

The Supreme Court of Ukraine has pointed out that in the case when the heat of passion passed and then a person committed murder, the actions have to be qualified under Articles of the Criminal Code of Ukraine that provide responsibility for such crimes without attenuating circumstances [2].

The new Supreme Court also has enough casework related to murders committed in the heat of passion. The most common situation is the necessity to determine whether to use Article 115 or 116.

Taking into account all things considered, it is very important to find out all the circumstances of the case and pay attention to the emotional state of a person. The absence of the heat of passion means that Article 116 cannot be used.

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UDC 316.4:314.15(477)

SPECIFIC FEATURES OF NATIONAL MIGRATION IN UKRAINE

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Such question is relevant nowadays because modern migration processes belong to the biggest social problems not only of Ukraine, but of the whole modern world. Migrations of the population cause other problems: political, economic, cultural, etc., as a result of which various conflicts arise.

Among the researchers involved in the study of migration, the following should be distinguished: A. Adepodzhu, S. Kasls, O. Malynovska, I. Prybytkova, M. Pulen, A. Romanyuk, A. Sovi, M. Shulga, and others.

The term «migration» itself comes from Latin «migratio» and means relocation, displacement. The sociological encyclopedic dictionary gives the following definition: «Migration is the change of place of residence, the movement of people to another territory (region, city, country, etc.)» [3; p. 181].

Thus, in general, migration is the movement, the crossing of administrative boundaries, the compulsory or voluntary movement of people (one person or a group of people) to the place of entry from the place of departure for a certain period of time or for permanent residence in the presence or absence of legal bases.

This movement can be characterized by immigration and emigration. The person who undergoes this transfer is a migrant [1, p. 251; 3, p. 181].

In general, such types of migration are classified as follows: under the legal status – legal, illegal, semi-legal; by way of implementation – organized, spontaneous, chain; by the number of migrants – individual, family, group migration; by repetition – episodic, single, repetitive migration; by duration – temporary, constant; by (un)voluntary decision – voluntary, forced, compelled; by the cause-and-effect aspect – political, economic, religious, tourist, educational, ecological, ethnic, repatriation, migration of family members.

One of the main preconditions for migration in Ukraine is the disappointing demographic situation: at present, due to the processes of population depopulation of Ukraine, there is a rapid approximation to the demographic crisis, which can lead to bad consequences for the country's economy by reducing labor force, and therefore decrease in the volume of internal production and market. Also, the unstable economic situation (lack of jobs, low wages, etc.) and a low standard of living in Ukraine have a significant impact.

Mobility of the population is characterized by internal migration. According to the qualitative analysis of the population of Ukraine in 2014-2016, the internal migration of the Ukrainian population has an urban character, that is this type of migration is associated with the transfer from rural to urban areas. Thus, the population of Ukraine in its structure is similar to that of the EU member-states, but such indicators are also typical for the world. The other side of internal migration – especially characteristic of Ukraine in recent years – is the forced migration from the temporarily occupied territories [2].

Among Ukrainian citizens there is a tendency for foreign travelling and emigration. In 2011-2014, Ukrainians most often travelled to the countries of the former USSR – Russia, Belarus and Moldova. The second place in the number of trips of Ukrainian citizens abroad within 2011-2015 is occupied by the EU member states. We can draw a conclusion that regarding the departure of Ukrainian citizens, 2014 showed a change in the travelling priorities: visiting the countries of the European Union took over the countries of the former USSR. In addition, the introduction of visa-free regime for Ukraine in 2017 made this process much easier. Labor migration was not an exception: Ukrainian citizens who sought employment through licensed businesses focused their attention on EU employment issues [2].

With the adoption of the Law of Ukraine «On Immigration» on June 7, 2001, there appeared a continuous tendency to increase the number of immigrants and those seeking to obtain a permit for immigration to Ukraine. The majority of the latter is made up by the citizens of the countries from the former USSR or/and by those who have maintained a stable relationship with the citizens of Ukraine [2].

Every year in Ukraine, the number of detected aliens and stateless people increases, whereby violating the conditions of legal staying in Ukraine. According to the State Border Guard Service, 2016 witnessed a 43% decrease in the number of illegal migrants detained for illegal crossing the border (2016 – 1040, 2015 – 1816) [2].

Migration processes have serious impacts on the social situation in Ukraine. Due to these processes, practically all spheres of public life are noticeably changing, for example: economic, cultural, political, religious, demographic and others.

At present, the emigration component is dominant, the labor emigration being one component of its composition. Only in 2016, the number of Ukrainian citizens who have a legal status of staying abroad equaled to 5,202,971. It is obvious that the basis for such emigration is people of working and fertile age. This, against the background of the negative demographic situation of the last decade, has an extremely depressive effect on society [2]. Optimistic forecasts that labor emigrants will eventually return and bring with them new knowledge and skills in advanced technologies have yet to be confirmed.

On the other hand, the weakness of the Ukrainian economy makes Ukraine unattractive for the labor and economic immigrants, who are the majority of all immigrants in the world. That is why immigration does not have a significant impact on our country at this moment.

Consequently, we can conclude that among citizens of Ukraine there is a tangible tendency for migrations. The emigration of Ukrainians is driven mainly by economic causes, as well as the risks and hardships of life in a "hybrid" war in the eastern part of the country. For the same reasons, along with the traditional urban movement, there is internal migration.

So far, migration processes in Ukraine have more problems and challenges than positive impacts. Therefore, the state and society need to develop and implement corrective measures. The main of these should be actions aimed at strengthening the national economy, creating conditions for employment and full satisfaction of basic economic and cultural needs of the citizens.

At the same time, it should be borne in mind that with the improvement of the economic and socio-political status the attractiveness of Ukraine for migrants from countries whose population share other worldviews and cultural traditions will grow, which in turn might pose challenges for society and the state,

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