



L. Liashevskya

Degree Seeking Applicant,
Department of Civil Law № 2,
Yaroslav Mudryi National Law University

GENERAL CHARACTERISTICS OF THE MECHANISM OF REDRESS OF WRONGS CAUSED BY A PERSON IN THE CONDITION OF EXTREME NECESSITY

The article deals with the relevant questions of the redress of wrongs caused by a person in the condition of extreme necessity. The article reveals such problematic questions as concepts, subjects, elements of basis of the condition of extreme necessity appearance, signs of extreme necessity, its correlation with justifiable defense, features of redress of wrongs caused by a person in the condition of extreme necessity.

In the definition of extreme necessity in Civil Law, its difference in broad and narrow sense is underlined.

The extreme necessity in Civil Law in the broad sense is a condition, which gives a person the right to use any means not prohibited by law to prevent the danger that threatened him/her or another subjects of law. The extreme necessity in its narrow sense is an urgent need to perform any acts aimed at preventing wrongful acts in relation to him-

self or others, which, at the same time, are wrongs caused by other participants in the civil relations.

The establishment of the institute of extreme necessity took place mostly in Criminal Law science. That is why the author compares the features of the institute of extreme necessity in Criminal and Civil Law.

The work shows the actual discussions as for the covered theme and presents the author's own opinion. Supporting A.P. Sergeev's point of view, it is suggested to implement the list of the most common ways of self-defense into the legislation because the victims focus on the possible instrument of the defense of their violated rights, and this can facilitate their choice.

Thus, the author contributes to the further development of the institute of extreme necessity in Ukrainian Civil Law.

