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CERTAIN ASPECTS OF THE LEGAL REGULATION OF DONBAS DE-OCCUPATION

Certain aspects concerning legal regulation of Donbas de-occupation, taking into account modern tendencies of development of the science of international humanitarian, criminal law, and the current domestic administrative and criminal law are investigated in the article, as well as the peculiarities of State policy for ensuring the establishment of State sovereignty of Ukraine during the liberation of the temporarily occupied territories of Donbas and the restoration of constitutional order in these territories, for the protection of human and civil rights, freedoms and legitimate interests, and for ensuring the independence, unity and territorial integrity of Ukraine.

The international experience of overcoming the crisis of the war period has been studied and analyzed, which includes four main areas: criminal proceedings – effective prosecution of war crimes, legal protection of victims of armed conflict, improvement of legislation, judicial and investigative practice; compensation – establishment of mechanisms ensuring compensation for victims of the slaughter conflict and restoration of the violated rights of victims; ascertaining the truth – declassification of archives and establishment of a national archive of military events; conducting pre-trial investigation of persons missing and disappeared in the military conflict; institutional reforms – implementation of reforms of law enforcement agencies in the sphere of ensuring the internal security of the state, reforms of the judiciary, education, science and media sectors.

Areas and necessary practical measures of legal regulation of the de-occupation and reintegration of Donbas in order to implement legal norms of international and domestic legislation have been defined. Implementing the legal norms of the Rome Statute of the International Criminal Court in the domestic criminal legislation of Ukraine has been proposed.

The author's understanding of the notion of legal regulation, de-occupation and reintegration of the Donbas, the concept of transitional justice are described, their essence is revealed, and also the justified proposals on the improvement of legal regulation to restore state sovereignty and territorial integrity of Ukraine in the occupied part of the Donbas are formulated.

Keywords: state sovereignty of Ukraine, legal regulation, de-occupation and reintegration of Donbas, criminal proceedings.

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