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#### CONCEPTS AND SIGNS OF WAR CRIME

Paper analyzes scientific approaches to the interpretation of the concept of a war crime, with a distinction between general and special features that determine its essence.

Adhering to the position of the integrity of the understanding of criminal responsibility, the author stated that the concept of a war crime is characterized by features that characterize it as a crime in general and is marked by special, revealing its peculiarities features. On the basis of an analysis of the current legislation on criminal liability, the most acceptable to the author seemed to be the position that the general features of a war crime are criminal wrongdoing, social danger, guilt, punishment and subjectivity. Considering special features, the object, subject and criminal (military) wrongfulness with the revealing of the essence and conditions of their existence are distinguished.

Taking into the specificity of military legal relations, it was formulated military law and order as an object of a war crime, which is a set of social relations that arise and exist in the case of military service by various categories of servicemen (military and reservists) in the course of their official or combat activity and are regulated by law of Ukraine and is a subject to protection by means of criminal legal influence.

It is proved that the peculiarity of the character of the subject of a war crime formulates the position of the definiteness of the potential of a person as a subject of a war crime for observing the conditions of staying in the system of military legal relations and affiliation of a person to the category envisaged by law. The criminal misconduct of a war crime is the certainty of its punishment as a war crime and violation of the norms of military law, which determine the procedure for military service.

On the basis of the analysis, the author's concept of a war crime is formulated, which should be understood as a crime, envisaged by section XIX of the Criminal Code of Ukraine, which violates the procedure for carrying or conducting military service established by military legislation, committed by a serviceman, as well as a person liable to military service or a reservist during the passage of their charges.

**Keywords:** the notion of military crime, general elements of a military crime, specific elements of a military crime, military, one bound to service, nonregular, military service order.

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