

representation of value or rights that can be stored and transferred electronically using distributed ledger technology or similar technologies [5].

Analysis of international experience and norms of domestic legislation indicates the absence of a unified approach to defining the concept of "virtual asset." However, the above allows us to identify certain key characteristics: first, the creation, functioning, and circulation of virtual assets occur exclusively in a virtual (digital) environment; second, virtual assets, although they are a certain set of data, have property value, and this value is determinative for them; third, they can serve as an instrument of accumulation, settlement, and be a subject of investment.

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PROTECTION OF HUMAN RIGHTS AND FREEDOMS UNDER MARTIAL LAW IN UKRAINE

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Consideration of the problems faced by the civil society in Ukraine under martial law is a complex task that requires a comprehensive research. The rule of law is defined as the principle by which every person, institution or organ of the state is subject to the laws in force. Under martial law, this principle becomes the key to maintaining public order and guaranteeing the protection of citizens' rights and freedoms. One of the key aspects that needs to be considered in the context of the rule of law under martial law is the balance between the need to ensure the

security of the society and the preservation of fundamental rights and freedoms. Modern conflicts often endanger the norms of international humanitarian law, and resolving this conflict requires deep philosophical analysis.

Ukraine, as a state that has chosen an unchanging course for joining the European, democratic community, has recognized the strict observance of human rights and freedoms as one of its priorities. Human rights, as the most important constitutional category, have been enshrined in the norms of the Basic Law of the state. Thus, in Art. 3 of the Constitution of Ukraine, the norm is established as follows: “a person, his life and health, honor and dignity, inviolability and security are recognized in Ukraine as the highest social value. Human rights and freedoms and their guarantees determine the content and direction of the state’s activities. The state is responsible to man for its activities. The affirmation and provision of human rights and freedoms is the main duty of the state” [1].

The provisions, mentioned above, indicate that Ukraine, even under martial law, does not retreat from generally recognized international norms and standards in the field of ensuring human rights, thereby recognizing the provisions of the Universal Declaration of Human Rights, in part 2 of Article 29, where, it is stated that “in the exercise of his rights and freedoms, everyone shall be subject only to such restrictions as are established by law solely for the purpose of ensuring due recognition and respect for the rights and freedoms of others and of ensuring the just requirements of morality, public order and the general welfare in a democratic society” [2].

When considering the issue of ensuring human rights, it is worth paying attention to an aspect that is associated with the guarantee of these rights, because the guarantee itself, as S.I. Afanassenko notes, is an element of the constitutional and legal status of a person. The system of guarantees of constitutional rights and freedoms is represented by general and legal guarantees. General guarantees are issued by the level of development of the main spheres of public and state life (political, economic, social, cultural, etc.) [3, p. 5].

When addressing issues of guarantees and restrictions to the right to freedom of thought and speech, to free expression of one's views and beliefs, one should refer to clause 2 of Article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, which is part of national legislation in accordance with part 1 of Article 9 of the Basic Law [1-2].

At the same time, it is necessary to emphasize the importance of strengthening the activities of authorized people who control the content of information disseminated through mass media and the Internet. It is necessary to prevent the spread of false information that may negatively affect the life and health of citizens, as well as harm the national security of Ukraine. One of the key mechanisms that contributes to the protection of the population under martial law is ensuring access to reliable public information.

When making decisions, the state is obliged to be guided by the principle of the rule of law as a fundamental principle of a democratic system. At the same time, it is important to observe a legal balance when restricting constitutional

rights and freedoms of a person in order to prevent the unjustified narrowing and violation of the legitimate interests of citizens.

All guarantees of human rights are divided into general and special (legal). **General guarantees** are a system of ideological, economic, political, spiritual and other relations, conditions, factors, declared in the basic law, without which the individual's requirements for society would be purely formal. **Special (legal) guarantees** are principles and norms established by the state with the provision of formal (legal) binding force, which ensure the exercise of these rights and freedoms by properly regulating the procedure for their exercise, as well as their protection and defense [4, p. 288].

Considering the issue of human rights protection by state authorities under martial law, E.E. Zurnadzhi emphasizes that the Law of Ukraine "On the Legal Regime of Martial Law" provides for a number of guarantees aimed at ensuring legality in the state and preventing unlawful restrictions on human rights. In particular, the author points out that one of the guarantees for ensuring human rights under martial law is to increase the degree of legal liability for committing certain offenses [5, p. 225].

Thus, summing up, it can be stated that the protection of human rights in Ukraine, as in most developed democratic states, has acquired special significance among the state's priority tasks in recent years. The basis of legal support is the Constitution of Ukraine, which enshrines human rights and freedoms as the highest value. Relying on international standards and norms, Ukraine makes every effort to ensure that the observance and guarantee of human rights does not remain only declarative, but finds its real embodiment in public life.

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