

participation, the personal non-property approach to the right to information has the potential to enhance the quality of governance and contribute to the overall well-being of society.

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THE PRINCIPLES OF THE PRESUMPTION OF INNOCENCE AND ENSURING THE RIGHT TO DEFENCE UNDER THE CRIMINAL PROCEDURAL LEGISLATION OF UKRAINE AND THE REPUBLIC OF POLAND: A COMPARATIVE ANALYSIS

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Each branch of law contains a significant number of norms that regulate relevant social relations, but their common feature is the presence of primary foundations, on which all legal regulation is built and under their influence, norms of law are formed. Criminal procedural law also has this feature, where the principles of criminal procedural law are primary. Such principles include one of the basic principles, namely the principle of presumption of innocence.

The criminal procedural law of Ukraine contains a significant number of sources of law and consists of relevant provisions of the Constitution of Ukraine, international treaties, the binding consent of which was given by the Supreme Council of Ukraine, the Criminal Procedural Code and other laws of Ukraine [1].

Similarly, Polish criminal procedural law has in its list of sources the Constitution of Poland, the Criminal Procedure Code of Poland, other normative legal acts, as well as international treaties, although this is not explicitly stated in the Criminal Procedure Code of the Republic of Poland, but follows from the norms of the Polish Constitution of the system interpretation of its norms.

The defendant's right to be presumed innocent until proven guilty is a fundamental principle that governs the treatment of any defendant throughout the entire trial of a criminal case, up to the final decision. Paragraph 2 of Article 14 of the International Covenant on Civil and Political Rights provides that "everyone

accused of a criminal offence has the right to be presumed innocent until proven guilty according to law [2].

Under Article 62 of the Constitution of Ukraine, a person is considered to be innocent of committing a crime and cannot be subjected to criminal punishment until his guilt is proven in a legal manner and established by a court decision. No one is obliged to prove his innocence in committing a crime. The accusation cannot be based on evidence obtained illegally, as well as on assumptions. All doubts regarding the proven guilty of a person are interpreted in his favour [3].

Polish legislation tends to understand the presumption of innocence in the same way. However, the Polish doctrine distinguishes two aspects of the presumption of innocence – procedural and non-procedural. The procedural aspect is addressed to the procedural authorities, which are entrusted with the observance of the procedural guarantees provided to the accused by law, until the verdict is passed on the recognition of the accused as guilty. The extrajudicial aspect is addressed to the general public.

Talking about the right for a defence, If we turn to the Criminal Procedure Code of Ukraine, we can note that the right to defence is enshrined as a general principle, in addition, the elements of this right permeate the entire procedural law, embodied in the relevant norms [4].

Article 20 of the Criminal Procedure Code of Ukraine stipulates that a suspect, accused, acquitted, convicted person has the right to defence, which consists in giving him/her the opportunity to provide oral or written explanations regarding the suspicion or accusation, the right to collect and submit evidence, to personally participate in criminal proceedings, to use the legal assistance of a defender, as well as to exercise other procedural rights provided for by this Code.

Article 6 of the Criminal Procedure Code of the Republic of Poland states that the accused has the right to defence, including the right to use the help of a defence attorney, of which he must be informed [5].

In Article 72 of the above-mentioned Code, the accused is guaranteed the right to hire an interpreter free of charge if he does not speak Polish. Such an interpreter may be involved so that the accused can communicate with his defence counsel. Studying the principle of presumption of innocence in the legislation of Poland and Ukraine, the similarity of the wording of the principles, as well as the level of their normative consolidation – constitutional and procedural codes – was established. Certain significant differences were not found during our research. As for the right to defence, during the research it has been possible to come to a conclusion about the better rule-making technique of the Ukrainian legislator in terms of the extended list of the rights of the suspect and the accused, their detailed definition and the order of implementation, as well as greater systematization of the procedural law.

Taking into account everything abovementioned, there are common features between the legislation of Ukraine and Poland in terms of the grounds for the mandatory participation of a defence attorney, the provision of a defence attorney

by the state, the participation of an interpreter in criminal proceedings, the right to appeal decisions and rulings in courts of appeal and cassation.

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PROBLEMS OF LEGAL PROTECTION OF OBJECTS CREATED BY ARTIFICIAL INTELLIGENCE

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Ukraine is one of the most digitized countries in the world. Young IT developers are working hard in various spheres. One of them is improvement of artificial intelligence (hereinafter – AI). In the future, the latter should contribute to such fields as education, science, economy, information security, defence, public administration, justice and others. No less important is the issue of creation of intellectual property objects by artificial intelligence systems, including various works (i.e. paintings, songs, artistic and journalistic texts). The problem of this aspect lies in the absence, sometimes ambiguity and heterogeneity of legal regulation of these objects in international and national law. The legislator's task is to determine and ensure non-property and property rights of IT developers as well as the rights of holders of intellectual property objects, whose works were used by AI to create new objects. The Ukrainian Parliament made an attempt to standardize this aspect in the field of copyright and neighbouring rights, but the question of the effectiveness of those rules remains open.

The purpose of the work is to study the features of artificial intelligence as a computer program and to analyze the legal regime of AI-generated artworks.