

6. Central European civil law system – the system is typical for the following countries: Hungary, Slovakia, Slovenia, Poland, Czech Republic. The main features of this system include: 1) lack of division of rights into private and public; 2) the main source of civil law is acts of the civil legislator; 3) legislative acts obtain over case law [4; 36].

7. The Eastern European system is a system characterized by the following features: 1) there are certain restrictions on the right to private property; 2) includes a large number of subordinate legal acts that regulate civil legal relations. It is typical for the following countries: Bulgaria, Romania, Serbia, Belarus, the Russian Federation, Ukraine [4; 20].

So, civil law models are of great importance when studying the basics of civil law in general, because they allow us to learn about the development of civil law in different countries of the world and to make a general picture of the improvement of civil law at various stages of its development.

### ***Список використаних джерел***

1. Sergeev A.P., Tolstoy Yu.K.. Civil law. In 3 volumes. Ed. Sergeeva A.P., Tolstoy Yu.K. 4th ed., Revised. and additional. M.: 2005, t1 - 765 p., T2 - 848 p., T3 - 784 p., 2005

2. Civil law: a textbook: in 2 volumes / V. I. Borisova, L. M. Baranova, T. I. Behova and others; under the editorship V. I. Borysova, I. V. Spasio-Fateeva, V. L. Yarotsky. Kh.: Law. 2011. Vol. 2. 816 p.

3. Lecture 3. Anglo-American legal family Zavorodnya Vladyslava Mykolayivna 2018.

4. Civil and commercial law of foreign countries Shimon S. I. Teaching. manual (Course of lectures). K.: KNEU, 2004. 220 p.

5. Civil law of Ukraine: textbook [Text]: in 2 vols. Vol. 1 / col. authors; under the editorship G.B. Yanovytska, V.O. Coach. Lviv: New World-2000, 2014. 444 p.

***Данильчук А.,***

здобувач ступеня вищої освіти бакалавра  
Національної академії внутрішніх справ

***Консультант з мови: Скринник М.***

## **CAUSING OF MONETARY COMPENSATION IN UKRAINE**

Monetary compensation for damage caused to a person or his property replaced personal revenge, which existed before the establishment of this institution. Monetary compensation for damages remain important in all civil law systems. Commitment to compensation for damages is one of the first in civil law. They are connected with the idea of responsibility for the actions. The civil code of Ukraine defines that legal consequences of contractual and tort obligations are their termination due to unilateral refusal, if it's provided by the contract or law, or termination of the contract; change in the terms of the obligation; payment of penalty;

compensation for damages and moral damages; applying to the court with a claim for damages.

In accordance with Article 1166 of the Civil Code of Ukraine, property damage caused by unlawful decisions, actions or omissions to personal non-property rights of an individual or legal entity, as well as damage to the property of an individual or legal entity, shall be compensated in full by the person who caused it. The person who caused the damage shall be exempt from compensation if he/she proves that the damage was caused through no fault of his/her own. Damage caused by injury, other damage to health or death of an individual as a result of force majeure shall be compensated in cases established by law.

The Civil Code of Ukraine make out property and moral damage. Property damage is always manifested in the form of losses. The first type of damages is called real damages, and the second - lost of profits (unpaid income, copyright payment, etc.). Since the law fixed the principle of full compensation for damages, it is necessary to proceed from the fact that the damages are subject to compensation taking into account the indexation of monetary incomes of citizens. Nowadays, an important legal institution that protects the honor and dignity of a person is compensation for (non-material) damage caused to him/her by illegal actions of another person. Article 297 of the Civil Code of Ukraine clearly states the right to respect for dignity and honor of a person.

Art. 23 of the Civil Code of Ukraine defines the list of moral damages: physical pain and suffering by an individual due to injury or other damage to health, "mental suffering by an individual in connection with unlawful conduct towards him/her, members of his/her family or close relatives; mental suffering suffered by an individual in connection with the destruction or damage to his/her property; humiliation of honor and dignity of an individual, as well as his/her business reputation"

In our country, as a result of low general and legal culture of some citizens, the rights of police officers to respect for their honor and dignity are violated. This is often done through insults (foul language), mockery, intimidation, aggressive domination, destruction of reputation or damage to property, threats (blackmail), beatings. Humiliation of honor and dignity of a person causes negative emotions in his mind that he feels.

Depending on the character and his emotional and other individual traits, these emotions can manifest themselves with different power, depth, time, external manifestations and results, but they leave a deep black trace in the psyche.

In practice, there are many problems regarding compensation for moral damage to the injured person and while Article 23 of the Civil Code of Ukraine defines compensation for moral damage, there are questions about the amount in monetary terms. According to most experts, compensation for moral damage cannot be adequate to the actual suffering experienced by the offended person.

In the XXI century, millions of people suffered in Ukraine due to the invasion of Russian army and their aggressive war. Some lost loved people, some lost their jobs, homes or other property. The most citizens and other persons who legally lived on the territory of Ukraine and for who Ukraine has become their home, have suffered significant moral suffering because of the war, the depth and level of which is difficult to assess, and sometimes almost impossible. But one thing is clear: the aggressor state is obligated to compensate for material and moral losses. The most effective and reliable form of protection of violated rights today is the judicial form of protection.

As you know, the Verkhovna Rada is currently considering a draft law «On compensation for damage caused to victims as a result of the armed aggression of the Russian Federation», which provides for the establishment of a special body – the Fund for compensation for damage caused to victims as a result of the armed aggression of the Russian Federation and develops a mechanism for compensation for damage caused to the health of the victim or in connection with his death, damage caused to the property of the victims and moral damage.

It is possible to define such a participant of civil procedural legal relations as a defendant in different ways, but based on the doctrine of civil procedural law, the statement that the defendant is a person who, according to the plaintiff, violated his right remains evident and undeniably true. In accordance with Part 1 of Art. 1166 of the Civil Code of Ukraine, property damage caused by unlawful decisions, actions or omissions to personal non-property rights of an individual or legal entity, as well as damage to property of an individual or legal entity, shall be compensated in full by the person who caused it.

In the studied category of cases, it was not Ukraine, its state bodies or officials who inflicted rockets, bombs and artillery strikes and caused irreparable damage to Ukraine and its citizens, but the aggressor country as a whole, which acted through specific performers. Part 2 of Article 48 of the Code of Civil Procedure states that the state may be a party to civil proceedings. That is why we consider it expedient to indicate the Russian Federation as a proper defendant in this category of cases as the main inflictor of harm

It may be noted that in the civil law of most countries (including the civil law of the Russian Federation) there is a principle according to which the state is liable for damage caused by its officials; that is, the state should be liable in full for all damage caused by any armed formations under its control or jurisdiction. Further enforcement of judgments should be carried out not by the terrorist state itself as a defendant (mortgagor), but under the procedure of enforcement proceedings in accordance with the legislation of Ukraine at the expense of a special Fund, which will be formed on the basis of arrested and confiscated property of the Russian Federation.

Thus, the judicial form of protection of the rights of individuals and legal entities violated as a result of the armed aggression of the Russian Federation, especially with regard to determining the amount of moral

damage or lost profits, is currently the most effective and appropriate. The enforcement of judgments in these cases should be carried out at the expense of the assets of the Fund for Compensation for Damage Inflicted to Victims of the Armed Aggression of the Russian Federation, since some disputes can be resolved only with the involvement of a judicial institution and are not in the competence of the Fund.

*Список використаних джерел*

1. Moshak, G. G. Features of compensation for damage in accordance with the legislation of Ukraine and Germany. Scientific Bulletin of the Uzhhorod National University: series: Law / ed. Y.M. Bysaga. zhhorod: Publishing house «Helvetica», 2017. Vol. 1 № Issue 47. C. 140–143.

2. Civil law of Ukraine. Academic course: textbook. In 2 volumes / Under the editorship of R.O. Stefanchuk. Kyiv: Naukova Dumka; Precedent, 2004. 448 c.

3. On approval of the Procedure for indexation of monetary incomes of the population: Resolution of the Cabinet of Ministers of Ukraine of July 17, 2003: <http://zakon2.rada.gov.ua/laws/show/1078-2003-п>.

4. Civil Code of Ukraine: Law of Ukraine of 16.01.2003 № 435-IV. URL: <https://zakon.rada.gov.ua/laws/show/435-15#Text>.

5. Parasyuk M. Compensation for moral (non-pecuniary) damage to the victim – a factor in protecting his honor and dignity. Dnipro Scientific Journal of Public Administration, Psychology, Law. Issue 3, 2022. C. 191–196.

6. Kolisnyk O.V. Procedural features of compensation for damage caused by the armed aggression of Russia. Legal scientific electronic journal. № 8. 2022. C. 118–120.

*Дідовець Я.,*

здобувач ступеня вищої освіти магістра  
Національної академії внутрішніх справ  
Консультант з мови: **Василенко О.**

## **THE THREAT OF 3D PRINTED FIREARMS: COUNTERING PROLIFERATION**

The introduction of 3D printing can affect the world by simplifying construction, shortening supply and distribution chains, creating jobs, and customizing products to persons' needs. This technology has many applications, as well as the potential for abuse – people have employed it to illegally manufacture dangerous weapons.

In recent years, an increasing amount of 3D printed weapons has been seized in Europe, which is raising concerns for the European Police Office (Europol). The threat posed by 3D printed weapons is very much on the radar of Europol, because of increasing number of such firearms seized in investigations across Europe.

3D printed firearms are a type of home-crafted weapon. The term refers mainly to firearms or components of firearms that are (almost) completely made from plastic-polymers, produced with a 3D printer in just