

## EDITORIAL

### **YAROSLAV KUSHNIR, as guest coordinator**

[yarkushnir@ukr.net](mailto:yarkushnir@ukr.net)

Associate Professor at the Department of Administrative Activity, Faculty of Law Enforcement, Bohdan Khmelnytskyi National Academy of the State Border Guard Service of Ukraine, Khmelnytskyi (Ukraine). He is an Associate Professor at the Department of Administrative Activity, Faculty of Law Enforcement, Bohdan Khmelnytskyi National Academy of the State Border Guard Service of Ukraine. His academic and professional interests focus on administrative law, public administration, law enforcement practices, and the legal regulation of border security activities. He is actively engaged in teaching, research, and the training of law enforcement professionals, contributing to the development of modern approaches to public safety and state border protection. <http://orcid.org/0000-0002-8519-5331>

### **SVITLANA LITOVKA-DEMENINA**

[Svitlana.Litovka-Demenina@outlook.com](mailto:Svitlana.Litovka-Demenina@outlook.com)

PhD in Pedagogical Sciences, Associate Professor, Department of International Relations and Organization of Tourism Activity, Interregional Academy of Personnel Management (Ukraine). Her expertise centers on information systems and marketing strategies within the tourism and hotel-restaurant industries. She investigates the use of digital tools – such as context advertising, content marketing, and social media targeting – to enhance personalized customer engagement and industry competitiveness. Additionally, she studies processes of marketing research in tourism, emphasizing market analysis, infrastructure development, and systematic data collection to inform strategic decisions. <http://orcid.org/0000-0002-8341-9872>

### **OLENA STRILIUK**

[olenastriliuk@gmail.com](mailto:olenastriliuk@gmail.com)

PhD in History, Associate Professor, Department of World History and International Relations, O. M. Lazarevsky Educational and Research Institute of History, Social Sciences and Humanities, T. H. Shevchenko National University "Chernihiv Colehium" (Ukraine). Her academic expertise lies in world history, international relations, cultural diplomacy, and historical memory studies. She actively researches global political processes, the role of history in shaping national identities, and international cooperation in education and culture. <https://orcid.org/0000-0002-5278-5263>

### **IRYNA LEHAN**

[university\\_ua@i.ua](mailto:university_ua@i.ua)

Doctor of Law, Associate Professor at the Department of Law and Law Enforcement, Faculty of National Security, Law and International Relations, Zhytomyr Polytechnic State University (Ukraine). She holds the degree of Doctor of Law and also a Candidate of Economic Sciences, and has completed master's degrees in both accounting & audit and law. Iryna Lehan is the author and co-author of over 60 scientific and educational publications, with research interests focused on international cooperation in preventing and combating transnational crime, as well as criminal law, criminology, and criminal-executive prevention of crime. She has participated in international academic internships in universities in Slovakia and Poland and contributes actively to academic life at her university. <https://orcid.org/0000-0003-2933-4971>

### **ZHANNA VASYLIEVA-SHALAMOVA**

[academiq@ukr.net](mailto:academiq@ukr.net)

PhD in Law, Associate Professor at the Department of Civil Procedure, Educational and Scientific Institute of Law, Taras Shevchenko National University of Kyiv (Ukraine). She holds a PhD in Law and specializes in civil procedural law with scholarly interests in the theory and practice of civil



justice, and is actively involved in academic research and teaching at one of Ukraine's leading law faculties and has contributed to scientific publications and conferences in her field.  
<https://orcid.org/0000-0003-3481-788X>

### **KATERYNA VOITENKO**

[eeusci\\_kvoitko@ukr.net](mailto:eeusci_kvoitko@ukr.net)

Master in Law, Zhytomyr Polytechnic State University (Ukraine). She has been engaged in publicistic and science communication activities, supporting Ukrainian researchers in disseminating the results of their studies in international academic journals since 2017. She has experience in editorial assistance, and coordinating cooperation with foreign publishers. She is particularly interested in promoting the global visibility and impact of Ukrainian scholarship through effective communication and international collaboration

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## **RULE OF LAW, HUMAN RIGHTS, AND INSTITUTIONAL TRANSFORMATION IN TIMES OF GLOBAL AND NATIONAL CHALLENGES**

**YAROSLAV KUSHNIR**

**SVITLANA LITOVKA-DEMENINA**

**OLENA STRILIUK**

**IRYNA LEHAN**

**ZHANNA VASYLIEVA-SHALAMOVA**

**KATERYNA VOITENKO**

The contemporary world is experiencing a convergence of global and national crises that profoundly test the resilience of legal systems, democratic institutions, and the very foundations of the rule of law. Armed conflicts, technological disruption, climate change, pandemics, economic instability, and rapid digitalization have generated unprecedented challenges for states and societies alike. In this context, the rule of law and human rights are no longer abstract normative ideals but practical benchmarks for institutional sustainability, social trust, and political legitimacy. This special issue of *JANUS.NET e-journal of International Relations* is devoted to examining how legal systems respond, adapt, and transform under conditions of heightened stress, uncertainty, and structural change.

The central premise of this special issue is that the rule of law, human rights protection, and institutional transformation are inseparable processes, particularly in times of crisis. Emergency governance, martial law, digital governance, environmental degradation, and armed conflict often necessitate extraordinary measures. However, without adequate legal safeguards, transparency, accountability, and proportionality, such measures risk eroding democratic institutions and undermining public trust. The contributions gathered here explore these tensions through doctrinal analysis, comparative perspectives,



empirical data, and normative reflection, offering a multidimensional understanding of legal transformation in both national and international contexts.

A significant part of this issue focuses on the impact of war and emergency governance on constitutional order and fundamental rights, with particular attention to the Ukrainian experience as a paradigmatic case. The article "*The Theoretical Foundations and Practical Implementation of the Priority of the Rule of Law in Times of War*" provides a comparative and empirical assessment of how democratic states preserve legal stability under martial law. It demonstrates that judicial independence, parliamentary oversight, and proportionality of restrictions are decisive factors in preventing democratic backsliding. Complementing this analysis, "*International Humanitarian Law and Human Rights During the War in Ukraine*" addresses the systemic violations of international humanitarian law and underscores the urgent need for updated accountability mechanisms, including the establishment of a Special Tribunal for the crime of aggression.

The constitutional dimension of crisis governance is further explored in "*Constitutional Control in Eastern European Countries: Models, Effectiveness and Development Prospects*", which offers a rigorous comparative analysis of constitutional courts as guardians of democratic order. By identifying patterns of political capture and institutional resilience, the article highlights constitutional justice as a key safeguard against the erosion of the rule of law. Historical depth is added by "*Constitutional Evolution of Democracy: A Comparative Analysis of European and Ukrainian Legal Frameworks (18th–20th Centuries)*", which situates contemporary constitutional challenges within the broader tradition of European democratic thought and Ukrainian constitutionalism.

Another major thematic cluster addresses institutional reform and public trust, particularly within the justice system. The article "*Judicial Reform as a Factor in Increasing Public Trust in Justice*" demonstrates that digitalization, procedural efficiency, and institutional independence are essential but insufficient without adequate funding and кадрова стабільність. Closely related, "*The Role of Mediation in the Criminal Justice System*" explores alternative dispute resolution as a tool for enhancing efficiency and fairness, revealing institutional gaps that limit its effectiveness in transitional legal systems. Together, these studies emphasize that institutional reform must be systemic, data-driven, and grounded in professional integrity.

The special issue also engages with the protection of individual rights across diverse branches of law, reflecting the expanding scope of human rights in contemporary legal systems. Family law, criminal procedure, labor law, intellectual property, and data protection are examined not as isolated domains, but as interconnected fields where human dignity, access to justice, and legal certainty are at stake. Articles such as "*Applied Dimensions of the Implementation of Family Law Rights*" and "*Theoretical and Applied Aspects of Criminal Law and Procedural Ensuring the Right to Defense*" reveal how procedural inefficiencies, resource asymmetries, and legislative gaps directly affect the realization of fundamental rights. The labor law study on flexible and remote employment highlights emerging social risks in the digital economy, while the analysis of personal data sovereignty underscores the growing tension between technological innovation and privacy protection.



A forward-looking dimension of the issue is provided by contributions addressing digitalization and artificial intelligence. "*The Algorithmic Rule of Law: Institutionalizing Accountability and Human Oversight in AI-Driven Legal Systems*" proposes a conceptual framework for integrating AI into legal decision-making without sacrificing accountability, explainability, and human control. This article resonates with broader debates on fourth-generation human rights and digital autonomy explored in "*The Evolution of the Doctrine of Freedoms*", which calls for normative consolidation of emerging digital and cognitive rights at both national and international levels.

Environmental protection and sustainable development constitute another critical axis of this special issue. Articles on environmental liability, administrative responsibility for environmental offences, bioenergy governance, and critical infrastructure protection reflect the growing recognition that environmental security is inseparable from national security and human rights. In particular, "*The Liability for Environmental Damage in the Global Climate Crisis*" situates post-war reconstruction within the framework of environmental justice and "green reconstruction," emphasizing the need for integrated international and national legal responses.

The international dimension of institutional transformation is further enriched by analyses of European legal integration, UN collective security, and international cooperation in forensic psychology. These contributions demonstrate that institutional crises at the international level – such as the paralysis of the UN Security Council – have direct implications for national legal systems and the protection of human rights. The erosion of collective security mechanisms not only weakens international law but also normalizes impunity, making domestic rule-of-law safeguards even more critical.

Taken together, the articles in this special issue offer a comprehensive and interdisciplinary exploration of how legal systems confront global and national challenges. They reveal that resilience is not achieved through the suspension of law, but through its adaptation – guided by constitutionalism, human rights, and institutional accountability. The diversity of topics and methodologies reflects the complexity of contemporary legal transformation and underscores the need for dialogue between theory and practice, national and international law, tradition and innovation.

This special issue aims to contribute not only to academic debate but also to policy-making and institutional reform. By identifying structural weaknesses, comparative lessons, and normative pathways, it seeks to support the development of legal systems capable of withstanding crisis without sacrificing democratic values. In times when the rule of law is most vulnerable, rigorous scholarship becomes an essential form of institutional defence.