

Anatoliy P. Chernenko, Anatoliy H. Shyyan. The right of prisoners sentenced to life imprisonment to parole from serving a sentence or to replace the unserved part of the sentence with a milder one and ensuring it in Ukraine. The article examines the issues of ensuring the right of convicts to life imprisonment in Ukraine to parole from serving a sentence or replacing the unserved part of the sentence with a milder one. The norms of the Criminal Code, other legislative acts of Ukraine governing this issue, as well as the Regulation on the procedure for pardon approved by decree of the President of Ukraine No. 223/2015 of April 21, 2015 are analyzed. They are compared with international legal acts, in particular, the Convention for the Protection of Human Rights and Fundamental Freedoms of 1950, which governs the conditional release of life-sentenced prisoners or replaces the unserved part of the sentence with a milder one, as well as several decisions of the European Court of Human Rights regarding such issues. The inconsistency of Ukrainian legislation, the Regulation on the procedure for pardoning international law and the decisions of the ECHR is shown. Particular attention is paid to the decision of the ECHR in the case of “Roosters v. Ukraine” of March 12, 2019, as well as future decisions of the Constitutional Court of Ukraine and the Supreme Court, which are currently considering this issue. Considering the provisions expressed by the ECHR in this case, it is concluded that the current mechanism for such exemption does not comply with international standards and this entails the need to consolidate the relevant legal norms in Ukrainian legislation. The problematic aspects of the implementation of such a right are analyzed, some suggestions are made for their solution.

Keywords: *persons sentenced to life imprisonment, the right to release, pardon, violation of international obligations, parole, replacing the unserved part of the sentence with a lighter one, decisions of the European Court of Human Rights, decision of the European Court of Human Rights in the case of Petukhov v. Ukraine.*