

## **Constitutional, Administrative and Criminal Law Regulation of Protecting Rights of Internally Displaced Persons: Foreign Experience and Directions for Improvement**

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### **ABSTRACT**

The purpose of the article consists in revealing the constitutional, administrative and criminal law foundations of protecting rights of internally displaced persons, problems of implementing foreign experience and identification of directions for improvement. It is substantiated that the system of individual protection standards is a kind of international mechanism for ensuring first of all the status of rights and freedoms of internally displaced persons, the corresponding guarantees regulated by the norms of universal, regional and special treaties, implemented by authorized subjects of public administration in various spheres of society. Attention is focused on compliance with the Guidelines of 1998, which are the basis of the legal acts of the European Union, the Council of Europe and other democratic countries. However, the existing standards of individual protection are not uniform, and there is no corresponding institutional mechanism. Universal, supranational, regional, mandatory, recommendatory, permanent and temporary standards are singled out. The authors conclude that the Ukrainian authorities are entrusted with important tasks, functions and powers to guarantee the rights and freedoms of internally displaced persons, as well as tasks concerning implementation and protection of such rights and freedoms, restoration of violated rights and implementation of existing international standards and best foreign practices. Therefore, it is natural to improve Ukrainian legislation and ensure effective and accessible procedures. Proposed are ways to solve existing problems in the sphere of social protection, electoral law, housing and land rights, and provision of legal aid.

Keywords: administrative aspect, guarantees, foreign experience, constitutional regulation, criminal law regulation, international standards, rights and freedoms of internally displaced persons, ways for improvement.

### **ABSTRAK**

Tujuan artikel ini adalah untuk mengungkap landasan hukum konstitusional, administratif dan pidana dalam melindungi hak-hak pengungsi internal, masalah penerapan pengalaman asing dan mengidentifikasi arah perbaikan. Hal ini dibuktikan bahwa sistem standar perlindungan individu adalah semacam mekanisme internasional untuk memastikan, pertama-tama, status hak dan kebebasan pengungsi internal, jaminan terkait yang diatur oleh norma-norma perjanjian universal, regional dan khusus, dilaksanakan oleh yang berwenang. subyek administrasi publik di berbagai bidang masyarakat. Perhatian difokuskan pada kepatuhan terhadap Pedoman tahun 1998, yang menjadi dasar tindakan hukum Uni Eropa, Dewan Eropa dan negara-negara demokratis lainnya. Namun, standar perlindungan individu yang ada saat ini tidak seragam dan tidak ada mekanisme kelembagaan yang sesuai. Standar universal, supranasional, regional, wajib, rekomendasi, permanen dan sementara dibedakan. Para penulis menyimpulkan bahwa pihak berwenang Ukraina dipercayakan dengan tugas-tugas penting, fungsi dan wewenang untuk menjamin hak-hak dan kebebasan para pengungsi internal, serta tugas-tugas mengenai pelaksanaan dan perlindungan hak-hak dan kebebasan tersebut, pemulihan hak-hak yang dilanggar dan pelaksanaan hak-hak internasional yang ada. standar dan praktik luar negeri terbaik. Oleh karena itu, wajar untuk memperbaiki undang-undang Ukraina dan memastikan prosedur yang efektif dan dapat

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diakses. Usulan cara untuk menyelesaikan permasalahan yang ada di bidang perlindungan sosial, undang-undang pemilu, hak atas perumahan dan tanah, serta pemberian bantuan hukum.

Kata kunci: aspek administratif, jaminan, pengalaman luar negeri, peraturan ketatanegaraan, peraturan hukum pidana, standar internasional, hak dan kebebasan pengungsi internal, cara-cara perbaikan.

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## **INTRODUCTION**

In view of the full-scale invasion and armed aggression of Russia, as of mid-March 2023, at least five million internally displaced persons are registered in Ukraine, but the number of unregistered displaced persons reaches seven million (Boyko, 2023). Even before that, in 2016, the officially registered number of displaced persons in Ukraine amounted to about 1.8 million people, at the beginning of 2018 it was almost 1.5 million. As is known, after 24 February 24, 2022, the external displacement of representatives of the Ukrainian people has become more active; people left their homes and crossed the state border of Ukraine in search of shelter for themselves and their children in neighboring and other states. Almost 5 million Ukrainians received the status of temporarily protected persons in the the European Union countries within just one year of the war (Operational data portal, 2023).

According to these statistics, not only problems with human destinies, suffering, help, but also many other issues have arisen that need to be solved both by the people themselves and by the authorized bodies of the state in the nearest future and in the long term future perspective. In everyday life, as well as in publications, some analytical and other materials, there is a certain substitution of concepts, in particular, concerning persons, temporarily protected persons, refugees, migrants, displaced persons, etc (Nandy, 2023). It seems appropriate to study them comprehensively, to attract the attention of scientists, the public, international organizations, experts, etc. In this context, let's focus our attention on the international legal standards related to protection of rights and freedoms of internally displaced persons, features of these rights and freedoms, along with the relevant standards of other mentioned persons.

Theoretical and practical aspects of the legal status of a person are considered by Ye. Leheza –in the context of comprehensive fundamental disclosure of human rights in international law (Leheza *et al.*, 2022); M. Buromenskyi and V. Mytsik - international legal mechanisms for the protection of human rights in general, rights of refugees, national minorities, in particular (Mytsyk, 2010); K. Smirnova, N. Pronyuk – a general theoretical basis for the protection of human rights and their individual types (Pronyuk, 2010). We will especially note the scientific work by A. Fedorova and O. Svyatun, who to the greatest extent research the standards of the Council of Europe regarding protection of persons, temporarily protected persons from Ukraine in the EU countries (Fedorova, 2018).

A strong scientific interest in theoretical and practical, applied issues of protection, implementation of human rights, international and national aspects is obvious. However, a much smaller number of works is devoted to protection of rights and freedoms of Internally displaced persons, Ukrainian and foreign experience, the ratio of the status of internally displaced persons, migrants, refugees, shelter seekers, etc.

## **RESEARCH METHOD**

The methodology of researching international legal standards on issues concerning protection of rights and freedoms of internally displaced persons is a set of methodological approaches, methods, principles of learning concepts, ideas, hypotheses, principles, regularities which, when used, give an opportunity to obtain true knowledge about these standards, the status of an individual in order to improve them. Choice of specific principles, methodological approaches and research methods is

conditioned by a defined goal and tasks. A multifaceted study of the issues concerning internally displaced persons presupposes application of general philosophical, general scientific and special legal methods of knowledge. The fundamental principles of researching international legal standards of internally displaced persons include principles of systematicity, pluralism, historicism, objectivity, argumentation, complexity, determinism, etc.

Comprehensive research, in the form of a literature review, was conducted using free access resources (Academic journals, Google Book Search, Google Scholar, Scientific periodicals of Ukraine), as well as the full-text database ScienceDirect.

The specifics of the research subject, as well as its purpose and tasks determined the use of general scientific and special methods of scientific cognition. The hermeneutic method was used to establish content of the concept of “personal protection” enshrined in both legislative acts and the legal doctrine. This method of analysis was used to interpret provisions of normative legal acts (laws of Ukraine, international normative legal acts and regulations, etc.), which establish the order and features of personal data protection. With the help of the method of systematic analysis, court decisions issued in lawsuits regarding personal protection and, in particular, regarding the specifics of protecting personal of consent for medical intervention or entering into contractual legal relations were studied. The dogmatic method made it possible to analyze scientific studies devoted to general problems of personal protection. The comparative method was used to compare provisions of the legislation of Ukraine, the legislation of the EU and the USA in order to identify common features, differences, advantages and disadvantages between them. The method of generalization helped to formulate conclusions that summarized the conducted research.

Thus, modern domestic scientific research is mostly based on such a general scientific method as *dialectical one*. In general, dialectics as a science studies the most general laws of the development of nature, society and thinking. The dialectical method is such a general scientific method of cognition that needs to take into account relationship and constant development of phenomena in the process of cognition of reality. Dialectics as a method of learning information about nature, society and thinking, considered in unity with logic and the theory of knowledge, is a fundamental scientific principle of studying multifaceted and contradictory reality in all its manifestations (Sheyko. 2002).

This method “was developed over many centuries by scientists of various philosophical and political directions” and consists in such an approach to studying phenomena of social existence, which is based on the general regular connections of development of society, the state and nature. (Maksimov, 1997)

The *hermeneutic method* made it possible to reveal the dependence of interpretation of normative legal acts or provisions set forth in scientific texts on the subject of interpretation, to reveal the content of legal norms and scientific knowledge, based on the peculiarities of legal normative legal and scientific language.

Humanization of domestic legislation and determination of the priority of a person, his/her rights and freedoms in relation to interests of the state determines the need to use a *humanistic method* in order to consider protection of personal. As a result, it is concluded that *the state and laws* have a human nature, that is, they are created, act and are intended to provide for the needs of society and humans.

## **RESULTS AND DISCUSSION**

In the conditions of long-term occupation of a large part of the state territory of Ukraine, massive violations of human rights and freedoms, as early as in 2014, the problem of forced migration and proper protection of internally displaced persons has arisen. Currently, this problem has become even more acute due to the deplorable consequences of Russia's crimes against Ukraine and the Ukrainian people. In general, for several years now, we have been in first place on the European continent in terms of the number of internally displaced persons. Thus, according to the Internal Displacement Monitoring Center, the number of internally displaced persons in 2015 was 40.8 million people, which was twice the number of refugees (Index of integration of internally displaced persons, 2023). According to the UN Refugee Agency, the number of refugees, asylum seekers and internally displaced persons in the world in 2016 was more than 65.6 million people. Of course, today Ukraine is already a world leader in the number of people, as well as in the number of people who left its territory (Leheza *et al.*, 2023).

O. Kotlyar emphasizes that today there are two categories of persons in need of international protection: 1) *de jure* refugees - in accordance with the Convention on the Status of Refugees of 1951 and its Protocol of 1967, the Convention Regulating Certain Aspects of the Refugee Problem in Africa, adopted within the framework of the Organization of African Unity, the CIS Agreement on Assistance to Refugees and Internally Displaced Persons of 1993, agreements adopted within the framework of the European Union, and legal acts of EU institutions; 2) persons who *de facto* enjoy international protection (in need of international protection, other than *de jure* refugees) – refugees, UNHCR mandated persons, shelter seekers, persons, stateless persons, refugees under the Convention regulating certain aspects of the refugee problem in Africa adopted by the OAU, and According to the Cartagena Declaration of 1984, refugees fleeing man-made and natural disasters, as well as Palestinian refugees, are included in the mandate of United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). The sources of regulating the legal status of persons who *de facto* benefit from international protection include resolutions of the UN General Assembly and ECOSOC, conclusions of the Executive Committee of the UNHCR, as well as other advisory documents of the UNHCR and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), acts of regional international bodies organizations (EC, African Union). They are also subject to certain provisions of international treaties on the status of refugees and universal international agreements in the sphere of human rights protection (Leonenko *et al.*, 2019).

In the middle of the 20th century on the initiative of Greece, the UN General Assembly was proposed to provide international assistance to persons displaced within the country as a result of the civil war, although they are citizens of this country, but need material assistance, which in fact, can not be adequately provided to them. Subsequently, due to the wars in Angola, Sudan, Vietnam, Cambodia and numerous displaced persons, this problem came to the attention of the UNHCR and was reflected in the Aid and Rehabilitation Programs for refugees and repatriates. Also, the issue of protecting internally displaced persons became more acute in connection with the war in Yugoslavia in 1991. Accordingly, Resolution 46/82 of the UN General Assembly of 1991 regulates the need to obtain the consent of the injured party and to respect the sovereignty, territorial integrity and national unity of the state. The following resolution 47/105 of the UN General Assembly dated 1992 established the criteria for UNHCR's participation in providing humanitarian assistance to displaced persons (refugees): – appeal of the Secretary General or another competent person/body; - consent of the interested state (Samoilova, 2018).

Other armed conflicts in Moldova (Transnistria), Turkey, Georgia (Abkhazia and South Ossetia), Armenia (Nagorno-Karabakh), Tajikistan, Azerbaijan, Chechnya, and North Ossetia also determined the urgency of protecting rights and freedoms of internally displaced persons, revitalization of international

law-making activities, and certain shifts in the direction of creating international legal standards in this area.

The terrible realities of recent years in Ukraine, the mass acquisition of the status of a displaced person and creation of a legislative basis, discovered significant gaps and contradictions in the process of its implementation, violation of the rights and freedoms of internally displaced persons have caused both scientific and theoretical and practical interest concerning the need to clarify the nature and system of individual legal standards for protection of rights and freedoms of Internally displaced persons, implementation of these standards in Ukraine (Shkuta *et al.*, 2023).

Despite the different statuses of these persons and refugees, there are a number of joint documents among the sources of regulating their status, international mechanisms for protection of their rights and freedoms. While refugees have a special protection mechanism under the 1951 Convention Relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, internally displaced persons acquire such protection indirectly because they are under the legal protection of their government.

The system of researched standards constitutes a unique international mechanism for ensuring rights and freedoms of displaced persons, based on the application of the norms of universal, regional and special treaties that regulate legal and procedural issues of ensuring rights and freedoms of this category of persons (Leonenko *et al.*, 2019).

First of all, it is a group of universal treaties that establish general principles of ensuring rights and freedoms of a displaced person: Universal Declaration of Human Rights 1948, International Covenant on Civil and Political Rights 1966, International Covenant on Economic, Social and Cultural Rights 1966, Convention Relating to the Status of Refugees 1951, Protocol Relating to the Status of Refugees 1967, Geneva Conventions 1949 and Additional Protocols to them of 1977

Special (specialized) international legal acts that regulate the provision of rights and freedoms of a displaced person include the UN Guiding Principles on Internal Displacement, approved in 1998. . This is not a mandatory legal document, but it is based on the norms of universal agreements, it details their provisions that meet the specific needs of a displaced person, and determines the procedure for applying them in conditions of internal forced displacement. We agree that this is the most authoritative statement of standards to be applied by national governments and other actors (including in particular the Office of the United Nations High Commissioner for Refugees) when responding to a person's plight. The guiding principles were recognized by the UN Human Rights Council and the UN General Assembly as an important international legal basis for protection of displaced persons' rights (Voytsikhovsky, 2021).

Here, displaced persons are defined as a person or a group of people who have been forced to flee or who have been forced to leave their homes or places of habitual residence as a result of or in order to escape from the consequences of a military conflict, mass violence, human rights violations, natural or man-made disasters in particular, and who did not cross internationally recognized state borders (Korniienko *et al.*, 2023).

According to this standard, the following basic elements of the concept of an internally displaced person are obvious: 1) forced or involuntary nature of internal displacement and this involves a non-exhaustive list of possible reasons for displacement; 2) territorial nature of internal displacement – within state borders. The latter allows cases when internally displaced persons who are forced to transit through the territory of a neighboring state in order to get to a safe part of their country cannot return to their place of origin (Leheza *et al.*, 2023).

According to the Guidelines, regardless of the reasons for displacement, all internally displaced persons have the right to receive protection and support from their state. The matter is about protection

against involuntary displacement, assistance during displacement, guarantees of safe return, resettlement, guarantees that must be provided at all stages of the process. The main duty and responsibility for providing protection and humanitarian assistance to internally displaced persons is assigned to national authorities, which are called to promote family unity, search for missing relatives, etc. The authorities are obliged to issue to an internally displaced persons all the documents necessary for recognition and realization of their rights, to simplify the replacement of lost documents, never demand from such persons to return to the place of previous residence based on the documents left there (Leheza *et al.*, 2023). Such persons shall be guaranteed freedom of movement, i.e. the opportunity to seek a safe place on the territory of their state as well as the opportunity of free travel outside the state and seek asylum abroad. Authorized bodies and officials shall facilitate the return of the displaced PERSON's property, and if this is not possible, provide appropriate compensation, and they shall also be responsible for establishing conditions that would provide internally displaced persons with an opportunity to return to their homes or move to live in another part of the country (Voytsikhovsky, 2021).

In the Law of Ukraine "On Ensuring the Rights and Freedoms of Internally Displaced Persons" of 2014 the concept of an internally displaced person reproduces the definition laid down in the Guiding Principles, however, initially the list of persons who could be considered internally displaced PERSONS was narrowed, later the corresponding changes were made (Law of Ukraine, 2014).

Among the documents of a universal special nature, we should note the Principles on Housing and Property Restitution for Refugees and Displaced Persons 2005/21, resolution 2005/21; (Pinheiro Principles).

Regional legal standards of displaced persons are important for Ukraine. Of course, the Convention for the Protection of Human Rights and Fundamental Freedoms of 1950 and the European Court of Human Rights can also be considered tools for the protection of the rights of displaced PERSONS on general grounds, if their rights protected by the Convention and adjacent Protocols have been violated by the state (Leheza *et al.*, 2019).

Numerous documents adopted since the beginning of the conflict are also aimed at solving the situation of internally displaced persons in Ukraine. In particular, these are PACE resolutions 2198(2018) "Humanitarian consequences of the war in Ukraine", 2133 (2016) "Legal remedies for human rights violations on the Ukrainian territories outside the control of the Ukrainian authorities", 2132 (2016) "Consequences of the Russian Federation's aggression against Ukraine", 2028(2015) "The humanitarian situation of Ukrainian refugees and displaced persons", 2112 (2016) "The humanitarian concerns with regard to people captured during the war in Ukraine", etc..

Adoption of the "Strategy of Integration of Internally Displaced Persons and Implementation of Durable Solutions to Internal Displacement until 2020" in 2017 was positive. It took into account certain standards mentioned above. Its implementation was intended to ensure that internally displaced persons could exercise their rights without restrictions on the same level as other citizens and to contribute to the creation of conditions where internally displaced persons would not need specific assistance and protection measures in connection with their displacement. But due to the realities of today, of course, its modernization is urgent alongside with the adoption of a new strategy that would meet the new challenges of wartime and post-war reconstruction.

On 04 March, 2022, an implementing decision of the Council of the EU was adopted on the activation of the Directive 2001/55/EC on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, dated 20 July, 2001. (The Directive on

temporary protection) (Kopiyka, 2023). The absolute majority of those who left for EU countries, fleeing the war, applied for the status of temporarily protected persons and they did not apply for asylum. The activation of this Directive and the rights provided for by it contributed to the protection of persons displaced from Ukraine to EU member states, and it has become an effective means of preventing the largest migration crisis in Europe. In addition, reported is the lack of proper legislative regulation of this issue in the EU states, the use of different approaches to its implementation, as well as the lack of scientific research both on issues of temporary protection in general and on the protection of the rights of temporarily protected persons (Dymko *et al.*, 2017).

As a result, persons who received the status of temporary protected ones are provided with the right to residence, social and emergency medical assistance, access to the labor market and housing, as well as the opportunity to engage in entrepreneurship in the EU member states. Despite different social and housing programs, as well as different amounts of social assistance and the duration of its payment, Ukrainians received the right to temporary stay and protection, and the open access to the labor market provided many of them with an opportunity to earn a living, thereby reducing the costs of maintaining these persons, compared to asylum seekers and refugees. We agree that with the adoption and activation of the Temporary Protection Directive, a new type of protection for displaced persons has begun at the international level. At the same time, there is an obvious need to review and regulate the list and scope of rights of temporarily protected persons, at least at the regional level (Leheza *et al.*, 2023).

Returning to the practical aspects of realizing the status of internally displaced persons, their rights and freedoms, international standards, we should note that this is happening in the conditions of the greatest challenges that Ukraine has faced since its independence. In addition to problems of the political, legal, and economic nature, it is important to pay attention to social ones, psychological ones, etc. Therefore, the multidimensionality of the process of implementation and protection of the rights and freedoms of persons, their adaptation presupposes a complex and systematic solution to existing problems, based on organizational-legal, resource, socio-cultural and other approaches. Despite the significant changes in the way of implementation of international standards, especially in the context of Ukraine's European integration, many provisions of normative legal acts of Ukraine remain declarative, ineffective, or the mechanism of their implementation is complex. This is confirmed by the national and international judicial practice (Volobuieva *et al.*, 2023). Therefore, timely and justified improvement of the legislation, provision of accessible and effective mechanisms of implementation and protection on the part of the state is natural.

## **CONCLUSION**

Therefore the system of individual protection standards is a kind of international mechanism for ensuring first of all the status of rights and freedoms of internally displaced persons, the corresponding guarantees regulated by the norms of universal, regional and special treaties, implemented by authorized subjects of public administration in various spheres of life. On the basis of different approaches, it is possible to single out the standards of the universal, supranational, regional levels, as well as standards of universally binding legal force and recommendatory ones, permanent ones and temporary ones, etc. The statuses of persons who received the status of temporarily protected ones are quite similar and at the same time different, but if the common sources of regulation of their status, international contractual and institutional mechanisms for the protection of rights and freedoms are noted, at the same time, refugees have a special mechanism of protection under the Convention Relating to the Status of Refugees 1951,

Protocol Relating to the Status of Refugees 1967, and internally displaced persons acquire such protection indirectly, as they are under the legal protection of their state of citizenship and residence, its government, etc.

The status of an internally displaced person is not fixed in any special international convention or other treaty, and the existing standards do not have a unifying nature. The Guiding Principles of Internal Displacement of 1998 is the only document regulating the status of internally displaced persons, which has gained significant authority in the world, individual regions and states. Numerous acts of the Council of Europe are based on them, reflecting the peculiarities of internal displacement in member states. Actually, this organization plays a leading role in the development and adoption of international regional standards and contributes to ensuring their implementation. Participation of the EU in the development of standards and provision of researched standards is lawful and significant (Directive 2001/55/EC, implementing decision of the Council of the EU on its activation on 04 March, 2022, etc.), but there is still a need to revise and regulate the list and scope of rights of temporarily protected persons.

Of course, at the national level, authorized government bodies are assigned a significant amount of tasks, functions, and powers to ensure the rights and freedoms of internally displaced persons, their guarantees of implementation and protection, as well as restoration of violated rights. Therefore, it is important to consolidate authorized bodies and officials in this direction, implement existing international standards and best foreign practices, improve Ukrainian legislation, ensure effective and accessible procedures, and integrate persons into the life of the community, society, and the state. It seems appropriate to activate our state in international law-making on personal issues, taking into account the acquired experience and problems that require urgent solutions, first of all, regarding social protection, electoral rights, housing and land rights, provision of legal aid, etc.

## REFERENCES

- Boyko, O. 2023. There are 7 million unregistered migrants in Ukraine. URL: <https://suspilne.media/412176-v-ukraini-7-miljoniv-nezareestrovanih-pereselenciv-veresuk/>
- Dymko, I., Muradian, A., Manzhula, A., Rudkovskiy, O., Leheza, Ye. (2017). Integrated approach to the development of the effectiveness function of quality control of metal products. *Eastern European Journal of Enterprise Technologies*. 6/3 (90). 26-34. doi: 10.15587/1729-4061.2017.119500.
- Fedorova, A.L. (2018). Protection of Internally Displaced Persons: Council of Europe Standards and Ukrainian Legislation Priority Research Areas of State Development and Law in the Conditions of Euro-Atlantic Integration of Ukraine: Monograph. Kyiv. Ukraine.
- Index of integration of internally displaced persons. (2023). URL: <https://cedos.org.ua/uk/vpo-integration-index/cases>
- Kopiyka, V. V. (2023). Basic rights of temporarily protected persons from Ukraine in EU countries. Modern problems of the development of international and European law: monograph. Ukraine.
- Korniienko, M. Desyatnik, A. Didkivska, G. Leheza, Ye. Titarenko, O. (2023). Peculiarities of investigating criminal offenses related to illegal turnover of narcotic drugs, psychotropic substances, their analogues or precursors: criminal law aspect. *Khazanah Hukum*. Vol. 5. No. 3, 205-215 DOI: <https://doi.org/10.15575/kh.v5i3.31742>.
- Law of Ukraine (2014). On ensuring the rights and freedoms of internally displaced persons No. 1706-VII. Verkhovna Rada information. 2015, No. 1, Article 1



- 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.
- 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. <https://doi.org/10.4303/JDAR/236240>
- Leheza, Ye. *Sinkevych O. Kravtsova, Z. Kudriavtseva, O. Cherniak Ie.* (2023). The Human Right to an Environment Safe for Life and Health: Legal Regulation, Contemporary Challenges and Comparative Perspectives *Syariah: Jurnal Hukum dan Pemikiran*. Vol. 23 No. 2, 138-150. <https://doi.org/10.18592/sjhp.v23i2.12257>
- Leonenko, T.Y., Leonenko, M.I., Shkuta, O.O., Yurchyshyn, V.M. (2019). Features of group motivation for criminal acts committed on the grounds of religious hatred or hostility. *Journal of Advanced Research in Law and Economics*, 10(3), 842-849 DOI: [https://doi.org/10.14505/jarle.v10.3\(41\).19](https://doi.org/10.14505/jarle.v10.3(41).19)
- Leonenko, T.Y., Leonenko, M.I., Shyian, O.Y., Yurchyshyn, V.M., Shkuta, O.O. (2019). Pathological' Religiosity Phenomenon as Manifestation of Individual's Deviant Behavior: Religious Hatred or Discord Motive in Commission of Crimes in the Religious Denomination Sphere. *Journal of Advanced Research in Law and Economics*, 10(1), 295-306 DOI: [https://doi.org/10.14505/jarle.v10.1\(39\).30](https://doi.org/10.14505/jarle.v10.1(39).30)
- Loizidou V, Turkey. (1996). Judgement, European Court of Human Rights, §45, no. 15318/89, 18 December. Available online. In: <http://hudoc.echr.coe.int/eng?i=001-58007>
- Maksimov, S.I. (1997). Problems of the methodology of modern legal science. *Bulletin of the Academy of Legal Sciences of Ukraine*". 1. 146-150
- Mytsyk, V.V. (2010). Human Rights in International Law. International legal protection mechanisms: a textbook. K.: Promeni Publishing House. 62.
- Nandy, D. (2023). Human Rights in the Era of Surveillance: Balancing Security and Privacy Concerns. *Journal of Current Social and Political Issues*, 1(1), 13-17.
- Operational data portal. (2023). Ukraine refugee situation. URL: <https://data.unhcr.org/en/situations/ukraine>
- Pisotska, K., Leheza, Ye., Dubenko, O., Dakhno, O., Sotskyi, A. (2022). The Essence of the Principles of Ukrainian Law in Modern Jurisprudence. *Revista Jurídica Portucalense*, December, 342-363. [https://doi.org/10.34625/issn.2183-2705\(32\)2022.ic-15](https://doi.org/10.34625/issn.2183-2705(32)2022.ic-15)
- Pronyuk, N.V. (2010). Contemporary International Law: A Study Guide. Kyiv KNT, 280.
- Samoilova L.G. (2018) Internally Displaced Persons in Host Communities: A Comparative Analysis of Models of Conflict-Free Interaction. URL: [https://ela.kpi.ua/bitstream/123456789/27277/1/Samoilova\\_magistr.pdf](https://ela.kpi.ua/bitstream/123456789/27277/1/Samoilova_magistr.pdf)
- Shcherbyna, B. Leheza, Y., Leheza, Yu. Pushkina, O. & 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>
- Sheyko V. (2002). Organization and methodology of scientific research activity: a textbook. 2nd edition. (2002). Kyiv: Znannia-Press, Ukraine.
- Shkuta, O., Karbovskiy, D., Pushkina, O., Potip, M., Varhuliak, O. 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*. 2023, 12(7), 236-255. DOI: <https://doi.org/10.4303/JDAR/236255>
- Volobuieva, O. Leheza, Ye. Pervii, V. Plokhuta, Ye. Pichko, R. (2023). Criminal and Administrative Legal Characteristics of Offenses in The Field of Countering Drug Trafficking: Insights from Ukraine. *Yustisia*. Vol 12, No 3. 262-277. DOI: <https://doi.org/10.20961/yustisia.v12i3.79443>
- Voytsikhovsky A.V. (2021). Human rights in international law: a textbook. Kharkiv: LLC "Planeta-Print", Ukraine.
- Yerofieienko, L., Leheza, Y., Komashko, V. (2023). Peculiarities of legal regulation of intellectual property protection in Ukraine under martial law: administrative and civil aspects | Peculiaridades da legislação de propriedade intelectual na Ucrânia sob lei marcial: aspectos administrativos e civis. *Law of Justice Journal*, 2023, 37(3), 157-172 doi: 10.5335/rjd.v37i3.15233