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Legal Nature of an Insurance Contract in the Context of Securing the Health and Life of Borrowers: Current Challenges and Prospects

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Authors: Oksana Khorvatova, Yulia Lisovska, Oleksii Malovatskyi, and Svitlana Bieliavska

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Abstract

This article examines the legal nature and enforcement of insurance contracts in Ukraine amid martial law and ongoing military aggression. Special attention is given to the challenges of insuring life and health for borrowers, particularly military personnel and residents of frontline or temporarily occupied territories. The analysis highlights systemic problems such as the exclusion of war-related risks, ambiguity in contract terms, and unjustified refusals to pay insurance claims. Using case law and legislative developments, the article identifies gaps in the legal framework and proposes targeted reforms to enhance law enforcement, protect policyholders' rights, and stabilize the insurance market. Emphasis is placed on the need to incorporate war risks into insurance coverage, strengthen regulatory oversight, promote judicial consistency, and introduce digital and alternative dispute resolution mechanisms. The article also outlines prospects for legislative and institutional reform, taking into account international legal standards and Ukraine's evolving socio-economic conditions.

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