

вважаємо, що, незважаючи на відсутність об'єктивної суспільної небезпеки внаслідок вчинення непридатного замаху, суттєвої різниці між придатними та непридатними засобами немає, тому що в діях особи, яка їх використовує, умисел вже ясно визначився.

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HUMANITARIAN AID IN UKRAINE AND RESPONSIBILITY FOR ITS ILLEGAL USE

During the war throughout the country, humanitarian aid was one way out of the water, clothing and food shortages. Millions of people are in fear and despair, not knowing what will happen next. During the armed aggression of Russia, the urgency of these changes is difficult to overestimate, as Ukraine receives a lot of humanitarian aid from around the world and private organizations in the form of items and goods, as well as funds, charitable assistance and donations. And during martial law, such assistance must reach the recipients.

The President of Ukraine stressed the inadmissibility of looting, especially when it affects the lives of thousands of people. According to Art. 201-2 of the Criminal code of Ukraine sale of the goods of humanitarian aid or use of charitable donations, gratuitous help or the conclusion of other transactions concerning the disposition of such property, for the purpose of receiving profit is subject to criminal liability. But on March 24, the Verkhovna Rada of Ukraine passed a law on liability for the use of humanitarian aid during martial law. So, finally, the humanities will be imprisoned for misuse. This is very important in the conditions of the war with Russia, because now the whole civilized world has united to help Ukrainians who suffered as a result of hostilities. But, unfortunately, there are people who want to make money on someone else's mountain, and each of them must be prosecuted. The law criminalizes the misuse of humanitarian aid, charitable donations or gratuitous aid with the following possible sanctions: a fine of up to UAH 51,000 or

correctional labor of up to 2 years or restriction of liberty of up to 4 years, and committed on a particularly large scale or during military / emergency status - up to 7 years in prison with confiscation of property [2]. The misappropriation, sale or exchange of other goods for personal gain is considered to be inappropriate.

Valentyn Kopayev, head of the Strategic Investigations Department of the National Police, notes that cases of embezzlement and misappropriation of humanitarian aid addressed to the military and civilian casualties during the war with Russia have been repeatedly identified. In this regard, the heads of departments are required to organize, together with the Customs Service, an inspection of vehicles moving humanitarian aid, recording the list of property and photo-recording cargo. Also, the staff of the Department of Strategic Investigations is obliged to transport vehicles that move humanitarian aid to the places of actual unloading. Together with the recipients, the national police authorities review the inspection of property that is subject to the list of humanitarian aid, as well.

Summarizing the above, the control of humanitarian aid and the strengthening of responsibility for violations of its use clearly take place during the war. Increasing the attention of the National Police, to some extent, will be able to change the situation for the better, but it is the human factor that plays a role in these types of criminal offenses.

Literature

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ВИКОРИСТАННЯ СЛІДІВ ЗАПАХУ ПРИ РОЗСЛІДУВАННІ КРИМІНАЛЬНИХ ПРАВОПОРУШЕНЬ

Запахові сліди є предметом вивчення криміналістичної одорології та відіграють важливу роль під час доказування у кримінальному провадженні.