

CIVIL LIABILITY OF POLICE OFFICERS IN UKRAINE AND GERMANY: LEGAL ASPECTS AND PROBLEMATIC ISSUES

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ABSTRACT

Description: The article is to investigation of the peculiarities of civil liability of police officers in Ukraine and Germany. Methodology. The study used general scientific and special methods. Thus, the analysis and synthesis method as well as the logical method were used to develop a holistic view on the institution of civil liability of police in Ukraine and in Germany. The dialectical method made it possible to consider the state of scientific researches concerning this issue. The comparative legal method was used when analyzing German legislation on the issue under consideration. The logical-semantic method was used to establish the meaning of the term of “civil liability of police officers”. With the help of the normative-dogmatic method, the content of the normative-legal acts of domestic legislation governing the issue under consideration was analyzed. The use of the legal modeling method made it possible to develop proposals for the optimization of the current civil legislation of Ukraine concerning civil liability of police officers. The materials studied are the legislation of Ukraine and Germany as well as the scientific works of Ukrainian and foreign scientists on this subject. The results of the study made it possible to study the peculiarities of the civil liability of police officers in Ukraine and Germany, to examine the legislation of the countries under study that regulates this issue, to analyze the relevant provisions of the legal acts and to conclude that they need to be amended. Practical implications. According to the results of the research, proposals have been made to amend the Civil Code of Ukraine and the special law that regulates the issue of civil liability of police officers in Ukraine. Value/originality. On the basis of the study the advantages and disadvantages of legal framework, which regulates the issue of civil liability of police officers in Ukraine and Germany, were determined.

Keywords: Civil Liability, Damage, Non-Pecuniary Damage, Police Officers, Ukraine, Germany, Positive Experience.

INTRODUCTION

The National Police of Ukraine started its work on November 7, 2015; so many issues related to its functioning require clarification and legal regulation. Instead, the history of the