

ADMINISTRATIVE AND LEGAL STATUS OF JUVENILES IN UKRAINE

Muzykant Katherina – *Sumy State University*
Postgraduate

L. P. Yarmak – *A.L.Adviser*

At this stage of independent Ukraine raises the problem of protecting rights and interests of humans and citizens. The link between human rights and law can be described through the concept of legal status. The implementation of the rights and freedoms enshrined in the Constitution of Ukraine [1] and other regulations of our country. And according to the Law of Ukraine "About Citizenship" dated 18.01.2001, this citizenship is a permanent legal relationship of a man and the state, which is expressed in the mutual rights and obligations. [4]

Administrative status is an integral part of the legal status of a person and citizen. Content of administrative and legal status of an individual, including a citizen of Ukraine, is a complex of rights and duties laid down rules of administrative law and guarantees of these rights and responsibilities. This also applies to administrative and legal status of juveniles in Ukraine. This category of citizens requires special attention of society to protect and guarantee their rights and lawful interests.

Administrative and legal status of citizen of Ukraine established with scope and nature of: administrative legal capacity and administrative legal ability.

Administrative legal capacity is the ability to have rights and administrative legal obligations. It occurs at the moment of a person's birth and ends with his death. So we can conclude that juveniles have a full administrative legal capacity. Also it is important that such a capacity is inalienable - in Part 2 of Article 21 of the Constitution of Ukraine secured the inviolability of human rights. Voluntary renunciation of administrative capacity in whole or in part is impossible. But legally this capacity can hardly be limited because of criminal or administrative law (the freedom of movement). Thus, limiting of administrative capacity of juveniles may be: from 16 years – because of bringing to administrative responsibility, with 14 - to criminal.

Administrative capacity is the basis of administrative legal ability of the person. The administrative legal ability of juveniles - is recognized by the law of their actions, the ability of juveniles to exercise the rights and perform the duties of administrative and legal nature.

Full administrative legal ability occurs only after the person attains 18 years of age so juveniles do not have full administrative legal ability. But according to the laws of Ukraine the 16 years person has to get a passport and therefore must comply with the rules of this passport. Also from this age a juvenile can be brought to administrative responsibility. That is, 16 years a person acquires a limited administrative ability. At the same time, the administrative legal ability can occur in some cases until the age of 16 (the right to work) - partial administrative legal ability. Also in accordance with Article 11 of the Law of Ukraine "About Public Associations" after reaching the age of 15 citizen can be the founder of youth and children's organizations. [5]

From the foregoing it can be concluded that some aspects of administrative and legal status of juveniles in Ukraine are only partially regulated, and need a clear regulation and research for eliminating gaps in the current legislation.

REFERENCES:

1. The Constitution of Ukraine on June 28, 1996 // BD. - 1996. - № 30.
2. The Code of Ukraine about administrative offenses of 07.12.1984, [the electronic resource] – Access: <http://zakon2.rada.gov.ua/laws/show/80731-10/page>.
3. [The Code of Administrative Proceedings of Ukraine of 06.07.2005 \[the electronic resource\] – Access: http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=2747-15](http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=2747-15)
4. The Law of Ukraine "About Citizenship of Ukraine" dated 18.01.2001 [the electronic resource] – Access: <http://zakon1.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=1636-12>.

Соціально-гуманітарні аспекти розвитку сучасного суспільства : матеріали IV Всеукраїнської наукової конференції викладачів, аспірантів, співробітників та студентів факультету іноземної філології та соціальних комунікацій, м. Суми, 19-20 квітня 2013 р. / Відп. за вип. В.В. Опанасюк. — Суми : СумДУ, 2013. — Ч.4. — С. 34-35.