

suffered, the special role of will in establishing a legal obligation through a unilateral act makes appeal to estoppel to justify the legal force of such acts redundant. In our opinion, the principle estoppel has rather an indirect relationship to purely unilateral acts and can be considered within the framework of this topic as one of the manifestations of legal consequences caused by purely unilateral acts.

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Ключові слова: естопель, односторонні акти, зобов'язання, принцип добросовісності.

Ключевые слова: эстопель, односторонние акты, обязательства, принцип добросовестности.

Key words: estoppel, unilateral acts, obligations, the principle of good faith.

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THE VIOLATION OF THE HUMAN RIGHT OF THE FREEDOM OF RELIGION AND BELIEFS IN INTERNATIONAL LAW

Nowadays it is increasingly being focused on the role of the protection of human rights. One of the most important human rights is the right of the freedom of religion and beliefs which is always violated.

According to article 18, Universal Declaration of Human Rights everyone has the right to freedom of thought, conscience, and religion. This right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship, and observance.

None of the countries in the world has a perfect record on freedom of religion or belief, because it is a complex and, often, ambiguous and contested human right. Violations of freedom of religion or belief can take a variety of forms – at one end of the spectrum there is persecution, intimidation, and violence, but there are also violations relating to access to public services and civic life. Thus, what constitutes a violation of the right, and what is under-

stood to be a legitimate limit to freedom of religion or belief, is an increasingly contested area of debate.

Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others.

According to article 18. 3, International Covenant on Civil and Political Rights the right to freedom of religion or belief is a fundamental and wide-ranging belief. It has both internal and external dimensions. The terms 'belief' and 'religion' include the right to hold any religious or nonreligious (including atheistic and agnostic) belief. The freedom to have a belief includes the right to change one's religion or belief, as well as to practice and manifest it. Protecting this right extends to communities as well as individuals and, in principle, covers a range of activities related to worship, assembly, expression, and other customs, rites, rituals and practices individually or collectively, in public and private. In addition to the actions of governments (through restrictive legislations, regulations and control), violations of freedom of religion or belief can also be committed by non-state actors, including religious organizations and terrorist groups. Given the breadth of violators, responses to violations must also be varied and cognisant of context. The international legal regime has been built to some extent to clarify and document when violations take place but the way in which violators are held accountable often takes place at the local, national, and regional level. Scholars, public policy makers, advocates, and other stakeholders, can work in synergy to ensure that the case for freedom of religion or belief around the world and in varying contexts is upheld (Hertzke 2012). There are a number of global challenges to safeguarding the right to freedom of religion or belief, and often there is conflict with/around other rights. It is necessary to know how and when to balance different human rights. Understanding the intricacies of specific human rights is also important. For instance, the right to manifest one's religion or belief is narrower than the right to hold a religion or belief.

According to the UN Human Rights Committee (see General Comment 22), the right to have or accept religion or belief is absolute and unconditional. This is a manifestation of religion or belief that may be limited. This is especially true when the expression of religion or belief threatens public safety or affects the fundamental rights and freedoms of others. That is, when it comes to other human rights. This raises an important point: there may be times when freedom of religion or belief may be lawfully restricted.

We are also confronted with a violation of the right to freedom of religion in relation to nationalities. Especially when it comes about Islam, we are talking about the right to freedom of religion, regardless of the birth of a child in a particular faith. As an example, we took the case of Brenton Tarrant, the Australian-born man accused of murdering 50 people, and injuring 50 more, some critically, who had gathered to pray at two mosques in the New Zealand city of Christchurch. It is obvious that there is a type of disease, which destroyed the brain of this man against muslims. So it seems like there is no possibility to have the right of the freedom of religion in this case.

When the fear of loss of power or the rise and proliferation of competing rights and equality norms are factored in, we can see that violations of freedom of religion or belief are complex and multi-faceted. When understood as 'religious freedom' or 'freedom of religion', freedom of religion and beliefs can give the impression of being about 'religious rights' or 'rights for the religious'. Article 18 has been broadly conceived as including a range of religious and non-religious beliefs. It is, indeed, the case in religiously pluralistic societies that differing beliefs can lead to conflict, discrimination and even outright religious persecution by and among religious groups. But the world's religions are not only powerful sources of human rights in and of themselves, they also bring resources for transforming conflict and securing peace and social development.

In the final analysis, advancing towards deeper understandings of what violations of freedom of religion or belief look like is essential if we are to build stronger communities in spaces of increasing plurality. Although this is undoubtedly a complex task, the need is a vital and urgent one. Ensuring that independent truth-seeking, believing and living are protected and assured so that appropriate (legal, social, economic, political and spiritual) conditions are created to allow human potential to flourish, is a pressing need of our time. Also it is necessary to increase the sociocultural activity of the new generation, because the main factor is left the human factor.

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Ключові слова: порушення, права людини, свобода, віросповідання, віра, міжнародне право, захист, безпеку.

Ключевые слова: нарушение, права человека, свобода, вероисповедание, вера, международное право, защита, безопасность.

Key words: violation, human rights, freedom, religion, beliefs, international law, protection, safety.