

foremost, regions with a significant share of Russian-speaking people. Some of them cannot be surveyed due to the occupation, someone due to ongoing hostilities. Also, the largest number of refugees abroad left these regions.

The "Spiral of silence" phenomenon should also be taken into account. In conditions of patriotic upsurge, people may not be inclined to give "unpatriotic" answers. To obtain more objective data, it is necessary to compare survey data with the results of qualitative research.

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#### **RESTRICTIONS OF HUMAN AND CITIZEN RIGHTS AND FREEDOMS UNDER THE CONDITIONS OF MARITAL STATE**

One of the fundamental axioms of legal theory is the axiom regarding the application of legal norms in time, space, and among individuals. Article 3 of the Constitution of Ukraine enshrines that "a person, their life and health, honour and dignity, inviolability, and safety are recognized as the highest social value in Ukraine" [1, p. 3].

Article 64 of the Constitution of Ukraine establishes that constitutional rights and freedoms of an individual and citizen cannot be restricted except in cases provided for by the Constitution of Ukraine. However, in the conditions of the imposition of martial law or state of emergency, certain limitations on rights and freedoms may be established, indicating the duration of these restrictions [1, p. 3].

The constitutional norms of Ukraine correspond to the principles set out in the Universal Declaration of Human Rights, which states that every person must exercise their rights and freedoms only within the limits established by law to ensure due recognition and respect for the rights and freedoms of others and satisfy the just requirements of morality, public order, and the general welfare in a democratic society [5, p. 3].

Thus, the Law of Ukraine "On the Legal Regime of Martial Law" provides for a number of such restrictions, including the right to freedom of expression, assembly, and association, the right to personal inviolability, private property, and freedom of movement [4, p. 3].

However, these limitations must be justified and proportional to the aim pursued. The protection of an individual and citizen's rights during martial law must be ensured in accordance with international humanitarian law, including the Geneva Conventions on the protection of war's victims.

But what is the limitation of human and citizen rights? By temporarily suspending such rights until the end of martial law or by suspending the norms of law establishing such rights and freedoms? If the restriction of rights means the narrowing of the scope of human rights, then in what part?

The legal analysis of the Basic Law and the Law of Ukraine "On the Legal Regime of Martial Law" provides reasons to believe that the national legislation recognizes the suspension itself as a limitation of the rights and freedoms of a person and a citizen.

So, for example, Clause 6, Part 1, Art. 6 of the Law of Ukraine "On the Legal Regime of Martial Law" defines that 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 with an indication validity period of these restrictions, as well as temporary restrictions on the rights and legitimate interests of legal persons with an indication validity period of these restrictions. Article 13 of the same Law enshrines a temporary ban on the application of normative legal acts of the Verkhovna Rada of the Autonomous Republic of Crimea, decisions of

the Council of Ministers of the Autonomous Republic of Crimea, decisions of local executive bodies and local self-government bodies, which concern the rights and freedoms of a person and a citizen, which are limited to in connection with the introduction of martial law. And part 1 of Art. 8 of the Law establishes a direct ban on certain constitutional rights and freedoms [4, p. 3].

If we analyse paragraph 3 of the Decree of the President of Ukraine "On the introduction of martial law in Ukraine", which lists specific articles of the Constitution of Ukraine, which establish certain constitutional rights and freedoms of a person and a citizen, which are limited, we can be sure that what is meant is the suspension of the norms of law [3, p. 3].

How expedient is it to suspend the effect of such rights in full, in particular, on the territory of the entire state, and not in individual areas where hostilities are taking place, and in general for the entire period of martial law?

Since there is a lack of stable principles for the implementation of human rights during war, which would be effective, it is necessary to continue researching this issue at different levels of regulation.

In any case, the protection of human rights is an integral part of international humanitarian law, and legal measures for their protection must be fully implemented even in the most difficult conditions of military conflict.

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