

ongoing processes are characterized by knowledge-intensiveness, decentralization and innovativeness. At the same time, there is a need for legal justification of existing social processes.

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PROCEDURAL STATUS OF THE SUSPECT AND THE ACCUSED IN CRIMINAL PROCEEDINGS

VIKTORIIA TVERDOKHLIB, student

MYKOLA V. BAGRII, Associate Professor, PhD in Law, Scientific Adviser

NATALIYAO. HRYNYA, Associate Professor, PhD in Philology, Language Adviser
Ivan Franko National University of Lviv

Introduction. The relevance of the research topic is determined by the fact that the field of criminal procedural law is characterized by the largest number of restrictions on the constitutional rights and freedoms of a person, which are mostly accompanied by a coercive nature. Considering the fact that the suspect and the accused are special subjects of the criminal process and are endowed with a special status consisting of rights and obligations, however, this status does not fully ensure their improper implementation.

Methods. According to the provisions of Art. 42 of the Criminal Procedural Code of Ukraine a suspect is a person who was notified of the suspicion in accordance with the Code of Criminal Procedure (the CPC); a person who was detained on suspicion of committing a criminal offence; or a person in respect of whom a notice of suspicion has been drawn up, but it has not been served on him due to the person's whereabouts not being established, but steps have been taken to serve it in the manner provided by the CPC for serving notices.

The Suspect is a certain procedural decision that is taken by an authorized entity during pre-trial proceedings and is based on the evidence that was collected

at this stage. Suspicion is based on assumptions about the involvement of a certain person in the commission of a criminal offence.

After a person has been served with a notice of suspicion, as well as after such a person has signed the receipt of the notice, the latter acquires the status of a suspect. This indicates the acquisition of procedural rights and obligations. A reminder about his rights and obligations must be handed over to the suspect. The suspect has the following rights:

- 1) to know what crime or misdemeanour he is suspected of;
- 2) the right to a timely and clear notification of rights and their corresponding clarification;
- 3) the right to request a defence attorney and a meeting with him regardless of the day of the week or holiday.
- 4) the right not to testify about oneself, not to answer anything about the suspicion and to refuse to testify at all and etc.

As for the duties of the suspect, the suspect must:

- 1) in case of a summons of an investigator, investigating judge or prosecutor – to attend such a summons; in case of impossibility of arrival – to inform about it in a reasonable time;
- 2) perform the duties assigned to him based on the decision to apply measures to ensure the proceedings;
- 3) comply with the legal requirements and decisions of the prosecutor, investigator, investigative judge and etc.

Under the provisions of Part 2 of Art. 42 of the Criminal Procedure Code of Ukraine, the accused (defendant) is a person against whom the indictment was submitted to the court in accordance with the procedure provided for in Article 291 of the Criminal Procedure Code of Ukraine. Such an act is drawn up by a subject authorized by the procedural law, an investigator or inquirer, and after it is drawn up, it is approved by the prosecutor. The trial is conducted only in relation to the person against whom the charge is brought, and only within the limits of the charge brought in accordance with the indictment.

The accused must be clearly and timely notified of his rights, as well as receive an explanation of them, the accused has the following procedural rights:

- 1) to know what criminal offence he is accused of;
- 2) the right to have a defence attorney;
- 3) the right to freedom from self-incrimination, the right to provide explanations regarding the accusation or to refuse to provide them;
- 4) in case of application of a preventive measure in the form of detention, the right to immediate notification of family members, close relatives or other persons about the detention and whereabouts;
- 5) other rights that coincide with the rights of the suspect.

In addition, the accused has certain rights that are not granted to the suspect, they are established in Part 4 of Art. 42 of the Criminal Code of Ukraine, the accused also has the right to:

1) participate during the trial in the questioning of prosecution witnesses and demand from the court their questioning, or the summoning and questioning of defense witnesses;

2) collect and submit evidence to the court;

3) express one's opinion regarding the motions of other participants in court proceedings.

As for the duties, he has the same duties as the suspect, i.e. to arrive on summons, perform procedural duties, etc.

Conclusion. So, the procedure for acquiring the status of suspect and accused is a sufficiently regulated process that contains certain features and shortcomings. The above rights and obligations make it clear that the suspect and the accused are not deprived of constitutional norms and have a fairly broad procedural status in criminal proceedings.

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PECULIARITIES OF THE PROOF PROCESS IN CASES OF ADMINISTRATIVE OFFENCES

KHRYSTYNA VASYLTSIV, student

BOHDAN HUDZ, Assistant, PhD in Law, Scientific Adviser

LILIA KUZNETSOVA, Associate Professor, PhD in Philology

Ivan Franko National University of Lviv

Introduction. Since administrative law regulates a very wide range of public-law relations, problems with the violation of the rights of individuals or the emergence of controversial situations during the interaction between individuals and the state occur very often. For example, in 2018, among the judges of the Cassation Courts of Supreme Court, the Civil Court of Cassation had 2,674 cases, the Criminal Court of Cassation – 1,053 cases, while the Administrative Court of Cassation had 7,997 cases. Since the lion's share of court cases in Ukraine falls precisely on cases of administrative offenses, it is appropriate to consider the process of proof and its features in cases of administrative offenses as one of the