

ЛІТЕРАТУРА:

1. Кройтор В. А., Сліпченко О. І. Розподіл обов'язків з доказування у справах про відшкодування моральної (немайнової) шкоди. Порівняльно-аналітичне правознавство. 2023. № 1. С. 171–179.
2. Никончук Н. С., Коробцова Н. В. Відшкодування моральної шкоди у договірних зобов'язаннях: аналіз правозастосовної практики. Молодий вчений. 2021. № 4 (92). С. 102–105.
3. Отраднова О. Компенсація моральної шкоди, заподіяної порушенням цивільно-правового договору. Вісник Національної академії прокуратури України. 2015. № 2 (40). С. 18–23.
4. Луспенік Д. Цивільний процес в умовах воєнного стану. Всеукраїнський вебінар, Національна школа суддів України, м. Київ, 13 травня 2022 року. URL: https://supreme.court.gov.ua/userfiles/media/new_folder_for_uploads/supreme/2022_prezent/2022_05_20_prezent_Luspenik.pdf.
5. Мул А. М. Відшкодування шкоди, завданої внаслідок надзвичайних ситуацій. Дис. ... канд. юрид. наук: 12.00.03. Хмельницький, 2020. 231 с.
6. Примак В. Критерії визначення розміру відшкодування за завдану моральну шкоду. Підприємництво, господарство і право. 2014. № 4. С. 25–28.
7. Булеца С. Б. Особливості компенсації та види моральної шкоди. Аналітичне-порівняльне правознавство/ редкол.: Ю. М. Бисага (голов. ред.), В. В. Заборовський, Д. М. Белов, С. Б. Булеца та ін.; ДВНЗ «УжНУ»/ Ужгород, 2024. №1. С. 194-200 – Бібліогр.: с. 199-200 (18 назв). URL <http://journal-app.uzhnu.edu.ua/article/view/299845/292354>
8. Стефанчук Р. О. Методика компенсації моральної шкоди: *Unus Passus ad Creationem*. Юридичний журнал «Право України». 2019. № 1. С. 237–255.
9. Тімуш І. С. Відшкодування моральної шкоди у деліктних зобов'язаннях: дис. ... канд. юрид. наук: 12.00.03 / Нац. акад. внутр. справ. Київ, 2017. 207 с.

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Mateusz Tchórzewski

*PhD, attorney-at-law, economist
Assistant Professor at the Law and
Administration Faculty Cardinal
Stefan Wyszyński University in Warsaw*

Population ageing, armed conflict and the sustainability of public finance

Population ageing is one of the most significant challenges faced by a growing number of states. Low fertility rates are becoming increasingly widespread. As of 2024 more than half of countries accounting for most of the world population showed fertility rates below the replacement rate [1].

Population brings with it a range of challenges, among which issues related

to public finance are especially prominent.

From the perspective of public finance, significant determinants include raising demand for public healthcare services and the increasing burden of pension payments. In addition, there is a growing need for the state to address broader needs of the elderly, such as assistance in adapting to the digitalization of public and private services, alleviating loneliness and supporting individuals who are no longer able to manage their affairs independently.

At the same time, ageing negatively affects the labour force, GDP growth dynamics, and tax revenues. "The analyses revealed that the consequences of demographic ageing threaten the stability of the public finance sector. The study showed that with a 95% probability, a decrease in natural population growth by 1000 individuals leads to an increase in debt by 0.81 billion PLN, and an increase in the demographic dependency ratio on the post-working-age population results in an increase in public debt by 19.71 billion PLN, with other conditions unchanged" [2, abstract].

In other words, population ageing leads to rising public spending while simultaneously eroding revenue bases and slowing GDP growth, thereby worsening debt-to-GDP ratios.

Moreover, if not addressed, population ageing leads to depopulation, which introduces further socioeconomic challenges.

This issue should be considered among the most important challenges faced by a growing number of states and societies.

Armed conflicts further aggravate these demographic and fiscal problems due to loss of life, forced migration, disability and "lost generations". The French experience, toutes proportions gardées, in the context of the Great War may be considered. 'Only 12%, at most, of the victims of the Great War were civilians [...]. The war mainly killed young men, thereby reversing the hierarchy of survival rates by cohort.' [3, p. 3]. Notably, 'Alongside direct military losses, the war also affected the civilian population. Widows were already numerous before 1914 due to high excess male mortality: one woman in five at ages 45-50, and one in two above that age. The war did not change these proportions, but doubled the share of widows in the 25-44 age group [...] Alongside the 2.4 million peacetime widows, the war added a further half-million war widows, who were left with around a million fatherless children. The war also halved the annual number of births in France, from 800,000 to 400,000, and despite the upturn in fertility after the war, more than a million "missing" children were never born. The "depleted cohorts" created a lasting gash in the French population pyramid [...] whose effects were two-fold: it speeded up population ageing, so that by 1939 France was one of the world's oldest countries (a position now held by Japan) [...] the 1.7 million inhabitants of Alsace-Lorraine were recovered by France in 1918, but neither the return of these lost provinces, nor the war reparations imposed upon the vanquished nations were able to compensate for the lost generations' [3, pp. 3-4].

From the point of view of the discussed issue, the example of former Yugoslavia also merits attention. In this context, a concept of "deep ageing" is being used. It refers to '[...] a situation when the overall ageing effects of the second demographic transition, due to fertility below replacement level, are topped by the excessive emigration of the fertile contingent (additional loss of active population). Deep ageing thus accelerates population decline. [...] The stage of deep ageing is

the most pronounced in Croatia and Serbia, especially at the younger fertile group, while the overall loss of fertile population is profound and will certainly affect the further future decrease in population. Similarly difficult demo-graphic situation is in other post-Yugoslav countries, where only Slovenia has not yet slid into the stage of deep ageing' [4, abstract]. Furthermore, '[...] the post-Yugoslav countries could neither recuperate from the demographic losses of the war and the resettlement of population, nor could they prevent the constant shrinking of the fertile contingent of the populations. The only regional exception is Slovenia, where in spite of low transversal fertility (1.6 children per woman in child-bearing age), growing childlessness (up to 25 per cent) and pronounced emigration of its citizens, the immigration from abroad (predominantly foreign citizens from post-Yugoslav countries) compensated for the net losses and revitalized the total population. No such case is apparent elsewhere across the post-Yugoslav space. Such a recuperation of the Slovenian national population will not be possible for very much longer, due to the state of deep aging in the rest of the post-Yugoslav space, especially in Croatia and Serbia. There, the capacity for emigration-oriented population (20–39 years) is rapidly diminishing, while other destination countries also taking their share' [4, pp. 79-80].

It is very difficult to introduce successful policies aimed at improving demographic trends, as demonstrated by the example of the Polish "500+/800+" programme. The "500+", programme was introduced on 1 April 2016. It consisted of granting 500 PLN (approx. 118 EUR) to parents, regardless of their income, for their second and subsequent children until they turn 18 [5]. It was later expanded to all children and increased to 800 PLN ("800+") [6]. This programme is viewed as an element of the long-term state's pro-family policy and was considered to be aimed at reducing the family poverty and counteracting the demographic decline [7]. As to the effects, in 2015 Poland's fertility rate stood at 1.3. It increased modestly to 1.4 in 2016 and 1.5 in 2017, but then declined again: 1.5 (2018), 1.4 (2019), and down to 1.2 by 2023 [8]. These figures demonstrate the limitations of fiscal tools in significantly improving fertility rates despite substantial state expenditure.

In conclusion, it is of utmost importance that countries facing population ageing implement well-designed and timely policies to address its multifaceted consequences. These efforts are particularly critical in states impacted by armed conflict.

REFERENCES:

1. Stanley, A. (2024) *Demographic decline* [Online]. Available at: <https://www.imf.org/en/Publications/fandd/issues/2024/09/picture-this-demographic-decline-andrew-stanley>
2. Piotrowski, M., Antoń, M., Kwiatkowska, E. (2025) 'Demographic ageing and public debt in Poland. Is the public finance sector about to collapse?', *Entrepreneurship and Sustainability Issues*, 12(3), pp. 286-303.
3. Héran, F. (2014) 'Lost Generations: The Demographic Impact of the Great War', *Population & Societies*, 510(4), pp. 1-4. Available online at: <https://shs.cairn.info/journal-population-and-societies-2014-4-page-1?lang=en>.
4. Josipovič, D. (2024) 'Depopulation and deep aging: the former Yugoslav and Western Balkans space between the second demographic transition and emigration', *Stanovnistvo*, 62(S1), pp. 57–S84.

5. Polish Ministry of Finance (2016) „Rodzina 500 plus”: start programu 1 kwietnia [Online]. Available at: <https://www.gov.pl/web/rodzina/rodzina-500-plus-start-programu-1-kwietnia> (Accessed: 6 May 2025).
6. Polish Ministry of Finance (not dated) *Najważniejsze informacje o programie "Rodzina 800+"* [Online]. Available at: <https://www.gov.pl/web/rodzina/najwazniejsze-informacje-o-programie-rodzina-502> (Accessed: 6 May 2025).
7. Sierpowska, I. (not dated) “Rodzina 500+” z perspektywy prawa i polityki społecznej’, *Strefa Prawa Uniwersytetu SWPS* [Online]. Available at: <https://web.swps.pl/strefa-prawa/artykuly/17415-rodzina-500-plus-z-perspektywy-prawa-i-polityki-spoecznej> (Accessed: 6 May 2025).
8. World Bank, *Fertility rate, total (births per woman) - Poland* [Online]. Available at: <https://data.worldbank.org/indicator/SP.DYN.TFRT.IN?end=2023&locations=PL&start=2014> (Accessed: 6 May 2025).

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Грушко М. В.

*к.ю.н., доцент, доцент кафедри
міжнародного та європейського права,
Національний університет
«Одеська юридична академія»*

Разумій К. В.

*студентка 2-го курсу факультету
судового та міжнародного права,
Національного університету
«Одеська юридична академія»*

Міжнародно-правова охорона навколишнього середовища: питання боротьби зі змінною клімату

У наш час зміна клімату є не просто науковим терміном, а реальною загрозою, яка вже сьогодні впливає на життя мільйонів людей по всьому світу, бо викиди парникових газів, спричинені діяльністю людини, призводять до Парникового ефекту нашої Землі, що веде до катастрофічних наслідків для природи та людства.

Міжнародне право відіграє ключову роль у боротьбі зі зміною клімату. Щоб зупинити цей процес, світова спільнота об'єдналася навколо міжнародних правових норм. В основі цього підходу лежать ключові принципи: сталий розвиток, відповідальність за забруднення, запобігання шкоді та екологічна відповідальність. Саме ці принципи стали фундаментом таких важливих угод, як Рамкова конвенція ООН про зміну клімату, Кіотський протокол до Рамкової конвенції ООН про зміну клімату та Паризька угода, які допомагають країнам координувати свої зусилля у боротьбі з кліматичною кризою.