

full and equal participation of women in all aspects of social, economic, and political life. Also this investigation may raise awareness of women's rights issues and mobilized support for policy and changes to promote gender equality and women's empowerment.

The study has highlighted that gender inequality remains a pervasive and systemic issue, with women facing multiple barriers to access education, healthcare, economic opportunities, and political representation. It has also highlighted the need to challenge cultural norms and social attitudes that perpetuate gender inequality and discrimination against women, through education and awareness-raising activities.

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## INHERITANCE UNDER MARTIAL LAW

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The issue of inheritance is always relevant, every person faces it in one way or another. After the introduction of martial law in Ukraine on February 24, 2022, the legislator was forced to make changes to a number of legal acts and provisions related to the notarial actions and the order of inheritance.

The **relevance** of this topic is determined by the fact that inheritance under martial law should facilitate the realization of the rights and interests of individuals protected by law, and the legislator should ensure unobstructed access of citizens to notaries to resolve inheritance issues.

The **purpose** of this work is to analyze the provisions of inheritance law and civil law in general in the context of accepting inheritance under martial law.

Taking into account the purpose of this study, the essence of the concept of inheritance should be clarified. According to Article 1261 of the Civil Code of Ukraine, inheritance is the transfer of rights and obligations from a deceased person (testator) to other persons (heirs) [1]. A number of scientists devoted their

works to the study of this issue, among them: Y. O. Zaika, M. B. Kravchyk, O. E. Kukharev, M. O. Mykhailiv, Z. V. Romovska and others.

An important legal act that introduces changes into the order of inheritance is the Resolution of the Cabinet of Ministers of Ukraine dated February 28, 2022 No 164 "Some issues of notary under martial law" [2]. This Resolution provides for changes in the term defined for accepting inheritance or refusing to accept it; and to the established restrictions on the performance of notarial acts with the participation of the citizens of the Russian Federation.

Besides, the Decree of the Ministry of Justice of Ukraine "On approval of changes to certain legal acts in the field of notary" dated March 11, 2022 № 1118/5 amended the "Procedure for performance of notarial acts by notaries of Ukraine" [3; 4]. The changes relate to the procedure for opening inheritance cases and carrying out proceedings on them.

According to the general rule defined in the Civil Code of Ukraine, the term for acceptance of the inheritance is six months and starts from the time of opening the inheritance (the day of the testator's death). With the beginning of martial law by the foresaid Resolution of the Cabinet of Ministers of Ukraine (CMU), the term for accepting inheritance or refusing to accept it was suspended for the duration of martial law (but not more than four months) and, accordingly, the term is 10 months.

However, on January 25, 2023, the Supreme Court, as part of the panel of judges of the Second Chamber of the Civil Court of Cassation [5], issued a ruling in which it was clarified that paragraph 3 of the Resolution of the CMU contradicts the provisions of the Civil Code of Ukraine relating to the issues of the term for accepting or refusing to accept an inheritance. It is no less important to note that the legislator in the Civil Code of Ukraine does not provide for "suspension of the term for accepting inheritance", which, once again, creates conflicts. Since the Civil Code of Ukraine is the main act of civil legislation and has priority over the norms of other laws, the term for acceptance of inheritance should be six months, or appropriate changes should be made to the Civil Code of Ukraine (CCU).

Another controversial issue regarding the inheritance legal relations concerns the time of issuance of the certificate of the right to inheritance. According to the CCU, a certificate of the right to inheritance is issued after the expiration of the term for accepting the inheritance.

Now, in accordance with the forementioned Resolution of the CMU, notaries cannot perform any notarial acts with the participation of the citizens of the Russian Federation. However, there are certain gaps in the legislation, in particular: can a notary start an inheritance case with the participation of a citizen of the Russian Federation? After all, the initiation of an inheritance case is not a notarial act, but instead is an important function of a notary. Therefore, notaries must at their own choice decide on the issue of committing certain actions, taking into account the circumstances of the application and the submitted documents of the citizens of the Russian Federation.

The introduced changes to the Procedure for the performance of notarial acts by notaries of Ukraine are also of considerable importance. In particular, the inheritance case can be opened by any notary at the request of the applicant, regardless of the place where the inheritance is opened. According to Article 1221 of the Civil Code of Ukraine, the place of opening the inheritance is the last place of residence of the deceased.

This change significantly facilitates the process of inheritance acceptance by heirs who are internally displaced people from the regions of active military operations or temporarily occupied territories. Notaries who have been operating in these territories have been denied access to unified and state registers in order to preserve the importance and value of the information contained in such registers, as well as to prevent the loss or illegal access to such information.

So, if the testator died in the territory of the administrative-territorial unit, which is recognized as temporarily occupied, his/her heirs have the right to start an inheritance case in any city, town or village, having the necessary list of documents. At the same time, the notary must check the existence of an open inheritance case, issued certificates, wills, inheritance contracts in the Inheritance Register. If access to the Inheritance Register is not available, the notary must enter information into the Register within five days from the day the access has been renewed.

The war led to the introduction of changes to a number of legal acts, the inheritance legislation of Ukraine is not an exception. Having analyzed the implemented changes, we can truthfully say that it is necessary to resolve the contradictions that arose during the changes related to inheritance under martial law by adopting new legal acts or by making changes to the current ones. The main goal of such changes should be to prevent the restriction and violation of the rights and interests of the citizens who contact notaries on inheritance issues and to create proper conditions under which courts can apply these norms, notaries can use them, and citizens can, thus, fully realise their rights.

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