

Recommended for publication by the Academic Council of the Private Higher Educational Institution "Dnipro Humanitarian University" (protocol dated 10/27/2023 No. 2).

LEGAL CHALLENGES OF THE GLOBALISED WORLD: How should the law protect and realise rights?:

Summaries of the papers of the International Scientific and Practice Conference (Dnipro, London, October 11th, 2023) held by Dnipro Humanitarian University, University of Roehampton and the University of Westminster with the assistance of St. Mary's University, Twickenham.

The conference collection contains a summary of the proceedings of the International scientific and practical conference "LEGAL CHALLENGES OF THE GLOBALISED WORLD: How should the law protect and realise rights?" (October 11th, 2023), which was attended by representatives of higher education institutions, scientific institutions, law enforcement agencies and courts, non-governmental institutions of Ukraine and foreign countries.

Editorial Board

ISBN 978-1-5262-1000-5

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furthermore hinted that any ship trying to force the blockade could be interpreted as hostile, and targeted as such.

The implications of such a stance are far-reaching, since shipping vessels enjoy particular privileges in international and maritime law. An attack on a flag-bearing vessel could be interpreted as an attack on the country from which this vessel hails. While this is an interesting strategic scenario to consider, this does not solve the problem of ensuring that Ukraine's production of grain and cereal are safely exported.

The implications of not enabling exports to take place are extremely serious; the vast majority of that grain is aimed at clients in the Middle East, North Africa, and Africa. Should the exports not reach their market, these countries could face localized shortages, triggering punctual inflation, and even national instability. This instability could also devolve into a humanitarian crisis which the West would feel pressured to alleviate, and could also create another migratory crisis. This latter eventuality is not far-fetched; in 2011, the « Arab Spring » was caused in part by Russia's moratorium on exports due to the low yield of the previous year, which had been affected by a severe drought.

Black Sea littoral states have a stake and an opportunity to create a legal regime which would facilitate the establishment of a legal regime which would enable them to legitimately escort, protect and even defend shipping that links Ukrainian ports with other Black Sea and Mediterranean ports. There are precedents for such an initiative; the North West Atlantic Protection Organization (NWAPO) which enforces the protection of fish stocks against illegal fishing or overfishing. In 1995, the Canadian Navy intervened against Spanish trawlers under that regime. In 1988, the United States Navy took upon itself to protect oil shipping in the Persian Gulf in the context of the Iran-Iraq war. Lately, the European Union, along with NATO fleets have protected maritime sea lanes of communication against piracy off the Horn of Africa.

This paper aims at looking at these three precedents and to identify the opportunities and remedies to obstacles to establishing such a legal regime for the Black Sea.

LEZHNEVA Tetiana (Candidate of Law, Associate Professor, Vice-Rector of Dnipro Humanitarian University, Ukraine)

Divorce restrictions related to wife's pregnancy and childbirth (Eastern Europe countries and post-Soviet countries)

A comparative legal study of divorce restrictions related to wife's pregnancy and childbirth has been conducted. The legal systems of post-Soviet countries and Eastern Europe countries, which could have been significantly influenced by Soviet

law, are the object of the study. The divorce restrictions related to wife's pregnancy and childbirth have been found to be unique to post-Soviet states. At the same time, such a restriction is not typical of other European countries that were under the influence of the USSR; such a restriction was neither accepted by them under Soviet law nor developed on their own legal substratum, despite the high religiosity of some such countries. Hence, the restrictions in question are genetically derived from the Soviet legal system.

All post-Soviet countries, except Latvia, Lithuania and Estonia, have retained the restrictions in question in their family law. This circumstance is especially indicative, as it testifies to the uncharacteristic nature of this restriction to developed civilized societies, to its civilizational incompatibility with the Euro-Atlantic path of development. The further development of these restrictions in most post-Soviet countries is ambiguous, characterized by both authoritarian and liberal tendencies (for example, the ban is extended, but exceptions are introduced). Most countries have introduced the possibility of lifting the restriction with the wife's consent. The situation in Belarus is remarkable, where authoritarian tendencies of this restriction development prevail.

The Ukrainian version of this restriction is of concern, as it still does not provide the possibility of removing the restriction with the consent of the wife. In other Eastern European countries, the restriction in question is absent, although in many of them, particularly in Poland, Latvia, Lithuania and Estonia, the freedom to divorce is significantly restricted in other ways. Thus, the study found that the divorce restrictions related to wife's pregnancy and childbirth originated in Soviet law and are not specific to Eastern European legal systems.

LYTVYNOV Valerii (Candidate of Law, Associate Professor of the Department of Law of Dnipro Humanitarian University, Ukraine)

Judicial review as a form of justice

Under the provisions of the Ukrainian Constitution and the Criminal Procedure Code of Ukraine provisions there are three name functions of criminal proceedings in accordance with it usually carries out: 1) prosecution, 2) defense, 3) justice. However, the function of the prosecution is the main at the stage of the pre-trial investigation. The reason for this is that the prosecution (the inquirer or investigator under the procedural guidance of the prosecutor) carries out most of the procedural actions at this stage. The procedure for conducting many procedural actions at the stage of pre-trial investigation provides for the possibility of limiting the constitutional rights and freedoms of a person. Such restrictions are foreseen in the case of using measures to ensure criminal proceedings, preventive measures, conducting individual investigative (search) actions, and covert investigative (search) actions. The Criminal Procedure Code of Ukraine regulates the procedure