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## **RIGHTS AND FREEDOMS IN TIMES OF MILITARY CONFLICT**

Human rights are a universal human value, and the equality of rights and freedoms of all people is the highest social value. These are the principles enshrined in the Universal Declaration of Human Rights adopted by the UN General Assembly on December 10, 1948. It became the first international standard in this field and created the legal basis for the further evolution of the concept of human rights. Today, it is very important that every person knows his rights, which are recognized by the state and society. Human rights are not given by the state, but belong to everyone from birth.

Unfortunately, it is often during armed conflicts that human rights are infringed upon the most. Therefore, over the years, experts have focused much attention on the formulation of instruments aimed at alleviating human suffering during war and conflict. Today, three areas of modern international law attempt to provide protection to victims of war: human rights law, refugee law and humanitarian law. While these fields are closely linked, they need to be distinguished systematically. Humanitarian law applies in armed conflict, restricting the actions of warring parties, providing for protection and humane treatment of persons who are not taking part or can no longer take part in the hostilities. Like international human rights law, humanitarian law protects the lives and dignity of individuals, prohibiting torture or cruel treatment, prescribing rights for persons subject to a criminal justice procedure, prohibiting discrimination and setting out provisions for the protection of women and children. In addition, humanitarian law deals with the conduct of hostilities, combatant [1].

Regarding the war in Ukraine the top UN official informed the reporters that UN staff are working on «both sides of the contact line», providing lifesaving humanitarian relief to people in need, «regardless of who or where they are». «The protection of civilians must be priority number one», he stressed. The UN chief restated that international humanitarian and human rights law must be upheld, noting that the decisions of the coming days «will shape our world and directly affect the lives of millions upon millions of people». Also «The protection of the civilian population must be a priority. The use of explosive weapons in populated areas should – at all costs – be avoided», underscored the High Commissioner. She called for the full respect of international humanitarian law, in particular the four Geneva Conventions of 1949 and their first additional protocol of 1977, as well as international human rights law. And prior to the media briefing, UN High Commissioner for Human Rights Michelle Bachelet issued a statement on the military attack. «Civilians in various parts of Ukraine were awoken by sounds of heavy bombardment

and are terrified of further escalation, with many fleeing their homes», she said. «This military action clearly violates international law and puts at risk countless civilian lives. It must be immediately halted» [2].

Hostilities between Russian armed forces and Ukrainian armed forces constitute an international armed conflict governed by international humanitarian treaty law (primarily the four Geneva Conventions of 1949 and its first additional protocol of 1977 (Protocol I), and the Hague Conventions of 1907 regulating the means and methods of warfare), as well as the rules of customary international humanitarian law. Both Ukraine and Russia are parties to the 1949 Geneva Conventions and Protocol I [3].

The international law of armed conflicts, of which international humanitarian law is a part, was formulated much earlier than international human rights law. Important phases in the development of the humanitarian law of armed conflicts were the (diplomatic) Conferences of Paris (1856), Geneva (1864), St. Petersburg (1868), Brussels (1874), The Hague (1899, 1907) and Geneva (1949 and 1977). The international law instruments adopted at these conferences form the basis of modern hu471 Human Rights and Armed Conflict humanitarian law, the most relevant being the four Geneva Conventions (1949) and their two Additional Protocols (1977). The principal purpose of the four Geneva Conventions was to set out humanitarian rules to be followed in international armed conflict. The Convention relative to the Protection of Civilian Persons in Time of War (the Fourth Geneva Convention) lists a number of actions which the parties must refrain from in all circumstances. These include actions that are recognised as violating the most basic human rights, such as violence endangering life, torture and physical or moral coercion, as well as non-compliance with many due process rights. The Convention forbids in the strongest terms the utilisation of human shields. It also provides that civilians may not be compelled to work for an occupying power unless certain strict conditions are met (Article 51). The Additional Protocols to the Geneva Conventions, which were adopted by the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law applicable in Armed Conflicts (1977), are major developments in this context.

Unfortunately, due to the war between Ukraine and Russia, other states are also suffering. One of them is Somalia. Even before the war in Ukraine, Somalia was suffering. It is one of the poorest countries in the world – and the second most fragile according to the Fragile States Index. Not only is it plagued by economic and political instability, Somalia is hit with frequent and intense natural disasters, such as drought and famine. According to WFP, 7.1 million Somalis are facing ‘crisis’ or worse food security outcomes, while over 213,000 people face catastrophic hunger and starvation. When 100 per cent of its wheat imports come from Russia and Ukraine, what is Somalia to do? Poor rural farmers and pastoralists already dealing with the compounding effects of conflicts, drought, climate change, locust invasions, and COVID-19, now have to grapple with price hikes in

food and fuel combined with a drop in purchasing power. With extremely limited local food production, the food security situation in Somalia is looking bleak. IFAD's (International Fund for Agricultural Development) Crisis Response Initiative will provide some much-needed support to 36,000 small-scale producers, farmers and pastoralists in the most fertile but extremely poor parts of Somalia. By improving their access to markets and productive incomes, these farmers can earn an income, while strategically targeting investments to fertile areas optimizes local production and helps improve Somalia's resilience [4].

Many laws and human rights are violated in the armed conflict between Russia and Ukraine, precisely by the aggressor country, and not only the military, but also civilians and even other countries suffer from this. Also, the UN High Commissioner for Human Rights Michelle Bachelet claimed that all these military actions clearly violate international law and endanger the lives of countless civilians. Therefore, our citizens must know about the rights and freedoms of a person and a citizen in the conditions of military aggression. After all, a person is the highest value and there is nothing more precious than life.

#### *Список використаних джерел*

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## **CRIME PREVENTION BY LAW ENFORCEMENT AGENCIES**

Crime prevention is a system of measures taken by state bodies, public organizations, government officials and other persons aimed at counteracting the processes of crime determination, aimed at re-socialization of potential criminals, prevention of new crimes.