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CAUSING OF MONETARY COMPENSATION IN UKRAINE

Formulation of the problem. The issue of the application of the civil-law mechanism of compensation for damages caused by such a criminal offense as a terrorist act became especially relevant with the beginning of the armed conflict in the East of Ukraine.

Since the beginning of the conflict, more than 55,000 houses have been damaged or destroyed as a result of hostilities, and compensation remains one of the most frequently mentioned problems of the affected population [1]. In order to protect their property rights, the affected population applies to the court with demands to the State of Ukraine, represented by the Cabinet of Ministers of Ukraine (hereinafter referred to as the Cabinet of Ministers of Ukraine) for compensation for material damage caused by the damage or destruction of their housing as a result of terrorist acts during the anti-terrorist operation in Donetsk and Luhansk regions. As a rule, criminal proceedings under Art. 258 of the Criminal Code of Ukraine (hereinafter - the Criminal Code of Ukraine), which provides for criminal liability for committing such a crime as a terrorist act [2].

The specifics of compensation for damages caused by damage or destruction of housing as a result of the armed conflict, as well as to determine the reasons for the ineffectiveness of the civil law mechanism for the protection of the rights of persons whose housing was damaged or destroyed as a result of shelling in Eastern Ukraine.

Every person has the right to apply to the court for the protection of his property rights [3]. Damage compensation as a measure of civil liability is one of the judicial methods of protecting violated rights, which should perform a restorative function.

The Law of Ukraine "On Combating Terrorism" provides that compensation for damage caused to citizens by a terrorist act is carried out at the expense of the State Budget of Ukraine in accordance with the law, but with the subsequent collection of the amount of this compensation from the persons who were harmed, and in the manner established by law [4].

According to Art. 23 of the Criminal Code of Ukraine, guilt is a person's mental attitude towards the committed action and its consequences [2]. A person is considered innocent of committing a crime until his guilt is proven in a legal manner and established

by a court verdict. Therefore, only in the presence of a person's guilt regarding the act committed by him, it is possible to talk about the presence of the composition of a crime, including such as a terrorist act.

In accordance with the general provisions of the Civil Code of Ukraine regarding state compensation for damage within the limits of tortious liability (part 2 of Article 1177 of the Civil Code of Ukraine), damage caused to the victim as a result of a criminal offense is compensated to him at the expense of the State Budget of Ukraine in the cases and procedure provided for by law [3]. Prior to the introduction of amendments in 2013 to the mentioned article of the Civil Code of Ukraine, property damage caused to the property of an individual as a result of a crime was compensated by the state, if the person who committed the crime was not identified, or if the person was insolvent.

For now, we can cite only a few examples when the legislation provides for compensation for damage in the absence of the fault of the person who caused this damage. So, for example, damage caused by a source of increased danger is compensated by a person who, on the appropriate legal basis (property right, other property right, contract, lease, etc.) owns a vehicle, mechanism, other object, the use, storage or maintenance of which creates increased danger [3].

The Civil Code of Ukraine is the general legal act that regulates legal relations in the field of civil protection of the population, liquidation of the consequences of emergency situations of any nature, including military ones.

Implementation of measures for social protection of the affected population is one of the main tasks of the unified state system of civil protection (Part 3, Article 8 of the Civil Code of Ukraine). Provision of material assistance, provision of housing or payment of monetary compensation to victims are measures of social protection of victims of emergency situations (Part 2 of Article 84 of the Criminal Code of Ukraine).

A comprehensive analysis of legislation in the field of civil protection allows us to conclude that emergency situations can be both related to the actions or inaction of specific individuals, and caused by force majeure circumstances, such as a hurricane, earthquake, storm.

Thus, the conducted study of the issue of compensation for damages caused to the population due to damage or destruction of housing in the conditions of an armed conflict proves the need to adopt a special law on social protection and specifics of compensation for damages to the population whose housing was damaged or completely destroyed as a result of the armed conflict.

During the development and adoption of such a legislative act, it is necessary to take into account all the features of the armed conflict, which lead to the presence of a large number of victims who suffered material damage as a result of damage to their housing, various degrees of such damage, as well as the need to provide housing for a large number of the affected population, including among internally displaced persons.

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COMPENSATION FOR DAMAGES DUE TO INJURY TO A MINOR

The topic of compensation for damages due to injury to a minor is highly relevant as it involves legal and ethical considerations that affect both the victim and the offender. When a minor is injured due to the actions of another person, whether intentional or unintentional, the victim and their family may experience significant physical, emotional, and financial harm. The issue of compensation arises to help the victim recover from the damages they have suffered.

Compensation for damages due to injury to a minor involves complex legal issues, such as determining liability, proving damages, and assessing the appropriate amount of compensation. In addition, there are ethical considerations, such as the well-being of the minor and the responsibility of the offender to provide restitution.

Overall, the topic of compensation for damages due to injury to a minor is relevant to a wide range of fields, including law, ethics, psychology, medicine, and public policy. It is important to consider the perspectives and needs of all parties involved, including the victim, the offender, and the community at large, in order to ensure that justice is served and that minors are protected from harm [1].

Legal scholars have analyzed various aspects of compensation for damages due to injury to a minor, such as liability, causation, damages, and the role of insurance companies. Additionally, researchers have also examined the psychological and emotional effects of injuries on minors and their families, as well as the impact of legal proceedings and compensation on their recovery [2].