

## **REALIZATION OF THE RIGHT TO THE PEACEFUL ASSEMBLY AS A WAY OF THE PRE-ELECTION AGITATION IN UKRAINE**

*Yu. Yasochko,*

*applicant of General Legal Disciplines Chair of the Kharkiv National University of Internal Affairs*

The article is devoted for research of the problematic issues, which are associated with realization of the right on the peaceful assembly as a way of the pre-election agitation in Ukraine. On the basis of Ukrainian acting legislation's analysis, which regulates legal relations in the proposed sphere, it was done the conclusion, of the needing acceptance a special legal act, which will ensure the free and unhindered organization of peaceful assembly, as in the between elections period then also during the election process.

**Elections, pre-election agitation, freedom of peaceful assembly, realization of the right on the peaceful assembly, public events, electoral process.**

The right on the peaceful assembly refers to the constitutional guarantees, which provides the right of ukraininan citizens on the freedom of thought and word, free expression of views and beliefs, free development of his personality, using and dissemination of information, etc. Using this law, citizens of Ukraine also have the opportunity, in a such way to lead election campaigning in right the period. In this case, expressing and promoting their beliefs concerning those or other candidates and / or parties which are the subject of a single the electoral process. The main problem in organizing this type of public event, is the absence of national legislation of Ukraine special law, which regulates relations arising during state's providing the right on the peaceful assembly.

The practice of peaceful assembly during the election process shows that the most common forms of the election campaign are:

- conduct of candidates' meetings with voters;
- organization of concerts in support of a candidate or political party;

- conduct of rallies and hikes in public places; institution of agitation tents.

However, the legislation of Ukraine does not have a specified time during which the organizers of public events have to provide adequate information to the executive authorities and local governments. Some do not establish a time limit, until which it is possible to submit the relevant messages. In this regard, it is necessary to join the range of citizens which emphasizes speedy adoption of a Law of peaceful assembly. Today, we are concerned with the establishment of the legislative rules of organization of such public events during the election process with a view to realizing election agitation. This question is seen more difficult because a canvass is limited on a certain period, and therefore, it is important to conduct a legislative settlement that will provide a quick process of this type of activity. In this regard, it is suggested with a future specialized legal act to determine that notice of conduct of public events in order to realize election campaigning should be submitted from subjects of election campaigning no later than two business days before it will be carried out.

Such period is considered to be appropriate, due to the need to provide the possibilities of executive government and local governments to implement a part of the preparation and organizational measures. For example, to determine if a place is available for realization of a public event on the planned day or to ensure for this peaceful character so on. And that in this is difficulty of the question, because the period of the election campaigning for each candidate and / or parties has limits and that's why each of these subjects trying to hold as many as possible such meetings, and the relevant public authorities should provide order and legality of their implementation.

Therefore, the foregoing gives reason to argue, that today the national legislation needs to be improved in the settlement procedure of events. In this context, public is waiting for the acceptance of Verkhovna Rada of Ukraine the relevant legal act that will ensure free implementation on the right of freedom in the peaceful assembly in all available and required by Ukrainian law forms.

