europe recommended that the legislators of European countries take the path of recognizing the legal persons criminally liable for environmental offenses. The same recommendation is contained in the decisions of the United Nations Congress on the Prevention of Crime and the Treatment of Offenders [4, p.13].

For example, in France, a legal person may face persecution both by the administration and the Criminal Court. Legal entities in England, Belgium, Finland, Netherlands are also held criminally responsible for crimes against the environment security [5, c. 70].

Japanese law "on the punishment of crimes against the environment" in 1970 states criminal liability for the negligent breach of the requirements on emissions of pollutants that threaten the health and lives of people. The main form of guilt under this Act is negligence. For example, in the case of harm to human health caused by air pollution in the area of Tsu in 1971, the court found six companies guilty of negligence, as they had not carried out a pilot study to assess the possible negative impact of the manufacturing process on the environment, as well as for the fact that no measures had been taken when the harmful effects became apparent. [2]

As a rule, major penalties applicable to legal persons are: a fine, a restriction or termination of activity, liquidation, special confiscation.

We believe that the possibility of legal persons' criminal liability for the commission of pre-sto-captivity against the environmental safety and the environment can and should be considered in connection with the realities of environmental crime in Belarus. It should be noted that the effectiveness of the criminal-law sanctions is stronger and in the criminal law a significantly greater fine for an individual is used is. Moreover the application of the criminal liability creates certain undesirable reputation for the enterprise. In our opinion, it is also necessary to perform an expert examination on the feasibility of the introduction of the following sanctions applicable to the entity:

- fine and (or) the termination of a legal entity;
- prohibition to engage in certain activities, and (or) an obligation to eliminate the harm caused;
- banning the manufacturing of certain types of products;
- banning certain types of activity of the enterprise;
- cancelling the license;
- discharging the office managers;
- factory closing;
- closing down the business.

Prohibition to perform certain activities or termination of Legal Aid-ray person are quite a severe and effective preventive measure, especially for businesses and private sector organizations.

Where the offense is committed by an organization's, institution's or enterprise's employee deliberately, liability should only be applied to that person. In our opinion if he commits a crime while on his duties in the interests of a legal person, the given individual and legal persons should be held responsible [3, p. 13].

We consider the abovementioned suggestions applicable in the legislation of the Republic of Belarus, that is proved by the experience of legal persons' criminal liability abroad. It can have a positive impact on the level of criminal-legal regulation of responsible for the acts in question. Moreover, the introduction of criminal liability of the legal persons, in our opinion, will increase the degree of responsibility for environmental transgression related to environmental pollution.

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#### STUDENTS' ATTITUDES TOWARDS HOMOSEXUALITY

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*In this article we carry out the analysis on theories of the origins of non-normative sexuality and submit the data of our own research on particularities of students' attitudes towards non-normative sexuality. In the*