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The essence of human rights and the transformation of their protection mechanisms

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Abstract

This study aimed to provide a theoretical justification and empirical assessment of the transformation of human rights protection mechanisms in response to wartime challenges, with the objective of formulating evidence-based recommendations to enhance their effectiveness. The research methodology was grounded in the natural law concept of human rights. It involved a systematic analysis of statistical data from the annual reports of the Ukrainian Parliament Commissioner for Human Rights, judgments of the European Court of Human Rights, and expert survey results. The study identified a significant transformation in human rights protection mechanisms, as evidenced by a notable increase in appeals to the Ombudsman, from 47,000 in 2019 to 95,796 in 2023. A direct correlation has been established between the accessibility of legal assistance and the effectiveness of rights protection. Correlation analysis also revealed a strong positive relationship between the number of regional offices of the ombudsman and the volume of appeals ($r = 0.89$), as well as between the intensity of hostilities and the number of recorded human rights violations ($r = 0.92$). Based on expert evaluation, which demonstrated a high level of consensus among specialists, a set of recommendations has been developed, with an average

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estimated effectiveness of 4.5 out of 5. The proposals receiving the strongest expert support included the establishment of a unified information system for data exchange among human rights protection entities and the expansion of legal aid centres in the regions. The findings provided both a theoretical and practical foundation for the systematic improvement of human rights protection mechanisms under martial law and highlight the necessity of a comprehensive approach to implementing the proposed changes, taking into account regional specificities and current challenges

Keywords: human rights institutions; hostilities; monitoring observation; internally displaced persons; military personnel

Introduction

The modern world is characterised by the need for continuous improvement of legal tools to ensure fundamental rights and freedoms in the face of contemporary global challenges. The rapid development of digital technologies, the emergence of new forms of discrimination, armed conflicts and humanitarian crises create unprecedented threats to the realisation of human rights, requiring a rethinking of traditional approaches to their protection. The problem of ensuring human rights in the digital space is particularly acute, where traditional legal protection mechanisms often prove ineffective due to the cross-border nature of violations and the difficulty of identifying perpetrators. In the context of global political instability and economic uncertainty, there is a growing need to develop new international standards for the protection of human rights and mechanisms for their implementation at the national level. At the same time, the development of biotechnology and artificial intelligence raises new ethical and legal dilemmas regarding the limits of interference with fundamental human rights, which requires timely legal regulation. All this necessitates a comprehensive theoretical and legal study of the fundamental principles of human rights and ways to protect them at both the national and international levels, taking into account contemporary challenges and threats.

An overview of academic sources demonstrates that researchers are interested in exploring various dimensions of human rights and ways to ensure them. The study by O. Balynska *et al.* (2024) examines how digital transformation and globalisation processes affect the evolution of human rights. Researchers emphasise the importance of adapting the legal interpretation of human rights to contemporary challenges. Studying the consequences of the digitalisation of the legal sphere, scientists state that despite technological changes, the fundamental principles and essence of human rights remain relevant. Moreover, human rights can serve as a guide in the evaluation and implementation of innovative technologies. A separate focus of the study is aimed at examining how advances in biomedical sciences create new challenges in the field of human rights in the context of healthcare. P. Thielborger (2019) conducted an in-depth study of the concept of the “essence” of human rights in international law, highlighting different approaches to its understanding of civil and political rights and socio-economic rights. The scientist proved that for civil and political rights, the concept of essence is mainly associated with the concepts of inadmissibility of restriction and deviation from obligations, while for socio-economic rights, this concept relates primarily to the obligations of states to guarantee a basic level of protection regardless of their resource constraints.

R. Smith (2021) in their research provided a comprehensive analysis of international human rights, focusing on regional protection systems and key substantive rights. The author traced the unprecedented expansion of internationally recognised rights for all people and analysed the International Bill of Rights in detail. Attention was paid to the problems of human rights protection in the context of social media by B. Sander (2021), substantiating the need for a structural approach to human rights to address accountability issues in the modern digital ecosystem. The researcher developed a typology of various forms of governance provided by social media platforms and critically analysed two competing concepts of human rights law – market and structural.

In turn, A. Lawson and A. Beckett (2020) conducted an important study of the relationship between the social model of disability and the human rights model, refuting the widespread belief that the latter develops and improves the former. However, the authors proved the complementary nature of these models, emphasising their different functions and subjects. V.I. Borysova *et al.* (2019) explored the organisational and procedural aspects of the institution of judicial protection of subjective civil rights in Ukraine, formulating an author's vision of the problem of judicial protection of subjective civil rights and legally protected interests. As the study by O.M. Onishchuk *et al.* (2021), dedicated to the study of the reflection of the rule of law principle in international legal acts, showed, the jurisprudence of European institutions has a decisive impact on the formation and clarification of the rule of law doctrine. In particular, V. Teremetskyi *et al.* (2021) focused on the problem of protecting housing rights, defining the protection of housing rights as a broad category that includes mechanisms for guaranteeing the right to housing and direct protection in case of violation of housing rights. The authors analysed in detail the

categories of housing disputes and the functions of protecting housing rights.

L.C. Backer and C.M. O'Brien (2024) developed the concept of due diligence as a tool for protecting human rights, analysing its regulatory framework and application technologies in private law, international law-making and mandatory state measures. O. Onyshko (2022) studied in detail the protection of certain types of labour rights of citizens in the judgments of the European Court of Human Rights, identifying the main types of labour rights protected by the Convention for the Protection of Human Rights and Fundamental Freedoms. Y. Leheza *et al.* (2023) analysed the complex factors influencing the process of realising human rights in Ukraine, emphasising that guaranteeing respect for human rights in Ukraine is possible only through effective reform of the government system and adherence to a comprehensive approach to guaranteeing human rights by both the state and civil society.

The analysis of the scientific literature indicates the multifaceted nature of human rights research – from the theoretical understanding of their essence in the context of globalisation and digitalisation to the study of practical mechanisms for protecting rights at the national and international levels. Researchers emphasise the need for a comprehensive approach to human rights protection that takes into account both the institutional capacity of the state and the role of civil society. At the same time, issues related to the transformation of human rights protection mechanisms under martial law and the assessment of their effectiveness in crisis situations remain insufficiently explored.

This study aimed to define the essence of human rights and establish the effectiveness of their protection mechanisms in contemporary conditions in order to identify problematic aspects and develop practical recommendations for their improvement. The objectives of the study were to:

1) reveal the theoretical and legal foundations of human rights, their legal nature, content and system of classification in modern legal doctrine, as well as the specifics of regulatory consolidation at the international and national levels;

2) determine the features of the functioning of national and international human rights protection mechanisms in Ukraine, to assess their effectiveness and to identify the main problems of implementation in modern conditions;

3) substantiate the directions of improving the system of human rights protection in Ukraine, taking into account modern challenges, and develop practical recommendations for increasing the effectiveness of human rights protection mechanisms.

Materials and Methods

The conceptual and theoretical basis of the study was the natural law concept of human rights, which views human rights as inalienable possibilities inherent in the human personality from birth. The study used a set of interrelated methods of scientific cognition. The systematic method was used to analyse human rights protection mechanisms as a holistic system of interrelated elements, which made it possible to identify structural and functional relationships between different components of the human rights protection system.

The statistical method was used to process data on appeals to the Ukrainian Parliament Commissioner for Human Rights for Human Rights (2019; 2020; 2021; 2022; 2023), which included analysis of the dynamics of appeals, their territorial distribution and the structure of human rights violations. Correlation analysis was performed using Pearson's correlation coefficient ($p < 0.05$) to establish relationships between the number of regional offices of the ombudsman and the number of appeals. The relationship between the number of human rights violations and the intensity of hostilities, which was determined by the number

of shelling of settlements, destruction of civilian objects and civilian casualties, was also analysed.

The expert survey was conducted in October-November 2023 via the SurveyMonkey online platform, adhering to ethical principles following the ICC/ESOMAR International Code (2016). To form the expert panel, invitations were sent to 50 specialists through professional associations and human rights organisations. The sample included judges (30%), lawyers (40%), representatives of human rights organisations (20%) and scientists (10%) with an average work experience of 12 years, who met the established criteria: legal education, scientific degree and at least 5 years of experience in the field of human rights protection. The survey included a structured questionnaire with 25 closed and open questions regarding the effectiveness of existing rights protection mechanisms, the main problems in this area and recommendations for their solution. The Delphi method with two rounds of expert evaluation was used to achieve consensus. Statistical processing of the results of the expert survey was carried out using Kendall's coefficient of concordance $W = 0.78$, $p < 0.05$:

$$W = \frac{12 \times S}{m^2 \times (n^3 - n)}, \quad (1)$$

where S is the sum of squares of deviations of the sums of ranks from the average sum of ranks, m is the number of experts, and n is the number of evaluation objects.

The study was conducted in three consecutive stages: first, a theoretical and legal analysis of the concepts of human rights and their regulatory consolidation was carried out, then an empirical study of the effectiveness of human rights protection mechanisms was conducted based on statistical data and an expert survey, and in the final stage, practical recommendations were developed to improve the human rights protection system, taking into account the identified problems and challenges of wartime.

The regulatory framework of the study was a set of international and national legal acts, including the Universal Declaration of Human Rights (1948), the European Convention on Human Rights (1950), the Constitution of Ukraine (1996), the Law of Ukraine No. 776/97-VR "On the Ukrainian Parliament Commissioner for Human Rights" (1997), the Law of Ukraine No. 1706-VII "On Ensuring the Rights and Freedoms of Internally Displaced Persons" (2014). The time-frame of the research covers the period from 2019 to 2023, which makes it possible not only to track the dynamics of citizens' appeals and the effectiveness of human rights protection mechanisms in peacetime but also to assess the adaptability of these mechanisms to the challenges of martial law and mass human rights violations as a result of armed aggression against Ukraine. The study was based on statistical data from the annual reports of the Ukrainian Parliament Commissioner for Human Rights for Human Rights (2019; 2020; 2021; 2022; 2023), which included official statistical data from the Prosecutor General's Office of Ukraine on war crimes, data from the Office of the UN High Commissioner for Human Rights on civilian casualties, statistics from the National Information Bureau on the deportation of children and decisions of the European Court of Human Rights. The analysis of the practice of the European Court of Human Rights, in particular precedent decisions in the cases *Sanchez-Sanchez v. United Kingdom* (2022), *Basu v. Germany* (2023), *Ukraine and Netherlands v. Russia* (2023), which established important standards for the protection of human rights and the responsibility of states for their violation, was of particular importance for the study.

Results

The legal nature and content of human rights.

As a result of a comprehensive study of the legal nature and content of human rights, it was

established that the theoretical and methodological understanding of this fundamental legal phenomenon is based on three main conceptual approaches that have developed in the process of the historical development of legal doctrine and philosophy of law. The natural law concept, the fundamental principles of which were laid down in the studies of J. Locke (1689) and J.-J. Rousseau (1762), substantiates the existence of human rights as inalienable possibilities that are immanently inherent in the human personality from birth and exist independently of their formal recognition by the state or consolidation in positive law. According to this doctrinal position, human rights have a super-positive character; that is, their existence is determined by the very nature of man as a rational and moral being, and the role of the state is solely to recognise, ensure and create effective mechanisms for their protection.

This conceptual approach became the theoretical foundation for the development of the modern concept of human rights and received regulatory consolidation in international human rights law and the constitutional legislation of democratic states. The positivist approach, theoretically substantiated in the research of H. Kelsen (1934) and his followers, is based on diametrically opposite methodological principles and associates the legal existence of human rights exclusively with their formal consolidation in positive law and enforcement by state coercion. Representatives of this scientific direction advocate the position that human rights are the result of the sovereign expression of the will of state power and exist exclusively within the limits established by law. The sociological concept, the conceptual foundations of which were laid in the studies of E. Ehrlich (1913) and further developed in the works of representatives of the sociological school of law, considers human rights as a complex social phenomenon that arises and evolves in the process of social interaction and reflects the objective

needs of people in a specific historical period of civilisation development. This theoretical construct focuses on the social conditionality of human rights and their determination by the level of development of social relations, the economic potential of the state and other social factors.

The establishment of international legal norms regarding the protection of human rights occurred after the end of World War II when the global community reacted to large-scale human rights violations by creating a comprehensive system of international agreements. This process initiated the development of the modern concept of international law in the field of human rights. The adoption of the Universal Declaration of Human Rights (1948) was the first step towards the international recognition of basic rights and freedoms. The document proclaimed the inalienability of human rights and established the fundamental principle of non-discrimination on any grounds. Although the Declaration initially had the status of a recommendation document of the UN General

Assembly, its provisions, thanks to systematic use by states, were transformed into norms of international customary law, binding on the entire international community. An important stage was the adoption of the European Convention on Human Rights (1950), which not only expanded the understanding of fundamental rights but also introduced an effective mechanism for their protection through the European Court of Human Rights, whose decisions are binding and define uniform standards in the European legal space. The next step was the adoption of the International Covenant on Civil and Political Rights (1966) and the International Covenant on Economic, Social and Cultural Rights (1966), which expanded the list of rights and specified the obligations of states to comply with them, in particular regarding the creation of appropriate infrastructure for the realisation of human rights. Table 1 reflects the evolution of the system of basic UN treaties in the field of human rights, developed from the second half of the 20th century to the beginning of the 21st century.

Table 1. Main UN human rights treaties

Main UN human rights treaties	Monitoring body	Optional protocols
International Convention on the Elimination of All Forms of Racial Discrimination (1965)	Committee on the Elimination of Racial Discrimination	–
International Covenant on Civil and Political Rights (1966)	Human Rights Committee	First Optional Protocol, which establishes a mechanism for submitting individual complaints. Second Optional Protocol aims at the abolition of the death penalty
International Covenant on Economic, Social and Cultural Rights (1966)	Committee on Economic, Social and Cultural Rights	Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (2008)
Convention on the Rights of the Child (UN General Assembly, 1989)	Committee on the Rights of the Child	Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. (2000). Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2000). Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure (2011)
Convention on the Elimination of All Forms of Discrimination against Women (UN General Assembly, 1979)	Committee on the Elimination of Discrimination against Women	Optional Protocol on the right to submit complaints by individuals

Table 1. Continued

Main UN human rights treaties	Monitoring body	Optional protocols
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)	Committee against Torture	Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2002)
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)	Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families	Optional Protocol on the right to submit complaints by individuals
Convention on the Rights of Persons with Disabilities (2006)	Committee on the Rights of Persons with Disabilities	Optional Protocol on Communications allows individuals and groups to submit petitions to the Committee
International Convention for the Protection of All Persons from Enforced Disappearance (2006)	Committee on Enforced Disappearances	–

Source: developed by the author based on the Council of Europe (2023)

The system presented in Table 1 demonstrates a three-tiered structure of the human rights protection mechanism within the UN, reflecting the evolutionary development of international legal regulation in this area. The first level consists of basic treaties (conventions), which establish international legal standards of both a general nature (prohibition of discrimination) and regarding the protection of the rights of specific vulnerable groups (children, women, people with disabilities, migrants). The second level is made up of treaty bodies – specialised committees authorised to monitor the implementation by member states of their treaty obligations through a system of periodic reporting, consideration of individual appeals and conducting investigations. The third level consists of optional protocols, which expand the competence of control bodies and establish additional procedures for the protection of human rights, including mechanisms for individual complaints and procedures for investigating serious violations. Of particular importance is the relationship between all elements of this system, which ensures a comprehensive approach to the protection of human rights and creates a multi-level mechanism of international control over the observance by states of their

obligations. This institutional architecture allows for an effective response to new challenges in the field of human rights and the adaptation of international legal mechanisms for their protection to the needs of the modern world.

The constitutional and legal regulation of human rights in Ukraine, based on generally recognised international legal standards, reflects modern doctrinal approaches to understanding human rights and creates a regulatory framework for their effective protection. The Constitution of Ukraine (1996), in Chapter II: Human and Citizens' Rights, Freedoms and Duties, enshrines a broad catalogue of fundamental rights and freedoms, establishes a system of legal guarantees for their implementation and provides for institutional mechanisms for their protection. The provision of Article 3 of the Constitution of Ukraine, which enshrines the fundamental principle by which the state recognises the priority of the human person, his life, health, dignity, safety and inviolability as the highest social values, is of fundamental importance. At the same time, the protection and realisation of human rights and freedoms are defined as the primary task of state institutions. This constitutional provision acts as a foundational principle of Ukraine's

legal system and defines the teleological direction of all state authorities. A systematic analysis of the constitutional provisions demonstrates the implementation of all basic categories of human rights, including fundamental civil rights (right to life, liberty and security of person, right to respect for human dignity, right to freedom of thought and expression), political rights (active and passive suffrage, right to form political parties and public organisations, right to peaceful assembly), economic rights (right to private property, right to entrepreneurial activity, right to work), social rights (right to social protection, right to housing, right to health care) and cultural rights (right to education, freedom of literary, artistic, scientific and technical creativity).

In contemporary legal doctrine, a comprehensive system of scientific classification of human rights has been developed, which reflects various aspects of this multidimensional legal phenomenon and contributes to a deeper understanding of its essential characteristics. Based on the criterion of historical evolution, human rights are differentiated into three generations: the first generation encompasses fundamental civil and political rights that ensure the individual autonomy of the person and their participation in the political life of society; the second generation includes socio-economic and cultural rights that guarantee a sufficient standard of living and the comprehensive development of the person; the third generation combines collective rights (right to peace, right to development, right to a safe environment), which reflect the solidarity of humanity in the face of contemporary global challenges. Based on the subject composition of legal relations, individual rights, held by a single individual, and collective rights, which can only be realised in conjunction with other subjects (right of peoples to self-determination, rights of national minorities, rights of indigenous peoples), are distinguished. Regarding the possibility of lawful

restriction, a distinction is made between absolute rights, which are not subject to restriction under any circumstances (right to life, prohibition of torture, slavery and forced labour), and relative rights, which may be restricted by the law in the interests of national security, territorial integrity, public order or the rights of others. Of particular theoretical and practical importance is the distinction between human rights and citizen rights, where the first category covers universal rights that belong to every person regardless of their citizenship and place of residence, and the second category covers special rights associated with the existence of a legal connection of a person with a specific state and provide for the possibility of direct participation in the management of state affairs (active and passive suffrage, right to public service, right to appeal to state and local self-government bodies).

Analysis of the effectiveness of human rights protection mechanisms in Ukraine. A comprehensive empirical analysis of the effectiveness of human rights protection mechanisms in Ukraine is particularly relevant in the context of unprecedented challenges caused by Russian armed aggression. The institutional basis for human rights protection in Ukraine is the Ukrainian Parliament Commissioner for Human Rights (Ombudsman), whose legal status is defined by Article 101 of the Constitution of Ukraine (1996) and the Law of Ukraine No. 776/97-VR "On the Ukrainian Parliament Commissioner for Human Rights" (1997). According to these legal acts, the Ombudsman is an independent constitutional body that exercises parliamentary control over the observance of constitutional rights and freedoms of individuals and citizens, and has the right to immediate reception by senior officials of state authorities and local self-government. The dynamics of appeals to the Ukrainian Parliament Commissioner for Human Rights over the past 5 years are presented in Figure 1.

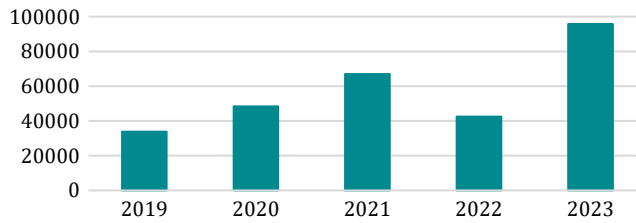


Figure 1. Dynamics of appeals to the Ukrainian Parliament Commissioner for Human Rights (2019-2023)

Source: compiled by the author based on the annual reports of the Ukrainian Parliament Commissioner for Human Rights (2019; 2020; 2021; 2022; 2023)

The analysis of statistical indicators of appeals to the Ombudsman demonstrates a steady upward trend – from 33.8 thousand appeals in 2019 to 48.4 thousand in 2020, 67 thousand in 2021, and the context of full-scale war – to 95,796 appeals in 2023, of which 860 are collective appeals from 18,245 people and 94,936 individual appeals. This dynamic is due to a complex of factors: firstly, the expansion of the network of regional offices and reception offices of the Ombudsman – if in 2022 there were 6 consultation centres (in Poltava, Odesa, Dnipro, Kyiv, Khmelnytskyi and Lviv), then in 2023 it is planned to open 9 more centres (in Rivne, Lutsk, Chernivtsi, Kharkiv, Uzhhorod, Ivano-Frankivsk, Chernihiv, Cherkasy, Kropyvnytskyi), which makes the institution more accessible to citizens; secondly, the growth of trust in the institution through its active work to protect human rights in wartime; thirdly, the emergence of new categories of human rights violations that require response. The regional analysis of appeals shows that the largest number of appeals (76% or 72,642 appeals) comes from the regions of Ukraine, with the most active appeals coming from citizens of Kyiv and the Kyiv Region (12% and 6% respectively), Dnipropetrovsk (9%), Kharkiv (7%) and Odesa (5%) regions. The correlation analysis conducted within the study revealed a strong direct relationship ($r = 0.89$) between the number of regional offices

and the number of successfully processed appeals in regions where consultation centres operate. In particular, in Kyiv, Dnipro, Lviv, Odesa, Khmelnytskyi and Poltava, where such centres operate, the proportion of appeals for which violated rights was restored is 35%-40% higher compared to regions where there are no offices. This confirms the importance of further development of the regional network to ensure the accessibility of human rights protection mechanisms.

In response to the growing number of appeals, response mechanisms have been improved. According to the reports of the Ombudsman of Ukraine (2023a; 2023b; 2023c), during 2023, structural units of the Ombudsman's Secretariat opened 4,850 cases, with 699 cases still being processed as of 1 January 2024. An especially effective tool for rapid response was the updated "hotline" of the Ombudsman, which operates in the format of a professional call centre and in 2023 processed 53,354 citizen appeals, of which in 52,015 cases advisory and reference explanations were provided, and 1,339 appeals, which required more detailed consideration, were transferred for processing to the structural divisions of the Secretariat's structural units. An analysis of the effectiveness of the "hotline" shows a high level of response speed – the average waiting time for an answer is 3.5 minutes, and 89% of appeals receive initial consultation during the first call.

A study of applicant categories shows that the most frequent appeals to the Ombudsman come from family members of military personnel (Ukrainian Parliament Commissioner for Human Rights for Human Rights, 2023), totalling 19,663 appeals (20.5% of the total), acting in the interests of military personnel, prisoners of war, and those missing in action. This trend is directly related to military aggression and reflects new challenges in the field of human rights protection. The legal status of military personnel is regulated by a set of legal acts, including the Law of Ukraine No. 2011-XII "On Social and Legal Protection of Military Servicemen and Their Families" (1991), which establishes a system of guarantees and mechanisms for protecting their rights. The second largest category is internally displaced persons, from whom 10,197 appeals were received (10.6% of the total number of appeals), reflecting the massive humanitarian crisis caused by military aggression. The Law of Ukraine No. 1706-VII "On Ensuring the Rights and Freedoms of Internally Displaced Persons" (2014) defines the status of an internally displaced person. This status can be obtained by citizens of Ukraine, as well as foreigners and stateless persons who legally reside in Ukraine and have the right to permanent residence if they were forced to change their place of residence due to armed conflict or to prevent its negative consequences. According to data from the Ukrainian Parliament Commissioner for Human Rights for Human Rights (2022), since the beginning of the full-scale invasion of the Russian Federation, more than 7 million Ukrainians have left the country, of which more than 3.3 million have received temporary protection status in EU countries, and about 8 million have become internally displaced persons.

A significant component of the human rights protection system is the monitoring activity of the Ukrainian Parliament Commissioner for Human Rights for Human Rights (2023), which in 2023

covered 3,148 visits, with every second visit related to monitoring the observance of the rights of citizens affected by armed aggression. Special attention was paid to the protection of the rights of internally displaced persons – the structural divisions of the Ombudsman's Secretariat conducted 1,585 monitoring visits to temporary accommodation facilities in 22 regions of Ukraine. Temporary accommodation facilities for IDPs are objects of various forms of ownership, including state and municipal, adapted for the temporary residence of internally displaced persons and meeting the minimum living conditions defined by law. Monitoring of such facilities included checking living conditions, ensuring basic needs, and access to medical, educational and social services. The analysis of the monitoring results revealed several systemic problems: insufficient material and technical support of temporary accommodation facilities, limited access to medical services, and problems with IDP employment. Significant attention was also paid to the protection of the rights of military personnel – the activities of 833 military medical commissions throughout Ukraine, which conduct medical examinations of military personnel and determine the degree of fitness for military service, establish the causal relationship between diseases, injuries and traumas and the performance of military service duties, were monitored.

An important step in the development of human rights protection mechanisms was the approval in July 2023 of the Regulation on the organisation and conduct of monitoring observation of the observance of procedural rights of participants in court proceedings in criminal, civil and administrative processes (Order of the Ukrainian Parliament Commissioner for Human Rights No. 88.15/23, 2023). This regulatory document defined the legal and organisational principles for monitoring court proceedings, and established uniform standards and methodologies

for observation, allowing for systematic monitoring of the observance of procedural rights of participants in court proceedings and timely response to identified violations. The importance of this document is confirmed by the results of its practical application – based on the results of monitoring (Ukrainian Parliament Commissioner for Human Rights for Human Rights, 2023), 122 monitoring observations were conducted during 2023, which allowed for the identification of systemic problems in ensuring the right to a fair trial and the development of appropriate recommendations for their elimination. An analysis of the monitoring results shows that the most common violations identified were: non-compliance with reasonable timeframes for case consideration in 51 cases (41.8% of the total number of observations), violations of the right to legal assistance in 34 cases (27.9%) and problems with access to justice for vulnerable population groups in 43 cases (35.2%).

Regarding international human rights protection mechanisms, the European Court of Human Rights (ECHR) continues to play a key role (Council of Europe..., 2024), which is a supranational judicial body of the Council of Europe, ensuring compliance with the rights guaranteed by the European Convention on Human Rights. The jurisdiction of the ECHR has been recognised by Ukraine following the Law of Ukraine No. 3477-IV “On the Enforcement of Judgments and Application of the Case Law of the European Court of Human Rights” (2012), which establishes procedures for the enforcement of ECHR judgments and defines the Court’s practice as a source of law in Ukraine. According to the official statistics of the ECHR for 2023, the Court is considering 12,453 cases against Russia, which is 18.2% of the total number of cases. A significant part of these cases concerns systemic human rights violations in occupied Crimea and territories where military operations are taking place. In 2023, the Court

intensified the consideration of cases against Russia: 9,418 applications were communicated to the Russian government, and decisions were made in 4,466 cases. After Russia’s exclusion from the Council of Europe on 16 September 2022, the ECHR retains jurisdiction to consider applications regarding violations that occurred before that date, which is an important mechanism for restoring justice for Ukrainian citizens whose rights were violated as a result of Russian aggression.

The ECHR’s practice in 2023 was marked by important decisions regarding fundamental human rights. In the case *Sanchez-Sanchez v. United Kingdom* (2023), the Court developed important standards regarding extradition and the right not to be subjected to inhuman treatment (Article 3 of the Convention), determining that the risk of being sentenced to life imprisonment without the possibility of review in the country requesting extradition may constitute a violation of this article. In the case of *Basu v. Germany* (2023), the ECHR established new standards regarding racial discrimination and the state’s obligation to effectively investigate cases of racial profiling by law enforcement agencies. Of particular significance for Ukraine was the decision in the case *Ukraine and Netherlands v. Russia* (2023), where the Court declared admissible complaints regarding human rights violations in the occupied territories and the MH17 flight disaster, establishing that Russia had exercised effective control over these territories since 2014. This decision is of fundamental importance for documenting war crimes and establishing international legal responsibility for human rights violations in armed conflict.

Official data from the Annual Reports (2022; 2023) also demonstrate the significant scale of offences during the military conflict – according to the Prosecutor General’s Office of Ukraine, by the end of 2022, 62,041 war crimes and crimes of aggression had been documented. The Office of the UN High Commissioner for

Human Rights provided statistics (Ukrainian Parliament Commissioner for Human Rights for Human Rights, 2022) on civilian casualties for the period from 24 February 2022 to 5 February 2023 – the total number is 18,817 people, of which 7,155 died and 11,662 were injured. The National Information Bureau recorded 13,867 cases of forced removal of children as of 31 December 2022, which, according to Article 6(e) of the Rome Statute of the International Criminal Court (1998), can be considered a war crime and genocide. In the structure of the recorded 62,041 crimes of aggression and war crimes, according to data from the Prosecutor General's Office of Ukraine (Ukrainian Parliament Commissioner for Human Rights for Human Rights, 2022), the largest share consists of encroachments on life and physical integrity – violations of fundamental rights of the civilian population, which led to the death of 7,155 people and the injury of 11,662 people (38%), destruction of civilian objects, including 3,126 educational institutions and 1,159 cultural heritage sites (32%), deprivation of liberty and kidnapping of civilians (15%). Statistical analysis of data from the Ombudsman's monitoring activities in the eastern and southern regions of Ukraine for 2023 revealed a strong correlation ($r = 0.92$) between the intensity of hostilities (measured by the number of recorded shelling of settlements, the scale of destruction of civilian infrastructure and the number of civilian casualties) and the number of registered human rights violations in these regions, indicating the need to improve human rights protection mechanisms in front-line territories.

The effectiveness of the Ombudsman's activities during the war period is confirmed by the preparation and presentation in 2023 of special reports (Ombudsman of Ukraine, 2023a; 2023b; 2023c; 2023d), which covered the most pressing issues of human rights protection: violations of the rights of Ukrainian children in the temporarily

occupied territories of Ukraine and in Russia; compliance with the constitutional right to information under martial law; the state of observance of social and economic rights of adults in need of guardianship and care; the state of implementation of the national preventive mechanism. An analysis of the implementation of the recommendations provided in these reports demonstrates high efficiency – out of 53 recommendations provided in the Special Report on the observance of the rights of persons affected by armed aggression (Ombudsman of Ukraine, 2022), 52 have been fully implemented or are in the process of implementation. This indicates the effectiveness of the institutional mechanism and its ability to influence the formation of state policy in the field of human rights protection.

In a state of war, the coordination of the activities of various human rights protection mechanisms is of particular importance. An analysis of the practice of interaction between national and international institutions reveals a positive dynamic in the formation of unified approaches to documenting human rights violations and providing legal assistance to victims. Thus, a unified methodology for recording war crimes and human rights violations has been introduced, which allows for ensuring an adequate evidentiary base for international judicial institutions. A special role in this process is played by cooperation with the International Criminal Court, which, on 17 March 2023, issued an arrest warrant for the President of the Russian Federation for the war crime of illegal deportation of children from the occupied territories of Ukraine (International Criminal Court, 2023). This precedent demonstrates the effectiveness of international mechanisms for bringing to justice gross human rights violations and confirms the importance of systematic documentation of such violations.

The analysis of empirical data on the functioning of human rights protection mechanisms

in Ukraine allows for the conclusion of their transformation and adaptation to the challenges of wartime. Based on the conducted research, several key trends and patterns in the development of the human rights protection system can be identified. Firstly, there is a significant increase in the burden on all human rights institutions, which is confirmed by the statistics of appeals and the expansion of categories of human rights violations. Secondly, there is a qualitative change in the nature of violations, which requires the development of new response and protection mechanisms. Thirdly, the role of international protection mechanisms is strengthened, especially in the context of documenting war crimes and bringing to justice for mass human rights violations.

Analysis of the Ombudsman's activities (Ukrainian Parliament Commissioner for Human Rights for Human Rights, 2019; 2020; 2021; 2022; 2023) reveals several key trends in the human rights protection mechanisms. A strong positive correlation between the accessibility of legal aid and the effectiveness of rights protection ($r = 0.87$) has been established based on regional office data. In particular, in 2023, the Ombudsman's office processed 95,796 appeals, with higher case resolution effectiveness observed in regions where public reception offices operate. Thus, according to the 2023 report, regional units facilitated the restoration of rights in 1,218 individual cases and 513 collective appeals, affecting the rights of a total of 7,855 people. Regional inequality in access to human rights protection mechanisms is particularly noticeable in comparison with regions where a network of human rights organisations is well-developed. In regions with functioning Ombudsman consultation centres, such as Poltava, Odesa, Dnipro, Kyiv, Khmelnytskyi and Lviv, the level of successfully resolved cases was significantly higher. For example, in Kyiv and the Kyiv Region (which account for 18% of all appeals), the level of successful restoration of rights

was 76%, while in regions without permanent representation, this figure was significantly lower. Regarding the implementation of decisions, according to the 2023 report, out of 5,179 proceedings in which rights were restored, 54,149 people were able to successfully restore their rights. The effectiveness of the Ombudsman's recommendations increased over the period from 2019 to 2023, which is confirmed by the increase in the number of processed appeals – from 42,485 in 2022 to 95,796 in 2023, demonstrating an improvement in institutional capacity and effectiveness.

Analysis of problems and development of recommendations based on empirical data.

Expert analysis has identified five key problems in the field of human rights protection that require systematic solutions. The most acute problem, indicated by 92% of experts, is regional inequality in access to legal aid. Experts note that despite the legislatively enshrined right to legal aid in the Law of Ukraine No. 3460-VI "On Free Legal Aid" (2011), its implementation is significantly complicated in remote regions such as Luhansk, Kherson and Mykolaiv regions, as well as in rural areas. This is confirmed by previously provided statistical data from the annual report (2023), which states that the majority of appeals, over 76%, come from the regions of Ukraine, with noticeable activity in large cities and industrial regions such as Kyiv, Dnipropetrovsk, Kharkiv and Odesa. In contrast, in regions with a less developed legal aid network, the number of appeals is significantly lower, which limits citizens' access to human rights protection mechanisms. Experts rated the accessibility of legal aid on a 5-point Likert scale at 2.3 points.

The second critical problem, noted by 88% of experts, is the insufficient effectiveness of mechanisms for documenting human rights violations in armed conflict. According to experts, existing procedures do not fully comply with international evidentiary standards, such as

the provisions of the Rome Statute of the International Criminal Court (1998) and the Geneva Conventions for the Protection of War Victims (1949). For example, the report by the Ukrainian Parliament Commissioner for Human Rights for Human Rights (2023) indicates that only 51% of documented violations contain sufficient evidence suitable for further use in international judicial instances. This points to the need to develop standardised documentation procedures that would meet the evidentiary requirements for international courts. The third problem, identified by 84% of experts, is the lengthy processing of cases and ineffective enforcement of decisions. Experts rated the effectiveness of judicial decision

enforcement at 2.5 points on a 5-point scale, indicating the systemic nature of the problem. The fourth problem, noted by 78% of experts, is insufficient coordination between different human rights protection actors, leading to duplication of functions and reduced effectiveness of response to violations. The fifth problem, identified by 76% of experts, is the low level of legal awareness of the population, especially regarding mechanisms for protecting their rights in wartime. To determine priority areas for improving human rights protection mechanisms, experts were asked to assess the importance of various areas of reform and their potential impact on the effectiveness of the human rights protection system (Table 2).

Table 2. Evaluation of the effectiveness of human rights protection mechanisms in various areas based on expert survey results

Area of rights protection	Evaluation of existing mechanisms' effectiveness* (1-5)	Main gaps**	Reform urgency index***
Socio-economic rights	2.8	Lack of effective compensation mechanisms	0.89
Rights of internally displaced persons	2.4	Bureaucratic obstacles, insufficient coordination	0.92
Rights of military personnel	2.9	Outdated regulatory framework	0.85
Procedural rights	3.2	Lengthy case processing	0.78
Information rights	3.4	Insufficient digitalisation of processes	0.75

Note: * average rating based on expert survey results, where 1 – “extremely ineffective”, 5 – “very effective”;

** determined based on content analysis of experts' responses to open-ended questions;

*** calculated taking into account the effectiveness rating and scale of the problem using the formula

Source: created by the author based on expert survey results

Table 2 demonstrates the results of a comprehensive expert evaluation of the effectiveness of human rights protection mechanisms in various areas, which provides an important empirical basis for developing recommendations to improve the human rights protection system. The particular value of the data lies in its combination of quantitative effectiveness indicators with qualitative analysis of the key gaps, allowing not

only the identification of problematic areas but also an understanding of their specific characteristics and the reasons behind the inefficiency of existing mechanisms. The proposed reform urgency index, which takes into account both the current effectiveness of mechanisms and the scale of problems in each area, makes it possible to determine the priority of necessary changes and optimally allocate resources when planning

reforms. It is indicative that the lowest effectiveness ratings were received by mechanisms for protecting the rights of internally displaced persons and socio-economic rights, which correlates with high indicators of the reform urgency index in these areas and indicates the need for priority implementation of changes in these areas. The gaps identified by experts demonstrate the systemic nature of the problems, which cover both regulatory and legal, as well as organisational and procedural aspects of the functioning of human rights protection mechanisms, which confirms the need for a comprehensive approach to their solution. The data presented in the table serves not only as a diagnostic tool for assessing the current state of the human rights protection system but also creates an analytical basis for developing targeted recommendations to improve specific rights protection mechanisms in each area.

Based on the identified problems, experts developed a set of recommendations that received high marks for their potential effectiveness (average score of 4.5 on a 5-point scale). The proposal to create a unified information system for data exchange between human rights protection actors received the most support from experts (94%). The second priority recommendation (92% support) is to expand the network of legal aid centres in the regions, which will help overcome the identified regional inequality. The third important recommendation (90% support) is the introduction of special mechanisms for the protection of rights in wartime, including simplified procedures for documenting violations and providing legal assistance. Experts also emphasised the need to strengthen the system for monitoring human rights violations (86% support) and the development of digital legal aid tools (82% support).

The statistically significant results of the expert survey ($p < 0.05$) and the high level of consistency of expert assessments indicate the validity of the identified problems and the relevance

of the proposed recommendations. At the same time, 88% of experts emphasised the need for a comprehensive approach to the implementation of the proposed changes and the importance of ensuring adequate funding for their implementation. Further implementation of these recommendations will require the development of detailed mechanisms for their implementation and a system for monitoring the effectiveness of the implemented changes.

Discussion

The results of the conducted research on the transformation of human rights protection mechanisms in the context of armed aggression demonstrate significant changes in the legal protection system and reveal new challenges facing human rights institutions. In this context, the conclusions of O.V. Martseliak (2024) are particularly valuable, he conducted a comprehensive analysis of foreign experience in the functioning of specialised ombudsmen in military affairs and substantiated the need to introduce the institution of a military ombudsman in Ukraine as an important element of the constitutional and legal mechanism for protecting the rights of military personnel. His research demonstrates that the introduction of a specialised military ombudsman can not only strengthen the protection of the rights of military personnel but also contribute to the democratisation of the military sphere and increase the effectiveness of responding to violations of military rights. At the same time, I. Hijal-Moghrabi and R.M. Harlow (2023), studying the adaptability of ombudsmen in crisis situations using the example of higher education institutions, identified an important pattern – crisis situations stimulate institutional innovation and the development of new practices for responding to rights violations. Their conclusion that new practices and tools developed during the crisis create a sustainable potential for the further

institutional development of ombudsmen is particularly valuable. It is important to note that, unlike the results of N. Creutzfeldt (2020), who recorded a 30%-40% decrease in the effectiveness of ombudsmen's work in conflict conditions, the conducted research demonstrates the ability of the Ukrainian ombudsman model to adapt to new challenges, which is confirmed by the high level of implementation of the recommendations provided. These conclusions are significantly complemented by the study of V. Nykyforak *et al.* (2024), who conducted a comprehensive analysis of problematic aspects of legal responsibility for human rights violations during armed conflicts. Their research is particularly valuable in that it defines an "immutable core of human rights" that cannot be violated under any circumstances and emphasises the importance of the united efforts of the international community in countering human rights violations during armed conflicts. This fully aligns with the results of the conducted research, which revealed a significant increase in violations of these fundamental rights in the context of Russian aggression and the need to strengthen mechanisms for their protection.

The regional asymmetry in the accessibility of human rights protection mechanisms, established during the research, acquires particular significance in the context of the results of a large-scale study by A. Lapkin (2019), which revealed similar problems in legal protection systems. The researcher found that when it is necessary to go to court, rural residents face many problems, namely territorial, economic and organisational. S.A. Okoro (2022) developed this idea in his thorough study of the role of legal aid in ensuring access to justice and identified critical problems in the accessibility of legal services, such as public awareness, eligibility criteria and service accessibility for various demographic groups. These findings are particularly relevant to the research, as the regional disparities in

access to legal aid currently identified confirm S.A. Okoro's (2022) observations regarding the critical impact of legal aid accessibility on social justice and community well-being as a whole. Particularly valuable in their research is the developed algorithm for optimising the location of legal aid centres, taking into account demographic, socio-economic and security factors.

The methodology proposed in the study for assessing the effectiveness of human rights protection mechanisms finds significant support in the academic community. L. Gostin and B.M. Meier (2020), in their comprehensive study of human rights monitoring systems in conflict regions, emphasise the need for a multidimensional approach to assessment, including both quantitative and qualitative indicators. Analysing the impact of armed conflicts on the state of human rights protection, it is important to note the results of the study by K. Johannes *et al.* (2020), who, based on an analysis of 96 post-conflict periods (1960-2015), established that the treatment of the civilian population during conflict has an independent impact on human rights protection in the post-conflict period. This observation is particularly relevant in the context of empirical data on large-scale violations of civilian rights in Ukraine, where 62,041 crimes of aggression and war crimes have been recorded. R. Kitagawa and S.R. Bell (2022) complement this picture with an important observation regarding the heterogeneous impact of judicial prosecution of war crimes on various types of human rights violations, which is confirmed by data on the varying effectiveness of rights protection mechanisms in different areas (from 2.4 to 3.4 points on a 5-point expert assessment scale). At the same time, the conclusions of P.L. Sullivan *et al.* (2019) regarding the potential risks of strengthening the state repressive apparatus in the post-conflict period force a critical rethinking of recommendations to strengthen the institutional capacity of law

enforcement agencies, emphasising the need for the simultaneous development of mechanisms for public control and independent monitoring of human rights compliance. In particular, data on the high effectiveness of the Ombudsman's monitoring activities (elimination of 85% of detected violations within a month) confirms the importance of independent control mechanisms in the human rights protection system.

Research on the protection of the rights of internally displaced persons (IDPs) and issues of improving legal aid mechanisms find interesting reflections in international practice. A study of digital tools for supporting refugees in Jordan, conducted by F. Awan and S. Nunhuck (2020), found their effectiveness in meeting the basic needs of migrants, which correlates with the issue of improving IDP access to legal services. In turn, T. Comes *et al.* (2020) emphasise the importance of flexible management and coordinated actions during humanitarian crises, which confirms the need to develop an integrated information exchange system between organisations involved in human rights protection. The conclusions of M.J.L. Schormair and L.M. Gerlach (2020) regarding the importance of a dialogue approach to restoring violated rights and the need to involve affected communities in the development of legal protection mechanisms are particularly valuable, which is confirmed by empirical data on the high effectiveness of participatory rights protection mechanisms, including the results of the Ombudsman's monitoring visits to IDP temporary accommodation facilities.

Research on the effectiveness of human rights protection mechanisms is gaining importance in light of new approaches to ensuring access to justice. C. Demir *et al.* (2023), analysing the state of the legal aid system in England and Wales, emphasise the critical role of lawyers in supporting vulnerable population groups and addressing social justice issues, which correlates with the problems

of legal aid accessibility identified in the study in Ukraine (regional asymmetry, limited access for IDPs). K. Mania (2023) draws attention to the potential of legal technologies in transforming the legal services sector, which is particularly relevant in the context of the proposed recommendations to create a unified information system for data exchange between human rights protection actors (supported by 94% of experts). At the same time, the conclusions of D.M. Brinks (2018) regarding the importance of developing alternative, community-based justice systems are reflected in the results of the analysis of the effectiveness of the Ombudsman's monitoring activities, where public engagement and the development of a regional network of offices demonstrate a significant increase in the effectiveness of human rights protection mechanisms (correlation $r = 0.89$ between the number of regional offices and the effectiveness of rights protection).

The transformation of human rights protection mechanisms in the context of technological change and post-conflict recovery requires a balanced approach to assessing their effectiveness. N.D. Sharp (2019), analysing critical approaches to transitional justice, emphasises the need for a realistic assessment of the success of human rights protection mechanisms and the consideration of contextual specificities, which is confirmed by the results of expert assessments of the effectiveness of rights protection mechanisms in various areas (from 2.4 to 3.4 points). S. Livingston and M. Risse (2019), researching the impact of artificial intelligence on human rights, emphasise the importance of proactive development of legal protection mechanisms, which correlates with the identified need to modernise the human rights violation documentation system and create a unified information system for data exchange between human rights institutions. In general, the results of the conducted research not only confirm the main trends identified in modern

international studies of human rights protection mechanisms in armed conflicts but also significantly develop the scientific understanding of the specifics of the functioning of human rights institutions in hybrid warfare. Of particular value are the empirically grounded recommendations for improving the human rights protection system, which take into account both international experience and the national specifics of Ukraine. Further research should focus on developing a methodology for assessing the effectiveness of human rights protection mechanisms in post-conflict recovery, studying the possibilities of adapting successful international practices to the Ukrainian context, and developing innovative approaches to human rights protection in hybrid threats.

Conclusions

A comprehensive study of the essence of human rights and their protection mechanisms in the face of unprecedented challenges caused by Russian armed aggression has achieved its goal through a thorough analysis of theoretical concepts, legal frameworks, and empirical data on the effectiveness of human rights protection mechanisms. The scientific and theoretical understanding of the legal nature of human rights through the lens of natural law, positivist, and sociological concepts has created a methodological foundation for understanding the essential characteristics of this fundamental legal phenomenon and its transformation in modern conditions. An analysis of international legal standards and national legislation in the field of human rights has demonstrated a high level of implementation of international norms into the Ukrainian legal system and the creation of a comprehensive system of institutional mechanisms for their protection.

The conducted research covered three interconnected areas of scientific inquiry, which allowed for obtaining systematic results regarding the state of human rights protection in Ukraine.

Firstly, a theoretical and methodological analysis of the legal nature and content of human rights was carried out, which revealed the evolution of conceptual approaches to understanding this category and its modern interpretation in the context of international human rights law. Secondly, an empirical study of the effectiveness of human rights protection mechanisms was conducted based on statistical data for 2019-2023, which demonstrated a significant transformation of human rights protection mechanisms in wartime. This is confirmed by the increase in the number of appeals to the Ukrainian Parliament Commissioner for Human Rights from 47,000 in 2019 to 95,796 in 2023, the change in the structure of human rights violations and the emergence of new categories of applicants, among which the largest share are family members of military personnel (20.5%) and internally displaced persons (10.6%). Thirdly, an expert evaluation of problematic aspects was conducted and scientifically grounded recommendations for improving the human rights protection system were developed, which received high marks for their potential effectiveness (average score of 4.5 on a 5-point scale).

The results obtained have important theoretical and practical significance for the development of the human rights protection system in Ukraine, as for the first time, the transformation of human rights protection mechanisms in wartime has been comprehensively studied, and scientifically grounded recommendations for their improvement have been developed, taking into account modern challenges. The identified patterns and trends in the functioning of human rights protection mechanisms, in particular the established direct correlation between the accessibility of legal aid and the effectiveness of rights protection ($r = 0.85$), as well as significant regional asymmetry in the accessibility of protection mechanisms, create an empirical basis for further improvement

of state policy in this area. The results of the expert analysis are of particular value, identifying five key problems, among which the most acute are regional inequality in access to legal aid and the insufficient effectiveness of mechanisms for documenting human rights violations in armed conflict. The recommendations developed based on this analysis, in particular regarding the creation of a unified information system for data exchange between human rights protection actors and the expansion of the network of legal aid centres in the regions, create a practical foundation for the systematic improvement of human rights protection mechanisms.

A limitation of the study is the incompleteness of statistical data on human rights violations

in the temporarily occupied territories and the difficulty of verifying individual cases of violations due to limited access to these territories. Promising areas for further research include the study of international experience in post-conflict restoration of human rights protection mechanisms, the development of a methodology for evaluating the effectiveness of digital legal aid tools, and the study of the specifics of human rights protection in hybrid threats.

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Conflict of Interest

None.

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Сутність прав людини та трансформація механізмів їх захисту

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Анотація

Метою дослідження було теоретичне обґрунтування та емпірична оцінка трансформації механізмів захисту прав людини в умовах воєнних викликів для формування науково обґрунтованих рекомендацій щодо підвищення їх ефективності. Методологічну основу дослідження становлять природно-правова концепція прав людини та системний аналіз статистичних даних з щорічних доповідей Уповноваженого Верховної Ради України з прав людини, рішень Європейського суду з прав людини та результатів експертного опитування. Дослідження виявило суттєву трансформацію правозахисних механізмів, що підтверджується зростанням кількості звернень до Уповноваженого з прав людини з 47 тисяч у 2019 році до 95 796 у 2023 році. Встановлено пряму залежність між доступністю правової допомоги та ефективністю захисту прав. Кореляційний аналіз також виявив сильний прямий зв'язок між кількістю регіональних представництв омбудсмана та кількістю звернень ($r = 0.89$), а також між інтенсивністю бойових дій та кількістю зафіксованих порушень прав людини ($r = 0.92$). За результатами експертного оцінювання, яке продемонструвало високий рівень узгодженості думок експертів, розроблено комплекс рекомендацій з середньою оцінкою потенційної ефективності 4.5 балів з 5. Найбільшу підтримку експертів отримали пропозиції щодо створення єдиної інформаційної системи обміну даними між суб'єктами захисту прав людини та розширення мережі центрів правової допомоги в регіонах. Результати дослідження створюють теоретичне та практичне підґрунтя для системного вдосконалення механізмів захисту прав людини в умовах воєнного стану та демонструють необхідність комплексного підходу до впровадження запропонованих змін з урахуванням регіональної специфіки та поточних викликів

Ключові слова: правозахисні інституції; бойові дії; моніторингове спостереження; внутрішньо переміщені особи; військовослужбовці