

Human Rights And Freedoms Under The Conditions of Martial State: Legal Regulation, Directions of Improvement

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Abstract

The crisis in Ukraine, sparked by Russia's intervention in March 2014 and culminating in February 2022, has had a profound impact on human rights not only in Ukraine but also in European Union member nations. It is substantiated that human rights are an effective tool for limiting public power, which prevents its arbitrary action. This attribute makes human rights a distinguishing feature of a democratic state-legal regime, as opposed to authoritarian and totalitarian regimes, which do not accept the natural nature of these rights and identify them with their own will. Protecting human rights under martial law is extremely difficult. The difficulty lies in the fact that protecting human rights under martial law is not an easy task. Therefore, the development of mechanisms for the protection of human rights is a key step in ensuring justice, the development of democracy, and the development of mechanisms for the protection of human rights is particularly important for ensuring justice, the development of democracy and the restoration of peace in our country. A legitimate state must protect people's and citizens' rights and liberties. Even during conflict in a democratic state, it is difficult to abdicate the responsibility to protect human rights. Given the basic nature of this issue, it is vital to control it on a constitutional and legal level. According to Article 3 of the Constitution of Ukraine, the state has an obligation to ensure human rights, which determines the direction of its activity and functional orientation. The state is responsible for the realization and affirmation of human rights. Therefore, martial law cannot be used to waive the obligation to ensure human rights. The Constitution of Ukraine also contains provisions that determine the specifics of the implementation of individual human rights in the conditions of martial law.

Keywords: *Guarantees, State, Human Rights, Martial Law, Protection, Restriction, Protection, Law-Making, Law Enforcement.*

1. INTRODUCTION

The rights and freedoms of a person and a citizen are fundamental values that guarantee the dignity, autonomy and development of each person. They form the basis for the formation and socialization of an individual, allowing the latter to freely express their thoughts, beliefs and ideas, to choose life goals and ways to achieve them. The subject of human and citizen rights during martial

law is exceedingly complicated and varied. When a country confronts serious security risks or is subjected to internal or external assault, martial law is declared. Under such conditions, the question arises as to how to ensure the security of the nation without violating the basic rights and freedoms of people. The war started by Russia against Ukraine on February 24, 2022, became a turning point for the entire Ukrainian people and affected all spheres of public life. At that time, for the first time in the years of its independence, Ukraine found itself under martial law, the legal regime of which covered its entire territory and became the cause of restrictions on human rights and freedoms. In the context of the researched issue, it should be noted that the military aggression of the Russian Federation began as early as 2014, when Russia occupied Crimea, and then supported the military conflict in eastern Ukraine. In the conditions of martial law, priorities change, new situations and challenges arise, which require adaptation and development of effective mechanisms for the protection of human rights. Active discussion and development of such human rights protection mechanisms is extremely important for ensuring justice, development of democracy and restoration of peace in our country.¹

Observance of human rights and freedoms is one of the main and urgent problems of the modern world, to which a number of scientific works are devoted. However, the outlined problems require further scientific studies in view of the introduction of martial law in Ukraine. Certain issues of ensuring human rights and freedoms in the conditions of martial law found their expression in the works of such scientists: O.I. Gavrylenko, R.I. Melnyk, T.P. Chubko, G.I. Petrova, O.V. Skrypniuk et al.²

The Constitution of Ukraine fully guarantees rights and freedoms, providing a mechanism for their protection and provision. In view of the introduction of martial law in the state, there is a need to establish communication and clear interaction between all state authorities and officials during the performance of their duties. Analyzing human rights in the conditions of martial law, M. Kornienko concludes that the introduction of martial law cannot be used as a reason for renouncing the obligation to ensure human rights. The scientist emphasizes that the Constitution of Ukraine defines the peculiarities of the realization of human rights in the conditions of martial law, which are defined in the second chapter of the Constitution of Ukraine.³

Emphasizing the necessity and universality of human and citizen rights, scientists point out that the protection of these rights is the basis of a democratic society and contributes to fair and harmonious development. Human rights gained special importance in Ukraine due to the invasion of the aggressor country, the Russian Federation, which violates the basic human right - the right to life, disregarding international norms and rules. In this context, Ukraine should make maximum efforts to ensure the rights and

¹ Antonyuk U.V. "Protection of environmental rights in Ukraine in conditions of military aggression. Law and public administration" No. 3. (2022). 42–47. Retrieved from: http://pdu-journal.kpu.zp.ua/archive/3_2022/6.pdf

² Rabynovych, P. . "Basic human rights: concept, classification, trends". Ukrainian journal of human rights". No. 1.. (1995), 14-22.

³ Kornienko, Maksym, Anatolii Desyatnik, Galina Didkivska, Yevhen Leheza, and Oleksiy Titarenko. "Peculiarities of Investigating Criminal Offenses Related to Illegal Turnover of Narcotic Drugs, Psychotropic Substances, Their Analogues or Precursors: Criminal Law Aspect". *Khazanah Hukum* 5, no. 3 (2023): 205–15. <https://doi.org/10.15575/kh.v5i3.31742>.

freedoms of citizens and the effective operation of its bodies, directing their efforts to the clear and inevitable fulfillment of duties in the sphere of guaranteeing human and citizen rights.⁴

Thus, the legislator calls martial law “a special legal regime introduced in Ukraine or in some of its localities in the event of armed aggression or threat of attack, danger to the state independence of Ukraine, its territorial integrity, and provides for the provision of relevant state authorities, military to the command, military administrations and local self-government bodies, the powers necessary to avert the threat, repulse armed aggression and ensure national security, eliminate the threat of danger to the state independence of Ukraine, its territorial integrity, as well as temporary, caused by the threat, limited of the constitutional rights and freedoms of a person and a citizen and the rights and legitimate interests of legal entities with an indication of the period of validity of these restrictions”.⁵ The cited definition defines martial law as the main legal basis for restricting the constitutional rights and freedoms of a person and a citizen.

2. ANALYSIS AND DISCUSSION

Ukrainian legislation allows for the imposition of martial law in the event of a danger to national security or the state's territorial integrity. During martial law, citizens' rights and freedoms may be restricted in order to protect the country's defense and security. However, these restrictions cannot be applied to all citizens' rights. According to Article 6 of the Law of Ukraine “On the Legal Regime of Martial Law” in the decree of the President of Ukraine on the introduction of martial law, an exhaustive list of the constitutional rights and freedoms of a person and a citizen, which are temporarily limited in connection with the introduction of martial law, indicating the period of validity of these restrictions.⁶ So, as a result, the introduction of a special legal regime, in particular martial law, poses a threat to basic human rights and freedoms. However, it is important to note that the legislation of Ukraine provides for mechanisms and guarantees aimed at protecting human rights even under martial law. It is also important to note that the term of application of the restrictions cannot exceed the term of the state of emergency or martial law. This means that after the end of such a regime, the full effect of constitutional rights and freedoms must be restored. It is important that any restrictions on human rights applied during martial law are justified, proportionate and necessary to achieve the legitimate goals of security and defense of the state.⁷

⁴ Dymko, I., Muradian, A., Manzhula, A., Rudkovskyi, O., Leheza, Ye. “Integrated approach to the development of the effectiveness function of quality control of metal products”. *Eastern European Journal of Enterprise Technologies*. 6/3 (90). (2017). 26-34. doi: 10.15587/1729-4061.2017.119500.

⁵ Leheza, Ye. O., Filatov, V., Varava, V., Halunko, V., Kartsyhin, D. (2019). “Scientific and practical analysis of administrative jurisdiction in the light of adoption of the new code of administrative procedure of Ukraine.” *Journal of Legal, Ethical and Regulatory Issues*. Vol. 22, Issue 5. 2019. P. 1-8. Retrieved from: <https://www.abacademies.org/articles/scientific-and-practical-analysis-of-administrative-jurisdiction-in-the-light-of-adoption-of-the-new-code-of-administrative-proced-8634.html>

⁶ Leheza, Y., Shcherbyna, Bogdan. Leheza, Yulia. Pushkina, Olena & Marchenko O. (2023). “Features of Applying the Right to Suspension or Complete/ Partial Refusal to Fulfill a Duty in Case of Non-Fulfilment of the Counter Duty by the Other Party According to the Civil Legislation of Ukraine.” *Revista Jurídica Portucalense*, 340–359. Retrieved from <https://revistas.rcaap.pt/juridica/article/view/29662>

⁷ Shemshuchenko, Yu. S. *Legal problems of ecology*. 1989. Kyiv. Scientific opinion, 232.

As a participant in socioeconomic relations, the state is responsible to people for its actions, and as such, it is required to preserve citizens' rights and freedoms, provide circumstances for their development, and be accountable to people. Affirmation and provision of human rights and freedoms is the primary responsibility of the state, regardless of the circumstances, including in times of war. As we can see, the state is entrusted with the duty to guarantee human rights, as stated in Article 3 of the Ukrainian Constitution. According to this premise, the state cannot forsake its commitment to guarantee human rights while the legal system of martial rule is in effect.

The peculiarity of the term "human rights" is determined by the fact that an individual possesses them due to his status as a human personality, which cannot be taken away under any circumstances. Therefore, these rights are an integral part of the human essence. The Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, as well as the International Covenant on Economic, Social and Cultural Rights enshrine this basic ethical principle in recognizing the "dignity inherent in all members of the human family and their equals and inalienable rights". Therefore, it reflects the principle of universality of rights, including equality before the law and equal protection of the law, which is a fundamental principle of international norms in the field of human rights. It is especially important that states respect human rights for all persons under their jurisdiction. The principle of universality and inalienability of the rights of all persons is firmly enshrined in international human rights law. The third paragraph of the preamble of the Universal Declaration of Human Rights states that the government must protect human rights so that a person does not resort to rebellion against tyranny and oppression. This means that in order to ensure the full enjoyment of a person's rights, these rights must be effectively protected by domestic legal systems. Thus, the principle of the rule of law can be characterized as a comprehensive principle in the field of human rights protection, because where this principle is not observed, respect for human rights becomes an illusion. It is interesting to note that according to Article 3 of the Statute of the Council of Europe "every member of the Council of Europe recognizes the principle of the rule of law." Therefore, this basic principle is legally binding for the member states of this organization, which also affects the case law of the European Court of Human Rights.

Human rights treaties are legal agreements of an objective nature, as they establish general norms that are the same for all participating states. These norms must be fulfilled by the participating state, regardless of how other states observe similar norms. In other words, the traditional principle of reciprocity does not apply to human rights treaties. Two examples of normative treaties in the field of human rights are the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. International law in the field of human rights significantly affects the development of domestic law, and national courts increasingly refer to the norms of this law and apply them.

In the modern context of changes in Ukrainian society, which are accompanied by constant transformations in the socio-economic, political-administrative and cultural-

ideological spheres, there is a systematic increase in activity and an increase in the role of civil society institutions. The interaction between government institutions and civil society is considered a key element in the development of the state, its economic potential and defense capability. In this context, it is important to determine the factors that complicate the interaction between these institutions, and to determine ways to solve them.⁸

As part of consideration of human rights issues in the context of European integration processes in Ukraine, it is important to note the guarantees of the proper functioning of the European space of justice, freedom and security, which should ensure the necessary level of law and order not only in the territory of each member state of the European Union and in the entire international organization in general, but also in the adjacent territories. The uniqueness of the common space of justice, freedom and security lies in the need for a harmonious combination of its internal and external aspects.⁹ The internal aspect involves joining the efforts of law enforcement agencies of the member states of the European Union to ensure internal security and maintain law and order throughout the Community.¹⁰

From an external perspective, cooperation between the EU and neighboring countries in the field of law enforcement issues is of great importance for the expansion of security and law and order. Ukraine, which shares a common border with the EU, should actively cooperate to ensure justice, freedom and security. Given the need to ensure national security and minimize threats to international security, Ukraine's integration into the global security space and effective international cooperation are becoming priority tasks. For this purpose, it is important to develop effective management mechanisms in order to neutralize the negative effects associated with the growth of crime and ensure effective protection of human rights and freedoms.¹¹ Cooperation between the EU and Ukraine in the field of law enforcement is a key tool for combating crime and ensuring security in the European law enforcement space. The goal of cooperation between law enforcement agencies of the European Union and Ukraine in the context of the globalization of crime is to strengthen international cooperation in the field of law enforcement, improve methods of countering crime, and minimize the negative consequences of serious crimes. It is important to develop and implement systemic measures to prevent threats to law and order, public safety, human and citizen rights and freedoms.¹²

⁸ Leheza, Y., Shcherbyna, Bogdan. Leheza, Yulia. Pushkina, Olena & Marchenko O. (2023). "Features of Applying the Right to Suspension or Complete/ Partial Refusal to Fulfill a Duty in Case of Non-Fulfilment of the Counter Duty by the Other Party According to the Civil Legislation of Ukraine." *Revista Juridica Portucalense*, 340–359. Retrieved from <https://revistas.rcaap.pt/juridica/article/view/29662>

⁹ Leheza, Yevhen. Olena Sinkevych, Zorina Kravtsova, Olena Kudriavtseva, and Ievgeniia Cherniak. 'The human right to an environment safe for life and health: legal regulation, contemporary challenges and comparative perspectives'. *Syariah: Jurnal Hukum dan Pemikiran*, 2023, 23(2) (2023): 138–150. <https://doi.org/10.18592/sjhp.v23i2.12257>

¹⁰ Korneyev, M., Zolotukhina, L., Hryhorash, T., Leheza Ye., Hryhorash O., "The development of small business as a source of formation of local budget revenues in Ukraine." *Investment. Management and Financial Innovations*. 15 (1). (2018). 132-140. DOI:10.21511/imfi.15(1).2018.12

¹¹ Leheza, Yevhen, Larysa Yerofieienko, and Volodymyr Komashko. 'Peculiarities of Legal Regulation of Intellectual Property Protection in Ukraine under Martial Law: Administrative and Civil Aspects'. *Revista Justiça Do Direito* 37, no. 3 (2023): 157–72. <https://doi.org/10.5335/rjd.v37i3.15233>

¹² Voloshanivska, Tetiana, Inna Pozihun, Serhii Losych, Olha Merdova and Yevhen Leheza. 'Administrative and Criminal Law Aspects of Preventing Offenses Committed by Minors in the Sphere of Illegal Circulation of Narcotic

According to Art. 15 of the Convention “During war or other public danger threatening the life of the nation, any High Contracting Party may take measures derogating from its obligations under this Convention, only to the extent required by the urgency of the situation, and provided that such measures do not conflict with its other obligations under international law”.

An analysis of Ukraine’s achievements in the field of justice, freedom and security in the context of cooperation with the European Union, such as liberalization of the visa regime, the fight against corruption, the legalization of funds and the financing of terrorism, shows the active cooperation of the EU with partner states such as Ukraine. In this context, key tasks include the integration of Ukraine into the European law enforcement space, strengthening the institutional capabilities of the EU and Ukraine in the sphere of justice, freedom and security, as well as the development of regional cooperation with EU member states to combat specific types of crimes in border areas. regions. Creating additional international legal and organizational guarantees to maintain security in Europe is an important step. Attention is also focused on expanding the dialogue on countering new challenges in security and on finding joint approaches to the creation of a new system of collective security in Europe. In addition, there is the question of the importance of assessing various aspects of crime, discussing key statistical data, and developing measures to combat human trafficking. It is necessary to develop joint training programs for law enforcement officers of the EU and Ukraine to exchange best practices and improve cooperation on the common border. There is also a need to strengthen good governance and the fight against corruption. Ukraine’s participation in international peacekeeping operations, anti-terrorist activities and multilateral measures to counter global and regional challenges is important. We also consider it necessary to carry out information campaigns on legal education of the population and response to crimes, as well as providing assistance to victims. The role of modern technologies in the fight against cybercrime is also important.¹³

In general, it is necessary to update the contractual framework between the European Union and Ukraine, to introduce regulatory and legal acts and control the quality of cooperation. No less important is the issue of monitoring cooperation as a means of identifying problems and recommendations for increasing the effectiveness of this cooperation. The creation, development and improvement of effective mechanisms in the field of protection of human and citizen rights and freedoms, as well as anti-discrimination is always an urgent task for states at the national level and international intergovernmental organizations, in particular the EU.

The system of norms and mechanisms for the protection of human rights and freedoms in the EU is based on various documents that are both mandatory and declarative in nature. The Treaty on the European Union contains provisions on ensuring human rights. Article 2 states that the Union is based on the values of respect for human

Drugs, Psychotropic Substances and Precursors’. *Journal of Drug and Alcohol Research*, 12(10) (2023). <https://doi.org/10.4303/JDAR/236269>

¹³ Leheza, Yevhen. Pisotska, Karina. Dubenko, Oleksandr. Dakhno, Oleksandr. Sotskyi, Artur “The Essence of the Principles of Ukrainian Law in Modern Jurisprudence.” *Revista Jurídica Portucalense*, December, (2022). 342-363. DOI: [https://doi.org/10.34625/issn.2183-2705\(32\)2022.ic-15](https://doi.org/10.34625/issn.2183-2705(32)2022.ic-15)

dignity, freedom, democracy, equality, the rule of law and respect for human rights. Article 6 of the Treaty on the Functioning of the EU establishes the principle of respect for fundamental human rights and freedoms, which are recognized by the European Convention for the Protection of Human Rights and Fundamental Freedoms. The Treaty on the Functioning of the EU defines citizenship of the Union and related rights. Chapter 2 of this Treaty deals with the rights of citizens of the European Union to free movement, participation in elections and the right to vote. Chapter 3 of the Treaty on the Functioning of the EU guarantees the freedom of movement of workers, equal pay for men and women, as well as the protection of human rights through compensation for damages. Decisions of the Court of Justice of the European Union determine the basic principles of protection of the rights and freedoms of individuals in the European Union. Declarative documents include the Declaration of Basic Rights and Freedoms and the Community Charter on Basic Social Rights of Workers.¹⁴

A special status in the legal field of the EU belongs to the EU Charter of Fundamental Rights of 2007, which contains a detailed catalog of fundamental rights and freedoms for every person residing in the territory of the European Union. This catalog covers civil, political, economic, social and cultural rights. Even if the Charter has the status of founding treaties, it is not part of them. In the preamble to the Charter, it is stated that at the center of the Union's activities are people and their interests.¹⁵

Unlike most international legal documents, where the classification of fundamental rights is based on subjective rights, in the Charter it is done on the basis of the values it protects. These values include human dignity, personal freedom, equality and solidarity. The rights and freedoms of a person who protect these values are enshrined in the relevant sections (chapters I-II), in particular, citizenship and justice (chapters V and VI). The set of basic rights and freedoms of a person can be classified into different categories, such as personal rights and freedoms, political rights and freedoms, economic, social and cultural rights, as well as basic duties accompanied by guarantees of the rights and freedoms of a person. The personal rights and freedoms specified in Chapters I and II are natural rights that belong to every person from birth. These rights include the rights to human dignity, life, personal integrity, freedom and personal integrity, respect for private and family life, protection of personal data, marriage and family formation, freedom of thought, religion, expression and information, as well as freedom of movement and choice of residence.

It is crucial to emphasize that, in accordance with its founding treaties and purposes, the European Union prioritizes the respect and protection of human rights as one of its core activities. A country that intends to join the EU must meet the Copenhagen criteria adopted by the European Council in June 1993. These criteria include the stability of

¹⁴ Volobuieva, O. Leheza, Ye. Pervii, V. Plokhuta, Ye. Pichko, R. "Criminal and Administrative Legal Characteristics of Offenses in The Field of Countering Drug Trafficking: Insights from Ukraine." *Yustisia*. Vol 12, No 3. (2023). 262-277. DOI: <https://doi.org/10.20961/yustisia.v12i3.79443>

¹⁵ Leheza, Ye. Shablysty, V. Aristova, I. V. Kravchenko, I. A. Kornikova, T. (2023). "Foreign Experience in Legal Regulation of Combating Crime in the Sphere of Trafficking of Narcotic Drugs, Psychotropic Substances, their Analogues and Precursors: Administrative and Criminal Aspect." *Journal of Drug and Alcohol Research*. Vol. 12 . No. 4, 1-8. DOI: <https://doi.org/10.4303/JDAR/236240>

institutions that guarantee democracy, the rule of law, respect for human rights and the protection of minorities. Countries applying for EU membership must not only enshrine the principles of democracy and the rule of law in their constitutions, but also implement them in everyday life. These countries' constitutions must protect democratic liberties such as political plurality, free expression, and freedom of conscience. It is also critical to develop democratic institutions and independent bodies of justice to ensure that state institutions function normally, that free and fair elections are held on a regular basis, that the ruling parliamentary majority is changed, and that the opposition is recognized for its vital role in political life.

There is no single mechanism for the protection of human rights in the European Union, but the member states' national human rights protection systems are reinforced by a European Union-wide protection system. Furthermore, the preservation of human rights and freedoms is implemented by the Council of Europe, which includes all member nations of the European Union. The formation of a system of legal norms at the level of the European Union aimed at protecting human rights and freedoms has great potential for further development. Political rights and freedoms are closely related to the functioning of the state and European integration associations. Their clear attachment to European citizenship includes voting rights, freedom of assembly and association, the right to good governance, access to official documentation and the right to submit petitions. The main obligations stipulated in the Charter include the duty to respect and protect human dignity, take into account the opinion of the child, provide compulsory free education and protect the environment. In addition, the Charter defines a provision that refers to the abuse of rights (Article 54).¹⁶ This provision provides that government officials or private individuals should not eliminate or excessively limit the rights and freedoms of other persons. Guarantees of rights and freedoms in the European Union include institutional, procedural and material measures. Institutional guarantees include judicial protection, out-of-court protection mechanisms, the Ombudsman of the European Union, the Commission, the European Data Protection Controller, the General Supervisory Authority within Europol, as well as diplomatic and consular representations of member states in third countries. Procedural guarantees include the right to a fair and public trial, the right to legal aid, the presumption of innocence, the principle of legality and proportionality of crimes and punishments, the principle of non-repetition of criminal liability for the same crime, the prohibition of deprivation of liberty for debt and the right to appeal. regarding criminal cases. Material guarantees provide compensation for damages caused to individuals by other individuals. Legal and natural persons, EU bodies and member states may be subject to property liability. The regulation of property liability of individuals and legal entities is usually determined by the domestic law of the member states.

¹⁶ Shkuta, Oleh, Dmytro Karbovskyi, Olena Pushkina, Mykola Potip, and Olena Varhuliak. 'Object and Subject of State Control in the Sphere of Legal Turnover of Narcotic Drugs, Psychotropic Substances and Their Precursors in Ukraine: Administrative, Criminal and Civil-Legal Aspect'. *Journal of Drug and Alcohol Research* 12 (2023). <https://doi.org/10.4303/JDAR/236255>.

3. CONCLUSION

Over the past decades, the European Union has gone through the process of establishing its own system of human rights protection, from rejecting the idea that human rights protection can surpass the provisions of EU law, to creating its own catalog of human rights in the Charter of Fundamental Rights. The EU's accession to the European Convention on Human Rights created legal conditions for this. Taking into account these changes, there is a need for Ukraine to improve its own human rights protection system in accordance with the criteria for joining the EU, which provide for an appropriate level of observance of human rights and basic freedoms for full membership in the European Union.

To ensure the stability of the entire state system and the successful integration of Ukraine into the legal field of civilized countries of the world, the creation of an effective and dynamic judiciary in Ukraine is crucial. One of the main problems that arises in the process of guaranteeing basic human rights and freedoms, in particular social ones, is the determination of the areas of their application and the limits of their content. At the moment, constitutional norms mainly reflect the indirect influence of the state on the social sphere, there is a lack of clear and direct responsibility of the state to citizens, as well as a lack of responsibility of individuals to the state. Considering that a dignified life is possible only with proper and equal opportunities to meet basic life needs, the application of constitutional and legal regulation for the development of society is necessary and integral, as it guarantees the protection of the rights and freedoms of a person and a citizen, and also contributes to the preservation stability, order and organization in society and contributes to the realization of prospects for economic and social development. The mechanism of constitutional and legal protection of human rights and freedoms is an important part of the European integration process. The judiciary plays a key role in guaranteeing the real implementation and protection of human rights and freedoms from violations. In the context of European integration, the judiciary becomes a tool for strengthening democracy and the rule of law in Ukraine, as well as for fulfilling obligations to the European Union in the field of human rights. Therefore, the process of European integration affects the regulation of human rights and freedoms in Ukraine. This is due to the need for Ukraine to meet the criteria for joining the European Union, including the observance of human rights and the fight against corruption. Thus, Ukraine should take measures to improve the protection of the rights and freedoms of citizens, focusing on such aspects as human rights, freedom of speech, justice, religious freedom, rights of national minorities and women's rights.

In order to achieve the goals of European integration, it is necessary to bring the legislation of Ukraine in line with the standards of the European Union, in particular, by reforming the judicial system, guaranteeing the freedom of the media and supporting the development of civil society. In general, the process of European integration contributes to increasing the protection of human rights and freedoms in Ukraine, bringing national legislation closer to international standards and contributing to a more transparent and democratic development of the country. The effectiveness of the regulation of the rights,

freedoms and duties of a person and a citizen in Ukraine depends on various factors, and their analysis can contribute to the achievement of maximally effective protection of citizens' rights.

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