

of language, and encourage deeper contemplation of the issue. By embracing their language and culture, Ukrainians are also empowering themselves to take on a more active role in the global community and labor market, thereby opening up new opportunities for personal and collective growth.

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A SPECIAL TRIBUNAL ON THE CRIME OF AGGRESSION AGAINST UKRAINE: MAIN LEGAL ISSUES

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The problem of establishing a special tribunal on the Russian Crime of Aggression against Ukraine is currently very relevant and important. Such an event will have great significance for the further development of the international criminal law. The importance of the tribunal is, on the one hand, in ensuring justice, compensation and truth, and, on the other hand, in its function as significant preventive measure for international armed conflicts worldwide, because an inadequate reaction to such gross violations of the international law can serve as a signal, precedent for non-democratic totalitarian states.

For the first time the crime of aggression as an international crime was mentioned in the Nuremberg International Military Tribunal (1945–1946). The Tribunal said: "To initiate a war of aggression ... is not only an international crime; it is the supreme international crime differing only from other war crimes in that it contains within itself the accumulated evil of the whole" [1]. Since then, the crime of aggression has never been the subject of other tribunals.

According to article 1 of United Nations General Assembly Resolution 3314 (XXIX, 14 December, 1974) aggression is the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations, as set out in this Definition [2].

Rome Statute of the International Criminal Court (ICC) in article 8 bis³ states that the crime of aggression means planning, preparation, initiation or execution by a person in a position of control over the other State or starting direct political or military activities against the other State, thus, such act of aggression, by its character, gravity and scale, constitutes the violation of the Charter of the United Nations [3].

According to article 15 bis⁵ of Rome Statute in respect of a State that is not a party to this Statute the Court shall not exercise its jurisdiction over the crime of aggression when committed by that State's nationals or on its territory [3]. Ukraine tried to ratify the Rome Statute of the ICC in 2001, but it was declared as inconsistent with the Constitution of Ukraine according to the conclusion of the Constitutional Court of Ukraine of 11 July, 2001 [4]. Thus, the ICC can exercise its jurisdiction only on genocide, crimes against humanity and war crimes in Ukraine.

Many scholars and analysts offer various possible solutions to the problem of establishing a special tribunal on the Russian Crime of Aggression against Ukraine [5-7].

Firstly, it is necessary to amend Rome Statute. It is certainly possible, but it will take a long time several years for sure, until the states ratify relevant changes [7]. For example, Kampala amendments were adopted in 2010, but they entered force only in 2018 [8].

Secondly, Russia has to be excluded from the permanent members of the United Nations Security Council. Otherwise it will, of course, block any attempt to pass a resolution on establishing the tribunal by its veto. To exclude Russia from the permanent members of the UN Security Council will be extremely difficult because the UN Charter does not have such legal procedures and tools and amending can take an indefinite amount of time.

Thirdly, according to the experts in international law the most effective way to solve this problem will be to establish the tribunal by agreement with the UN on the recommendation of the General Assembly [5-7]. It will neutralize Russian right to veto, legitimize this tribunal and give it the required level of international recognition and support. Absolute majority of states in UN will support this initiative and ratify or vote for the relevant treaty, for the exception of some non-democratic, totalitarian states.

Fourthly, it is important to establish the tribunal by agreement with the regional international organizations such as the European Union or the Council of Europe. The experts say that such a model may involve the creation of a special or "hybrid" tribunal integrated into the national justice system [7].

Finally, the tribunal is to be established according to the international multilateral treaty. It can have the format of a "hybrid" tribunal integrated into the national justice system [7].

In conclusion, the ICC can exercise its jurisdiction only on genocide, crimes against humanity and war crimes in Ukraine. The most effective way to establish the special tribunal on the Russian crime of aggression against Ukraine will be to

establish the tribunal by agreement with the UN on the recommendation of the General Assembly that will legitimize this tribunal and give it the required level of international recognition.

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ANTI-CORRUPTION RESTRICTIONS IN PUBLIC SERVICE

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The problem of corruption has been and still remains the most pressing and significant for the entire society throughout the entire period of independent Ukraine's existence. This is particularly confirmed by the research of the global anti-corruption organization *Transparency International*, according to which Ukraine is ranked 116-th out of 180 countries in 2022, which is not a good result. The same level was reached by such countries as: Algeria, Angola, El Salvador, Mongolia, the Philippines, and Zambia [7]. Therefore, the problem of corruption and its prevention needs to be studied in detail, as it is a threat to national security,