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## **THE PRESUMPTION OF INNOCENCE IN INTERNATIONAL LAW AND UKRAINIAN LAW**

The presumption of innocence as the underlying principle of criminal proceedings remains a challenge as it is associated with a number of restrictions for individuals, in particular with the arbitrary behaviour of law enforcement agencies and courts. Ukrainian legislator is tirelessly trying to adjust the domestic legal system to international standards to avoid erroneous interpretation of the law. Thus, our state has introduced many legal provisions into its legislation, including those relating to the principle of presumption of innocence.

Therefore, in addition to the legislative consolidation of the presumption of innocence in the system of national legislation (in the Constitution of Ukraine, the Criminal and Criminal Procedure Codes of Ukraine, the Civil Code of Ukraine), the legal provision of this principle is also reflected in the most important international legal acts that enshrined the universal standards of fundamental human rights and freedoms.

Article 11 of the Universal Declaration of Human Rights states the following: "Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he or she has all the guarantees necessary for his or her defence" [2]. Article 6 of European Convention for the Protection of Human Rights and Fundamental Freedoms of 1960 states that everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law [3].

In addition, Article 14 of the International Covenant on Civil and Political Rights establishes that everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law [4]. The aforementioned international instruments enshrine fundamental rights and freedoms designed to ensure a high standard of living for everyone and are binding for the parties to implement and respect.

Thus, the definition of the principle of presumption of innocence in international legal acts undoubtedly indicates its particular importance to ensure and guarantee human and civil rights and freedoms, ensuring protection not only at the level of national legislation, but also at the

international level. In view of the above, we consider it advisable to analyse the legal provisions of other states of the world concerning the principle of the presumption of innocence.

For example, considering the United States of America (hereinafter the USA), it should be noted that in the legal doctrine of the USA the presumption is recognized as a rule established by law or by court, according to which the existence of a basic fact gives rise to the existence of a presumed fact until the presumption is rebutted [5]. The closest definition of the principle of presumption of innocence to Ukrainian law is laid down in the California Penal Code, where paragraph 1096 states that a defendant in a criminal action is presumed to be innocent until the contrary is proved, and in case of a reasonable doubt whether his or her guilt is satisfactorily shown, he or she is entitled to an acquittal, but the effect of the presumption is only to place upon the state the burden of proving him or her guilty [1, p. 192].

In essence, this definition is similar to the definition of the principle of innocence in the Ukrainian legislation, where the burden of proof is also placed on the prosecution. In addition, it should be noted a peculiarity of the jury trial in the legal system of the USA where the presumption of innocence also takes place. It manifests itself in the court's impartiality regarding the guilt of the accused in the commission of a criminal offence.

Considering the aforesaid, we can conclude that the consolidation of presumption of innocence in the international legal acts makes it possible to assert that this principle is an especially important guarantee of the protection of the human and civil rights and liberties not only in Ukraine but also in other states of the world. In particular, the analysis of some legal systems of the world in the context of the presumption of innocence led to the conclusion that the essence of the presumption of innocence does not differ much, but in Ukraine this principle is disclosed much wider.

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## **EUROPEAN UNION ILLEGAL DRUG MARKET: IMPACT OF COVID-19 PANDEMIC**

The COVID-19 pandemic has affected our daily lives in many ways and has also had an impact on drug markets. There is a critical need to investigate the extent and nature of this impact to identify areas where rapid adaptations to operational responses and future policies are required. In addition, lessons may be learned from the past and current situations in terms of how we might better anticipate emerging threats and ensure that we act quickly to meet immediate and longer-term data needs to inform policy, decision-making and operational responses.

The objective of this analysis of EU drug markets is to increase understanding of ongoing developments and their impact on the internal security and public health of the EU in order to inform European institutions and partners in the EU Member States. This is of vital importance for formulating effective responses at the EU and national levels and could inform (future) priorities for collaborative responses.

As Europol reported in its baseline assessment, the outbreak of the COVID-19 pandemic seemed to have had little immediate impact on the wholesale trafficking of drugs [1]. Apart from some disruptions at the onset of the first lockdown, trafficking of cannabis, cocaine and heroin was observed to continue over the monitoring period. Drugs continued to be seized on arrival in shipping containers at main European entry points, in some cases in unprecedented quantities.