# THE MAIN ISSUES OF DOMESTIC STRUCTURES OF DAMAGE COMPENSATION THROUGH ADMINISTRATIVE AND JUDICIAL PROCEDURE

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***Introduction***

The institution of compensation for damage was formed back in ancient Roman law and has gone through a long path of development, which currently has a vital importance in the system of protection of individual rights. The fundamental right to compensation for damage is enshrined in the Constitution, the importance of ensuring such a right is emphasized in cases of causing damage by entities endowed with public authority.

In this work, we will try to highlight the obstacles to the effective exercise of the right to compensation for damage and the problematic approaches existing in the domestic legal system in the context of the state's obligation to introduce effective organizational structures and procedures for the implementation of the right to an effective remedy and rights. In particular, the Constitution and the European Convention for the Protection of Human Rights and Fundamental Freedoms provide for the state's positive obligation to introduce effective organizational structures and procedures for legal protection before administrative bodies, therefore it is necessary to make the experience of different countries, the current legal regulations related to compensation for damage caused by the administration, revealing their interpretations in legal practice, the issue of ensuring the effectiveness of legal protection for those who have suffered damage, a subject of discussion.

***Methodology***

The article is based on analytical and comparative methods, within the framework of which the experience of some countries was imple-mented, the norms regulating the sector and legal practice were studied. Analytical and comparative methods were used within the framework of which an attempt was made to highlight, compare and analyze the current issues related to compensation for damage in some European countries, to study domestic regulations and the main problems arising as a result of their application. Also, a systematic method was used, in the context of which an attempt was made to discuss the issues raised in the article in the light of the development of the institution of compensation for damage caused by administration, proposing legal solutions, as a result of which the fundamental right can be more effectively implemented. The work mainly studied domestic structures and law enforcement practice, since the work concerns their main problems. In addition, international experience was also studied in order to identify the most current problems arising in a similar field and find options for their solution.

***Literature review***

The key place for the work is occupied by the studies of available materials and publiccations of theoretical and practical literature, current legislation, the positions of the Constitutional and Cassation Courts on their applicability, as well as the positions of the European Court of Human Rights, the recommendations and advisory reports available to the EU and its member states. According to theorists Braginsky and Vitryansky, the methods of protecting civil rights are those measures provided for by the legislation, with the help of which it is possible to thwart, prevent the violation of the right, restore (recognize) the rights and compensate for the damage caused by the violation [Braginskij, 1997, 628].

In the doctrine of civil law, remarkable approaches to the definition of the concept of damage with scientific and practical value have been formed, among which the definition by Yaroshenko in the sense of "the consequences of the violation of the property rights of citizens and legal entities, as well as the non-property rights of citizens" [Jaroshenko 2000, 330]. And Vitryansky interprets harm as negative consequences for the property structure of the person whose rights are violated [Braginskij, 2005, 710-711]. Belov defines harm as any restriction of a property or subjective civil (private) non-property right, as well as any non-property interest of a certain person [Belov, 2002, 447]. In the literature, perhaps the most widespread is the following definition: "Harm is the restriction of this or that personal or property benefit" [Agarkov, 1938, 398]. The disclosure of the concept of damage is of essential importance, in particular, for establishing an effective and efficient mechanism for the realization of the right to compensation for damage and proper protection.

***Scientific novelty.***

The article is distinguished by its comprehensive study and analysis of the domestic mechanisms for economic compensation for damage in administrative and judicial procedures, almost all the norms related to this sphere defined by the legislation of Armenia. Within the framework of the article, we have presented the following novelties:

1. The need to provide for the restoration of rights, including the possibility of submitting a claim for compensation for damage, and tools for resolving these claims, together with the requirement to verify the legality of the administration, has been substantiated.
2. The need to provide for short terms for the execution of judicial or administrative acts on compensation for damage has been substantiated.
3. The expediency of establishing privileges as exemption from paying state duty in cases on compensation for damage caused by the administration has been substantiated.
4. The necessity of reserving the authority to determine the method of compensation for damage, and in the case of compensation for damage in monetary terms, its amount, to the body examining the claim for compensation for damage has been substantiated.

The justifications presented in the article and the recommendations arising from them can be considered as scientific innovations. As a result of the research, conclusions were

drawn that are aimed at improving national legislation, ensuring the most effective implementation of the right to compensation for damage guaranteed by the Constitution.

***Analysis***

Although state compensation mechanisms exist in different countries, there are a number of systemic and practical problems that hinder the implementation of the rights of persons who have suffered damage. Thus, state bodies have immunity in certain areas of activity (as in cases of adoption of laws or in political functions), which means that even if actions cause damage, they cannot be appealed, which limits the right to judicial protection.

The following problems relate to procedural obstacles and duration. The process of obtaining compensation often involves lengthy and expensive proceedings.

• Long deadlines: review of the case in several instances can take years, during which the claimant suffers financial losses.

• High costs: court costs, lawyer fees and expert appraisal costs can be very high and disproportionate to the amount of damage (especially in complex cases).

• The "loser pays" principle: in many European countries, there is a rule according to which the losing party pays the winning party's legal costs. This creates a significant financial risk for the claimant, who can't compete with the state apparatus [Brno, 2014, 9].

Even in case of positive court decision, there are delays in its actual implementation and payment of compensation. Although the right to compensation is enshrined, the set of obstacles means that the practical implementation of compensation is a tough task, and the success rate of such claims, for example, against EU institutions, is too low (8% of cases are successfully concluded) [Court of Justice, 2024, 8].

In domestic mechanisms, article 96 of the Law "On the Fundamentals of Administration and Administrative Proceedings" (the Law) stipulates that compensation for damage shall not be provided until the legal act, action or inaction of the administrative body, by which the damage was caused to the person, has been recognized as unlawful in accordance with the established procedure, except for the cases provided for in Article 109 of this Law. The claim for compensation for damage must be submitted by means of an application to the administrative body, as a result of whose administration the damage was caused. The claim for compensation for damage is discussed and resolved in the administrative body in accordance with the general rules established by the same law for the consideration of the application (Part 1 of Article 102 of the Law). The Constitutional Court of Armenia and the Court of Cassation have addressed the mechanism for compensation for damage caused by the administration in their decisions. In particular, the Constitutional Court has stated: "(…) the legislator has provided for a prerequisite for claiming compensation for damage caused by unlawful administration, namely, recognizing the legal act, action or inaction of the administrative body as unlawful, which, in accordance with the legal regulations of Article 100 of the Law, may be followed by submitting a claim

for compensation to the body that caused damage as a result of the administration. In other words, a person acquires the right to claim if the legal act, action or inaction of the administrative body, by which the person was harmed, is recognized as unlawful in accordance with the established procedure" [H. v. France, 1994]. And the Court of Cassation has noted that first of all, the legal act, action or inaction of the administrative body that caused the person harm be recognized as unlawful. Only after that, the person is obliged to first apply to the administrative body that caused the damage with a claim for compensation for damage caused by unlawful administration, and in case of its rejection of the claim for compensation in whole or in part or failure to consider the application, the administrative act, action or inaction may be appealed to a higher authority or in court [T'iv VD/0277/05/09]. In another decision, the Court of Cassation noted that Articles 100 and 102 of the Law "On the Fundamentals of Administration and Administrative Proceedings" state that the general requirements are applicable to the application of a person for compensation for damage, and the administrative body considers and resolves the application of a person for compensation for damage in accordance with the general rules established by law for the consideration of applications serving as the basis for initiating administrative proceedings. In fact, a person's application for compensation for damage caused by administration, addressed to the competent administrative body, is a basis for administrative proceedings in accordance with the general procedure established by the mentioned Law [T'iv VD/0528/05/16]. The Court of Cassation has established that by applying to the relevant administrative body with a claim for compensation for damage caused by unlawful administration, the interested person requests the adoption of a favorable administrative act to satisfy his claim. On the other hand, in law enforcement practice, situations are possible when the application of the interested person for compensation for damage caused by unlawful administration is fully or partially rejected by the relevant administrative body. The Court of Cassation emphasized that the decision to fully or partially reject the application for compensation for damage caused by unlawful administration is an intervening administrative act in the legal system, since it corresponds to all the features characteristic of the concept of an administrative act defined in Article 53 of the mentioned Law [T'iv VD/2659/05/14]. That is, according to the statistics of court cases and the legislation, the right to compensation for damage caused by administration is first of all exercised at the initiative of the person who suffered the damage, namely, the interested party must apply to the administrative body that caused the damage with a claim for compensation for damage, on the basis of which administrative proceedings are initiated. The possible outcomes of the initiated administrative proceedings are:

- adoption of an administrative act on satisfying the application,
- adoption of an intervening administrative act on the full or partial rejection of the application for compensation for damage, or
- failure to adopt an administrative act within the time limit prescribed by law.

It is necessary to make the mechanisms for protecting the right to receive compensation for damage through administrative procedures provided for by domestic legislation the subject of more detailed discussion, which boil down to the following. If the application for compensation for damage is satisfied, a favorable administrative act is adopted and the realization of the right to receive compensation is guaranteed, and the administrative body is obliged to take measures to implement it. It can be by adopting an administrative act on allocating funds, taking actions aimed at restoring the previous situation, providing equivalent property. In the event of the adoption of an intervening administrative act on the full or partial rejection of the application for compensation for damage, the means of protecting rights in administrative proceedings is the filing of an administrative complaint. Although the legal possibility of submitting the above-mentioned claims is provided for by part 1 of article 76 of the Law, it is necessary to take into account the fact that the protection of rights is not limited only to the cancellation of the administrative act rejecting the application, but the right to receive compensation for damage can be exercised in the presence of a favorable administrative act, and when submitting a complaint, one should expect the adoption of a favorable administrative act based on the results of the complaint examination, in which cases the legality of the requested favorable administrative act should become the subject of the examination. The situation is different in the case of failure within the time limit established by law. The mentioned relations are regulated by article 48 of the Law, which has undergone a certain development path. Thus, article 48 in force until 02.12.2017 stipulated that if, as a result of administrative proceedings initiated on the basis of an application, the administrative act is not adopted by the administrative body within the time limit established by law, the administrative act shall be deemed adopted, and the applicant may proceed to exercise the relevant right. The RA Court of Cassation, in a previous decision, referring to the interpretation of article 48, paragraph "a" of the Law in force until 02.12.2017, expressed a legal position that this provision cannot be interpreted as a norm confirming the adoption of any requested act. It must be based on the law and not violate the rights and freedoms of others. Therefore, the content should also include the legality, only then will it can be proved the existence of the administrative act and the right arising on its basis [T'iv VD/5557/05/08]. Reaffirming its position in another decision, the RA Court of Cassation also stated that the cited legal norm does not imply the existence of a presumption that the administration has been carried out and the requested administrative act has been adopted in the event that the administrative body does not carry out administration. In each case, the courts must take into account the legal positions and the peculiarities of the administrative proceedings. In the case of certain types of administration, the issue of the existence of a right is directly related to the implementation of the administration, as a result of which it is only possible to determine the legality of the requested administrative act [T'iv VD/2731/05/11]. The practical implementation of the rights granted by administrative acts adopted under article

48 of the Law (point 5.4) are currently a state requirement [HH naxagahi t'iv NK-96-A kargadrowt'yown]. In particular, point 5.4.1 of the mentioned program states: "... in practice, there is a problem of the implementation of the right granted to a private individual by administrative acts considered adopted. A private individual does not always use that right in practice. The study of a number of judicial acts shows that such administrative acts are subject to requirements that are not established by law, for example, confirmation of the legality of that act before exercising the right obtained by the administrative act. The law does not establish a procedure by which it is necessary to confirm the legality of an administrative act obtained under article 48. Therefore, an appropriate study should be carried out in order to regulate the mentioned institution in such a way that, on the one hand, the essence of this important institution enshrined in Article 48 is not undermined, and on the other hand, the public interest is protected. The Government of Armenia, taking the above-mentioned order as a basis, submitted to the National Assembly the draft law "On Amendments to the Law "On the Fundamentals of Administration and Administrative Proceedings", proposing amendments to article 48 of the Law as well:

"1. If the administrative body authorized to adopt an administrative act does not make any decision within the time limit specified by law as a result of the proceedings initiated on the basis of an application submitted in compliance with the requirements of points "a", "d" and "e" of part 1 of article 31 of this Law, then the administrative act is considered adopted, and the applicant may proceed to exercise the relevant right, except for the cases provided for in part 2 of this article.

2. The administrative act provided for in Part 1 of this Article cannot be considered adopted if it is null and void in accordance with Article 62, Part 1, Point "d" of this Law."

The RA Court of Cassation, exercising its functions to ensure the uniform application of the law and to promote the development of law, and addressing the legal question defined by the new amendments as to whether an administrative act is considered adopted in all cases if, as a result of administrative proceedings initiated on the basis of an application, the administrative body authorized to adopt the administrative act has not adopted that act within the time limit prescribed by law, has recorded: ".. the legal mechanism for considering an administrative act adopted by force of law shall operate in the event of the simultaneous existence of the following conditions:

1) a person has applied to the administrative body, requesting the adoption of a certain favorable administrative act, that is, the administrative proceedings have been initiated on the basis of the person's application, and the application complies with the requirements of paragraphs "a", "d" and "e" of Part 1 of Article 31 of the RA Law "On the Fundamentals of Administration and Administrative Proceedings".

2) the basis for the nullity of the administrative act provided for in article 62, part 1, point "d" of the Law "On Administrative Principles and Administrative Proceedings| is absent,

3) the administrative body conducting the administrative proceedings aimed at adopting the given administrative act is authorized to adopt that administrative act,
4) the administrative body conducting the administrative proceedings has shown inaction within the time limit established by law by not adopting the requested favorable administrative act or not making a decision to reject the application or legal act provided for by law concluding the administrative proceedings" [T'iv VD/9652/05/16].

It follows from the cited legal positions that in case of failure to adopt the requested favorable administrative act within the time limit established by law, domestic legislation has established more favorable conditions for the applicant for the exercise of the right to compensation for damage. In particular, in the event that no decision is made within the time limit established by law, during the consideration of a complaint filed against the inaction of an administrative body, the following circumstances are subject to clarification, not only the legality of the requested favorable administrative act, but also the following circumstances: whether the application contains the applicant's name, surname, in the case of a legal entity - its full name, the claim submitted in the application (subject of the application), the list of documents attached to the application (if any are submitted), whether an obviously unlawful right is requested, whether the administrative body is authorized to adopt that administrative act, and whether the administrative body has shown inaction within the time limit established by law.

*Judicial mechanisms for compensation for damage:*
Disputes related to compensation for damage caused by the administration arise from public legal relations, therefore, the aforementioned disputes are subject to examination in the administrative procedure. The RA Administrative Procedure Code defines the types of claims within the framework of which a person can protect his rights. The claim for compensation for damage caused by the administration implies the adoption of an administrative act, that is, the restoration of the rights of the subject who suffered damage is directly conditioned by the presence of a favorable administrative act.

There is already a stable precedent law formed in connection with the protection of rights to compensation for damage in the administrative procedure. In particular, the Court of Cassation addressed the question of what type of claim should be examined in the administrative procedure. Thus, the Court of Cassation has stated that in the event that the application of the interested party on the claim for compensation for damage caused by unlawful administration is rejected in whole or in part by the administrative body, the interested party may apply for both administrative and judicial protection of his violated rights, in particular, by raising before the court the issue of the legality of the decision of the administrative body on the full or partial rejection of the application of the interested party on the claim for compensation for damage caused by unlawful administration, as well as by demanding that the relevant administrative body be obliged to adopt the

relevant favorable administrative act requested by the application of the interested party. In the aforementioned context, the Court of Cassation has found that the issue of the legality of the decision of the administrative body on the full or partial rejection of the application on the claim for compensation for damage caused by unlawful administration, as well as the issue of whether or not the damage claimed in that application is subject to compensation, may be raised before the administrative court through the type of obligation claim provided for in article 67 of the RA Administrative Procedure Code.

At the same time, if the application for compensation for damage is not considered within the established period, the legal fiction institute provided for in article 48 of the Law operates (provided that all necessary conditions are met), within the framework of which the interested person can achieve the practical realization of his right to compensation for damage by applying to the administrative court with a claim for the performance of the action specified in article 68, Code of Administrative Procedure [T'iv VD/11507/05/17].

Referring to the issue of the effectiveness of the existing domestic legal regulations on compensation for damage caused by unlawful administration in protecting the rights of individuals, it is necessary to note the following. Mechanisms for the protection of rights, including the restoration of violated rights, must be effective. As a manifestation of effectiveness, the period between the violation of rights and their restoration is also important. In this regard, the Constitutional Court has stated in its decisions that the requirement to hear a case within a reasonable time is one of the cornerstones of the right to a fair trial, and its violation may undermine the very essence of justice, directly jeopardize the effectiveness of the entire process of administering justice, and call into question the credibility of that process [SDO- 1585 oroshowm, 10]. The approach according to which "justice delayed is justice denied" [Cases of Vazagashvili and Shanava v. Georgia] is internationally accepted, since unnecessary delays in the hearing of a case, even regardless of the outcome of the case, render the protection of human rights ineffective.

The right to a hearing within a reasonable time is also enshrined in the European Convention for the Protection of Human Rights and Fundamental Freedoms, according to which everyone, in the determination of his civil rights and obligations or of any criminal charge against him, is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

The European Court of Human Rights has repeatedly addressed the content of the requirement to conduct the examination of the case within a reasonable time, also emphasizing the importance of this requirement. The latter, in particular, noted that by requiring the examination of cases "within a reasonable time", the Convention emphasizes the fact that justice should not be administered with such delays as may jeopardize its effectiveness and credibility [Cases of H. v. France, 24.10.1989].

The same principle of consideration of a case within a reasonable time also applies to administrative proceedings by virtue of Article 50 of the Constitution, which also establishes the right of a person to have cases concerning him or her examined by administrative bodies within a reasonable time.

A study of the case-law of the European Court of Human Rights shows that a judgment by which the Court finds a violation usually imposes on the respondent State a legal obligation to put an end to the violation and to make reparation for its consequences in such a way as to restore, as far as possible, the situation that existed before the violation [Case of Kurić and Others v. Slovenia]. The Court has also noted: "where national law does not allow for reparation or partial reparation is permitted, article 41 empowers the Court to award the injured party such compensation as it considers appropriate" [Case of Papamichalopoulos and Others v. Greece].

Meanwhile, it follows from the provisions of domestic law that in order to restore the violated rights, a person must take the following measures:
1. appeal the legal act, action or inaction of the administrative body to establish the fact of violation of the right,
2. apply to the administrative body for compensation for the damage,
3. appeal the administrative act, action or inaction in case of full or partial rejection of the claim for compensation or non-consideration of the application.

It turns out that in order to restore the right, a person may be required to apply for protection of rights (as a rule, judicial protection) twice, and a study of the statistics of court cases indicates that the examination of applications, complaints or claims can take years. For example, the lawsuit in the case of Simon Kareni Hovnanyan against the "Traffic Police" Service of the RA Police was filed with the court on 14.08.2015 and the judgment of the RA Administrative Court of 25.04.2016, which recognized the inaction of the RA Police "Traffic Police" Service in not installing the necessary road signs for safe traffic on the relevant road section at the scene of the traffic accident involving Simon Hovnanyan [T'iv VD/3835/05/15].

The claim for compensation for damage was filed with the court on 20.10.2017, but there is no final judicial act on compensation for damage until the end of 2025 [T'iv VD/11507/05/17]. That is, about 10 years have passed since the moment of violation of the right, the fact of violation has been confirmed by a judicial act that has entered into legal force, but there is still no final, legally binding act on the claim for compensation for damage caused by unlawful administration.

The next group of problems may also arise during the execution of the judicial act. Thus, a possible judicial act, as a rule, should relate to the adoption of an administrative act or the issuance of an administrative act adopted by force of law. In the event that a judicial

act that has entered into legal force is not voluntarily executed by the administrative body, it will be subject to execution by the service providing compulsory execution, the implementation of the functions of which will be aimed not at restoring the actual damage (for example, in cases of compensation for damage in monetary terms), but at adopting an act on it, and only after adopting such an act will the administrative body begin to execute that act (the existence of disputes regarding the execution of the act is also not excluded).

We believe that such mechanisms are not effective in terms of restoring rights and may lead to a violation of the right to a fair trial, therefore it is proposed to reform the legislation regulating the relations of compensation for damage. In particular, while appealing the legal act, action or inaction of the administrative body that caused the damage, the person should be given the opportunity to submit a claim for restoration of the right, in the event of such a claim, establishing the authority for compensation for damage for the body examining it. Otherwise, the issue of restoring the rights violated by them should be resolved simultaneously with the recognition of the legal act, action or inaction of the administrative body as unlawful.

In addition, legal practice has moved in the direction that the subject who suffered damage chooses the method of compensation for the damage and requests the adoption of an administrative act on compensation for the damage in that way. For example, in the claim submitted to the Administrative Court of the Republic of Armenia, the Plaintiffs requested to pay jointly the market value of the land plot, as well as the non-pecuniary damage they suffered, paying each plaintiff two thousand times the minimum wage established by law in the Republic of Armenia at the time of payment. The Administrative Court noted that under the imperative force of Part 1 of Article 99 of the Law, the person liable compensates for the damage in monetary terms only in cases where the elimination of the consequences (that is, the restoration of the previous or equivalent situation) is not possible or sufficient, or the elimination of the consequences requires greater expenses than the property damage caused. The Court also stated that the fact of establishing the existence of the condition of the absence of the possibility of eliminating the consequences (that is, restoring the previous or equivalent situation) considered necessary and mandatory for compensating the damage caused by the administration with monetary means is beyond the scope of the examination of that administrative case, since the plaintiffs applied to the administrative body only with a request to apply the monetary compensation method, in which case the jurisdiction of the Court is limited to the scope of assessing its legality, and the Court cannot, in the absence of such a request to the administrative body, assess the question of whether there was a basis for applying the monetary compensation method in this case or not, that is, exclude the fact of the possibility of eliminating the consequences in this case [T'iv VD/9509/05/16].

In order to avoid such problems in practice and based on the effectiveness of the protection of rights, it seems necessary to establish a legislative mechanism by which the subject who suffered damage would be entitled to submit to the body investigating the case of compensation for damage only a claim for compensation, and in the event of the possibility, effectiveness, cost-effectiveness of restoring the previous or equivalent situation, and in the case of compensation for damage in monetary terms, the issues of determining its amount should be resolved by the body investigating the application for compensation for damage.

***Conclusion***

Summarizing the judgments on the domestic mechanisms for compensation for damage caused by unlawful administration, it can be stated that the appeal of a legal act, action or inaction of an administrative body is not an end in itself and pursues the goal of restoring violated rights. At the same time, the requirement to verify the legality of the administration, together with the establishment of mechanisms for the restoration of rights, including the possibility of submitting a claim for compensation for damage and the resolution of these claims, will make the protection of individuals' rights more effective, as well as ensure the implementation of the state's positive obligations to introduce effective organizational mechanisms and procedures for legal protection before administrative bodies, and to examine cases within a reasonable time. To achieve the same goals, short deadlines for the execution of judicial or administrative acts on compensation for damage can also be considered. At the same time, the establishment of privileges in the form of exemption from paying state duty in cases on compensation for damage for subjects who have suffered damage, as well as the reserving of the authority to determine the method of compensation for damage, and in the case of compensation for damage in monetary terms, its amount to the body examining the claim for compensation for damage, can have a significant impact on reducing obstacles to the protection of rights.

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**Main problems of the domestic structure of administrative and judicial compensation for damage**

*Key words: damage, compensation, administrative complaint, claim, compensation structure*

It follows from the legislative norms of the Republic of Armenia that a person acquires the right to demand compensation for damage caused by illegal administration in the event that a legal act, action or inaction of an administrative body is recognized as illegal. Only after that, the person is obliged to first apply to the administrative body that caused the harm with a claim for damages as a result of illegal administration. The administrative body considers and resolves a person's application for compensation for losses in accordance with the general rules established by law for consideration of applications that are the basis for initiating administrative proceedings, which entails the adoption of an administrative act for compensation for losses, and in the event of a complete or partial rejection of the claim for compensation or failure to consider statements of an administrative act, action or inaction may be appealed to a higher body or court. From a comparative analysis of structures for compensation for harm caused by illegal administration and a study of domestic law enforcement practice, it follows that, along with the requirement to verify the legality of administration, establishing the possibility of filing a claim for compensation for damage and the structure for resolving these claims will make the protection of citizens' rights more effective, as well as ensure the fulfillment of positive responsibilities of the state to implement effective organizational structures for the consideration of cases within a reasonable time. The article analyzes and presents recommendations aimed at improving legal practice and current national legislation, which can have a significant impact on eliminating obstacles to the implementation of the right to compensation for damages, increasing the effectiveness of rights protection, including ensuring the protection of rights in the shortest time.