

ENFORCEMENT OF DECISIONS OF THE CONSTITUTIONAL COURT OF UKRAINE: ISSUES OF LEGAL DOCTRINE

Bielova Miroslava, Byelov Dmytro

DOI: <https://doi.org/10.61345/1339-7915.2024.2.2>

Annotation. It is indicated that the key problem in the activity of the Constitutional Court of Ukraine is ensuring the implementation of its decisions. Without solving this issue, it is impossible to guarantee the supremacy of the Constitution, the principle of separation of powers and the existence of an independent judicial branch of government as a separate institution. Ignoring the decisions of the constitutional control body undermines the very system of checks and balances, the authority of the Basic Law and the constitutional order in the country in general. These principles underlie the implementation of decisions of constitutional courts, the purpose of which is to ensure constitutional legality. In Ukraine, the mechanism for the implementation of the decisions of the Central Committee of Ukraine has already been developed in general, but there are problems related to the non-implementation of some of its decisions for a long time. Therefore, the task of further improvement of this mechanism and its proper legislative regulation remains relevant.

The authors claim that Ukraine has already developed a mechanism for implementing decisions of the Constitutional Court. However, this system is not perfect, which is evidenced by the fact of non-execution of individual court decisions. Therefore, the issue of continuing the work on improving the existing mechanism for implementing decisions of the body of constitutional jurisdiction, securing it properly at the legislative level, remains urgent. At the same time, the problem of the quality of such execution comes to the fore, for the solution of which it is necessary to develop criteria for the effectiveness of the execution of court decisions, which will allow to assess the quality of the legal acts that are introduced and the work of the responsible entities. Both outlined problems definitely need further thorough scientific research.

In addition, according to the authors, it should be noted that the issues of the legal nature of the legal positions of the Constitutional Court of Ukraine and the criteria for the effective implementation of its decisions remain interacting categories and, therefore, require thorough scientific study. At the same time, clarifying the legal force of the Court's legal positions is complicated by the lack of their legislative definition, by a certain difficulty in understanding the role and place of the body of constitutional jurisdiction in the system of state power. At the same time, the legal positions have a normative and mandatory character, reflected in the acts of the KSU. The need to ensure their immutability follows from the principles of legal certainty and stability of the Constitution. However, the possibility of revising some legal positions in connection with the change in the socio-political structure of the state is gaining relevance.

Key words: Constitutional Court of Ukraine, decisions of the Constitutional Court of Ukraine, implementation of decisions of the Constitutional Court of Ukraine, legal positions of the Constitutional Court of Ukraine, rule of law, rule of law, normative legal act, Constitution, legality.

1. Formulation of the problem.

A key problem in the implementation of the powers of the Constitutional Court of Ukraine is ensuring the implementation of its decisions. Without solving this issue, it is impossible to guarantee the supremacy of the Constitution of Ukraine, the principle of separation of powers, as well as the existence of the judicial branch of power as a separate institution. Failure to comply with the decisions of the body of constitutional jurisdiction calls into question the functioning of the very system of checks and balances, undermines the authority of the Basic Law and the constitutional order in the state in general.

Opinion No. 13 (2010) of the Advisory Council of Judges of European States emphasizes that effective enforcement of court decisions that have entered into force is a cornerstone of the principle of the rule of law. This is necessary to maintain the authority of the judiciary in the eyes of society. The independence of the court and the right to a fair trial lose their meaning if judicial acts are not enforced (clause 7). In a state governed by the rule of law, public authorities must consistently implement court decisions promptly on their own initiative. The very idea that a state body ignores a court decision undermines the concept of the rule of law (paragraph 31). In this sense, the implementation of decisions should take place in compliance with basic human rights and freedoms (clause 8) [1].

2. These provisions are the basis for the implementation of decisions of constitutional courts aimed at ensuring constitutional legality. In Ukraine, the mechanism for implementing the decisions of the Constitutional Court has already been formed, but there are problems related to the long-term non-implementation of some of its decisions. Therefore, the **aim** of further improvement of this mechanism and its legal consolidation remains relevant.

3. Analysis of scientific sources.

As a legal phenomenon, the positions of the body of constitutional jurisdiction were studied in their works by well-known domestic and foreign scientists: I. Dombrovskiy, V. Kampo, M. Kozyubra, V. Pohorilko, M. Savenko, M. Savchyn, A. Selivanov, T. Slinko, A. Stryzhak, V. Tatsii, M. Teslenko, P. Tkachuk, Yu. Todyka, V. Shapoval, S. Shevchuk and many others. However, taking into account the peculiarity of the status and role of the Constitutional Court of Ukraine in the system of state authorities and the life of the country, most of the issues, and with them the issue of the implementation of the Court's decisions, still leave room for scientific research. That is why the authors set themselves the goal of considering separate doctrinal approaches to the implementation of the decisions of the Constitutional Court of Ukraine through the prism of the legal positions of the CCU.

4. Presentation of the research material.

The increase in the authority of constitutional courts in the world is caused by modern trends of international legal integration in areas where international acts on human rights and fundamental freedoms apply. The execution of the decisions of the bodies of constitutional jurisdiction is connected with the real protection of the constitutional order and constitutionality in the rule-of-law states, as well as strengthening their stability. The execution of the decisions of the constitutional courts contributes to ensuring the supremacy of the basic law of the state, the observance of constitutional norms and principles underlying the system of legal states, strengthening of their constitutional order, stability and steadfastness of constitutional foundations.

The mechanism of execution of decisions of constitutional courts in its functional component includes actions for the direct execution of court decisions, as well as for ensuring their proper execution. Its organizational aspect is represented by the bodies, organizations responsible for the implementation of the above-mentioned actions, and the forms of their activity in this area. The

Constitutional Court of Ukraine, not having powers in the field of direct implementation of decisions made by it during the sending of constitutional proceedings, is involved within its own competence in the work of ensuring the implementation of such decisions [2, p. 38].

So, first of all, let's note that the mechanism of implementation of decisions of bodies of constitutional jurisdiction consists of functional and organizational components. At the same time, its functional part provides for the direct execution of court decisions, as well as measures to ensure their proper execution. In turn, the organizational block is represented by institutions and organizations responsible for the implementation of the specified actions, and the forms of their activity in this area. The Constitutional Court of Ukraine, not having the authority to directly execute its decisions in the implementation of constitutional justice, joins within its own competence in the work of ensuring the implementation of such decisions [3, p. 86].

In the context of the topic of our research, we note that the legal mechanism for the implementation of any type of legal acts is determined by the peculiarities of their legal nature, first of all, such an essential feature as legal force, limits of obligation. This also applies to the decisions of the Constitutional Court - a relatively new type of legal acts for the Ukrainian legal system. Thus, without clarifying their legal nature, it is extremely difficult to justify and construct a specific legal mechanism for the implementation of these acts adequate to it [4, p. 26].

It is impossible not to pay attention to the fact that the doctrine of the constitutional judiciary, which is currently only being formed in Ukraine, answers the questions posed rather contradictory. Undoubtedly, our legal doctrine more actively than before joined the long-standing dispute in world jurisprudence about whether a court, primarily a constitutional one, creates a new right, or it only discovers it, declares it or is only a law enforcer. And the further the practice of constitutional justice in Ukraine develops, the more acute the disputes become. For science, this is a normal, even necessary phenomenon in the process of scientific knowledge, but for practice it is not always useful. We believe that significant contradictions in the doctrine on the mentioned issues are one of the factors that disorient the executors of the decisions of the Constitutional Court, especially in the absence of a direct constitutional and legislative definition of the legal nature of these acts [5, p. 69–72].

The Constitutional Court of Ukraine must possess a certain instrument that would help it to legally formalize or consolidate the decisions made, therefore, acts are such a means that legally formalizes the results of the Court's consideration of material, procedural, or organizational issues. The adoption of a certain decision by the Constitutional Court of Ukraine is preceded by the formation of its opinions, which are based on certain positions, mainly of a legal nature.

It should be noted that the current legislation of Ukraine does not contain a formulation of the definition of the "legal position" of the Constitutional Court of Ukraine. Thus, transferring the problem of clarifying the essence of this term in the plane of scientific research and analysis. However, as the analysis of scientific literature confirms, there is also no unanimity in the understanding of the concept of "legal position" even among the scientific doctrine of the constitutional law of Ukraine.

Among scientists, there are different approaches to defining the concept of "legal positions" of the Constitutional Court of Ukraine. Some scientists consider them as a system of legal arguments, examples of a precedential nature, a kind of normative and interpretive guidelines. Others provide more elaborate definitions, understanding by legal positions the generalized ideas of the body of constitutional jurisdiction regarding specific constitutional and legal problems. Actually, according to this approach, the legal positions of the KSU are legal conclusions and representations of the court, formed as a result of interpretive activity regarding the norms of the Constitution and clarification of the constitutional content of the provisions of the legislation. They resolve issues of legal or situational uncertainty in specific constitutional and legal situations and serve as a legal justification for decisions of the KSU.

There is also an opinion that the legal position is only a fragment of the motivational part of the final decision of the KSU, connected with its resolute part. According to this definition, the legal

positions actually reflect a kind of law-making of the KSU, interpreting the constitutional norms that form the basis of the resolutive part of the decision. This is a logical operation that precedes a conclusion about the constitutionality or unconstitutionality of a legal norm.

Some scientists point out that the legal positions of the Constitutional Court of Ukraine are formed during the consideration of specific cases in the process of constitutional justice - during the official interpretation of the provisions of the Constitution, during the implementation of abstract and concrete regulatory control, etc. Legal positions are a certain summary of the activity of the body of constitutional jurisdiction, the result of logical and meaningful work that reflects the specifics of the corresponding constitutional and legal problem. The researchers come to the conclusion that in terms of their legal force, the legal positions of the KSU can be equated to the norms of the Basic Law.

In other words, scientists claim that the legal positions of the Constitutional Court are formulated during its consideration of specific court cases related to the interpretation of the Constitution, the review of laws and other acts for their constitutionality, etc. They are a summary of the activities of the KSU, the result of a logical understanding and analysis of the specifics of the constitutional and legal issues under consideration. At the same time, researchers believe that by their legal nature, the legal positions are equivalent to the prescriptions of the Constitution of Ukraine itself.

At the same time, in our opinion, it is difficult to agree with such a point of view, considering, first of all, the constitutional character and nature of the norms of the Constitution, their difference from the legal positions of the body of constitutional jurisdiction, as well as the actual subordination of the body to the norms of the Basic Law.

As Professor T. Slinko points out, the legal position in itself is a normative-doctrinal generalization, the quintessence of the decision made by the Constitutional Court. However, the source of law is not the legal position, but rather the decision of the Constitutional Court, in which this legal position was formulated and explained (in other words, the legal position is a concentrated reflection of the normative and doctrinal basis of the judicial decision of the body of constitutional jurisdiction. However, not the legal position, but directly the act of the Constitutional Court is the primary source of law, since it is in it that the legal position finds its expression and official consolidation). The scientist understands the legal positions of the Constitutional Court of Ukraine as its legal representations (conclusions) as a result of its interpretation of the Constitution of Ukraine and/or the provisions of laws, other normative acts within its competence, which are of a general nature, eliminate constitutional and legal uncertainty and are the legal basis for adopting the final the decision set forth in his act [11, c. 6].

According to V. Kamp, the legal positions of the Constitutional Court of Ukraine are the provisions of its acts (the motivational and resolutive part) that are binding for all legal subjects, based on the interpretation of the provisions of the Constitution and laws of Ukraine and the application of the norms and principles of the Basic Law of the state to disputed acts and provisions of legislation [13, c. 116]. At the same time, P. Tkachuk notes that the legal positions of the Constitutional Court of Ukraine are the result of its interpretative activity in the form of conclusions, clarifications, legal provisions, doctrines, which contain the interpretation of the unclear content of the law, legal assessment or legal definition, the essence legal ideas and knowledge about solving a specific situation, which are mandatory for all subjects of legal relations [14, c. 21].

The above formulations demonstrate the diversity of approaches to understanding the concept of "legal positions" of the Constitutional Court of Ukraine. This contradiction and ambiguity is due primarily to the unique legal nature of the Constitutional Court, the peculiarities of its status and place in the system of state authorities. In other words, the existence of numerous, often contradictory interpretations of the term "legal positions" is explained by the very specificity of the Constitutional Court of Ukraine, the exclusivity of its role among the highest institutions of the state. The exceptionality of this constitutional body, the difference in its functions from other branches of government lead to a plurality of opinions among scientists regarding the essence and nature of the legal positions it formulates.

In this case, V. Campo expressed that, in fact, there cannot be a single understanding of the legal positions of the Constitutional Court of Ukraine, since from different doctrinal points of view, the same positions can be considered as containing somewhat different content [13, p. 115].

It is important to understand the very process of formation of this or that legal position, which usually does not arise as a result of the will of the legislator or the people through the usual legislative procedures of rulemaking. Legal positions are expressed by the Constitutional Court during consideration of cases in which proceedings were initiated in accordance with the established procedure in the presence of a clear practical problem of law enforcement that needs to be resolved. However, in the end, the Court examines the issue of law in general, and not only a narrow case, limited to the framework of specific persons - participants in the constitutional proceedings. Therefore, it is worth understanding that legal positions are not the result of the usual law-making process. They are formulated by the Constitutional Court during the resolution of specific cases initiated according to a certain procedure, when there is a need to solve a clear problem of the application of law. However, in the end, the Court considers a broader legal issue, not limited to only a narrow circle of participants in the proceedings. On this occasion, it is worth agreeing with the opinion expressed by P. Tkachuk that "legal positions of the Constitutional Court of Ukraine, as a rule, are based on the specific needs of the subject of the submission, which arose during the application of one or another provision of the Constitution or laws of Ukraine" [14, c. 10–21].

Giving legal positions signs of normativity and equating them with acts is ambiguous. As S. Shevchuk points out, legal positions in the acts of the judiciary, in particular, in the acts of the Constitutional Court of Ukraine, have signs of normativity, but at the same time they remain acts of application of the law, and not normative legal acts [15].

Taking as a basis the logical reasoning indicated above, about the need to take into account the nature and place of the acts of the Constitutional Court of Ukraine in the process of analyzing the nature of legal positions, it is possible to assume an organic combination of the issue of attributing the acts of the Court and the legal positions of the Court to the sources of law. Therefore, as V. Kravchuk claims, the legal positions of the Constitutional Court of Ukraine have properties and features that can be characterized as independent sources of law and the actual impossibility of unambiguously assigning them to any of the well-known legal theory sources of law. So, in particular, the legal positions of the body of constitutional justice express the will of the state (after all, they arise as an act of a state body); they are official and generally binding; they play the role of a normative basis in law-making and serve as a guideline in law-making and law enforcement for most subjects of legal relations; they have a universal character, that is, they are not the result of a decision and the subject of application in a specific case, but can also be used in similar or similar situations for the purpose of substantiating positions; legal positions are a reflection of legal certainty, and should be formulated in such a way as to prevent their unequal, distorted understanding or improper application; legal positions have a permanent nature, that is, when deciding the following cases, the Constitutional Court of Ukraine is guided by previously expressed legal positions. And therefore, it is concluded that the legal positions of the single body of constitutional jurisdiction should be considered an independent source of law in the Ukrainian legal system [16, p. 120-121].

The position outlined above seems quite convincing, but leaves, in our opinion, a number of open questions. In particular, it remains difficult to clarify the question of how the legal positions of the Constitutional Court of Ukraine should be correlated and agreed with other sources of law. Also ambiguous is the question of the possibility of attributing the legal positions of the Constitutional Court to the sources of law of branches of law other than constitutional, for example, criminal law.

The importance of decisions and legal positions of the Constitutional Court of Ukraine cannot be underestimated. Among the important ones, it is worth highlighting those that express the legal position of the Constitutional Court of Ukraine regarding the guarantees of constitutional rights and freedoms, the impossibility of their cancellation, the prevention of restrictions on the content and scope of existing rights and freedoms, which, in our opinion, have doctrinal significance. Thus, in Decision No. 5-пн/2005 dated September 22, 2005, the Constitutional Court of Ukraine determined that:

- cancellation of constitutional rights and freedoms is their official (legal or actual) liquidation;
- narrowing the content and scope of rights and freedoms is their limitation;
- from the point of view of the traditional understanding of human activity, the determining factors in the content of the concept of human rights are the conditions and means that constitute the capabilities of a person, necessary to meet the needs of his existence and development;
- the scope of human rights is their essential property, expressed by quantitative indicators of human capabilities, which are reflected by the corresponding rights, which are not homogeneous and general.

At the same time, the Constitutional Court of Ukraine noted that during the legislative definition and practical implementation of the fundamental right, its essence and content cannot be violated in any case [17].

Normativeness of decisions and legal positions follows from the analysis of the current legislation and the influence exerted by the Constitutional Court and its activities on legal relations. Legal positions formulated in the act adopted by the Constitutional Court of Ukraine, as a rule, acquire the properties of independent novels. At the same time, as components of its decision, they are self-sufficient, i.e. those adopted in the name of Ukraine are binding, final and have direct effect. After the entry into force of these acts, legal positions not only do not require confirmation or duplication by state authorities, but also become an integral part of the legislative support for the operation of the state authority mechanism, as noted by V. Ovcharenko [18, p. 69].

In this context, the issue of consistency and immutability of the legal positions of the Constitutional Court of Ukraine acquires special importance. This follows from the fact that the interpretative activity of the Court and its powers regarding constitutional control should be based exclusively on the provisions of the Constitution of Ukraine as a basic legal act. The development of constitutional norms in the legal positions of the KSU cannot go beyond the legal principles and postulates laid down in the Basic Law, because otherwise it would contradict the supremacy of the Constitution - its main property. Ensuring the stability and legal certainty of legal positions is extremely important for the establishment of the principle of the rule of law enshrined in the Constitution. The legal positions of the Constitutional Court should build a strong "constitutional protective wall", based on the totality of legal knowledge and the intellectual, creative activity of judges for the purpose of establishing constitutionalism.

On the other hand, the long-term activity of the Constitutional Court of Ukraine, as indicated by I. Dombrovskyi, as a fundamental stage of the formation of the institution of constitutional jurisdiction of Ukraine, covers the most problematic from a legal point of view the issues of solving political and social conflicts in the recent history of Ukraine. Despite this, the Court's legal positions must be consistent and balanced. In this aspect, the question of the possibility of revising previous legal positions becomes relevant [20, c. 143].

5. Conclusions.

Ukraine has already developed a mechanism for implementing decisions of the Constitutional Court. However, this system is not perfect, which is evidenced by the fact of non-execution of individual court decisions. Therefore, the issue of continuing the work on improving the existing mechanism for implementing decisions of the body of constitutional jurisdiction and securing it properly at the legislative level remains urgent. At the same time, the problem of the quality of such execution comes to the fore, for the solution of which it is necessary to develop criteria for the effectiveness of the execution of court decisions, which will allow to assess the quality of the legal acts that are introduced and the work of the responsible entities. Both outlined problems definitely need further thorough scientific research.

In addition, it should be noted that the issues of the legal nature of the legal positions of the Constitutional Court of Ukraine and the criteria for the effective implementation of its decisions

remain interacting categories and, therefore, require thorough scientific study. At the same time, clarifying the legal force of the Court's legal positions is complicated by the lack of their legislative definition, by a certain difficulty in understanding the role and place of the body of constitutional jurisdiction in the system of state power. At the same time, the legal positions have a normative and mandatory nature, reflected in the acts of the KSU. The need to ensure their immutability follows from the principles of legal certainty and stability of the Constitution. However, the possibility of revising some legal positions in connection with the change in the socio-political structure of the state is gaining relevance.

References:

1. URL: <https://www.coe.int/en/web/portal/home>.
2. Byelov D.M., Bielova M.V. Dokaz v konstytutsiinomu sudochynstvi: kontseptualni zasady. *Analitichno-porivnialne pravo*. № 6. 2022. S. 37–42.
3. Byelov D.M. Bielova M.V. Systema zakhystu prav i svobod liudyny i hromadianyna: doktrynalni ta normatyvni osnovy. *Naukovyi visnyk Uzhhorodskoho natsionalnoho universytetu. Seriiia «Pravo»*. 2022. Vyp. 74. S. 85–90.
4. Danko V.I., Byelov D.M. Zastosuvannia rishen Konstytutsiinoho sudu v kryminalnomu sudochynstvi: okremi pytannia. *Materialy mizhnarodnoho kruhloho stolu «Funktsionuvannia sudovykh i pravookhoronnykh orhaniv v umovakh viiny: konstytutsiini ta mizhnarodno-pravovi markery» (m. Uzhhorod, 27 zhovtnia 2022 r.)*. S. 25–27.
5. Byelov D.M., Bielova M.V. Dokazuvannia v konstytutsiinomu sudochynstvi: pytannia metodolohichnykh zasad. *Naukovyi visnyk UzhNU. Seriiia «Pravo»*. Vypusk 74(6). 2022. S. 69–72.
6. Lun Z.I. *Pravova okhrona konstytutsii. Avtoref. dys. na zdobuttia nauk. stupenia kand. yur. nauk: 12.00.02 «Konstytutsiine pravo»*. K., 2004. 21 s.
7. *Yurydychna entsyklopediia: V 6 t. / Redkol.: Yu.S. Shemshuchenko (holova redkol.) ta in. K.: Ukr. entsykl., T. 3, 2001. 792 s.*
8. Tatsii V.Ya. *Konstytutsiine pravo Ukrainy: pidruchnyk*. K., Ukrainskyi tsentr pravn. studii. 1999. 373 s.
9. Domagala M. *Kontrol zgodnosci prava z konstitucja w europejskich panstwach sojalistycznych*. War–wa, 1986. 187 p.
10. *Pereklad anhlomovnoi hromadsko-politychnoi literatury: systema derzhavnoho upravlinnia SShA / L.M. Chernovatyi, V.I. Karaban, O.V. Rebrii, I.P. Lipko, I.P. Yaroshchuk; za red. L.M. Chernovatoho ta V.I. Karabana*. Vinnytsia, 2006. 380 s.
11. Slinko T.M. *Pravovi pozytsii Konstytutsiinoho Sudu Ukrainy z pytan diialnosti sudiv zahalnoi yurydyktsii*. *Problemy zakonnosti*. 2011. Vyp. 117. S. 3–13.
12. Kravchuk O.V. *Okremi aspekty poniattia ta sutnosti pravovykh pozytsii Konstytutsiinoho Sudu Ukrainy*. *Derzhava i pravo*. 2011. № 52. S. 185–191.
13. Kampo V. *Pravovi pozytsii Konstytutsiinoho Sudu Ukrainy yak neobkhidnyi element zabezpechennia sudovo-pravovoi reformy*. *Visnyk Konstytutsiinoho Sudu Ukrainy*. 2010. № 2. S. 112–122.
14. Tkachuk P.M. *Pravovi pozytsii Konstytutsiinoho Sudu Ukrainy*. *Visnyk Konstytutsiinoho Sudu Ukrainy*. 2006. № 2. S. 10–21.
15. Shevchuk S. *Normatyvnist aktiv sudovoi vlady: vid pravopolozhennia do pravovoi pozytsii*. URL: <http://www.scourt.gov.ua>.



16. Kravchuk O.V. Pravovi pozytsii Konstytutsiinoho Sudu Ukrainy yak dzherelo prava. Biuletyn Ministerstva yustytsii Ukrainy. 2011. № 4. S. 117–121.
17. Rishennia Konstytutsiinoho Sudu Ukrainy u spravi za konstytutsiinym podanniam 51 narodnoho deputata Ukrainy shchodo vidpovidnosti Konstytutsii Ukrainy (konstytutsiinosti) polozhen statti 92, punktu 6 rozdil X «Perekhidni polozhennia» Zemelnoho kodeksu Ukrainy (sprava pro postiine korystuvannia zemelnymy diliankami) vid 22 veresnia 2005 roku № 5-rp/2005. Ofitsiinyi visnyk Ukrainy. 2005. № 39. St. 2490. S. 95.
18. Ovcharenko V. Pravovi pozytsii Konstytutsiinoho Sudu Ukrainy: poniattia, sut i mozhlyvosti perehliadu. Visnyk Konstytutsiinoho Sudu Ukrainy. 2013. № 5. S. 62–71.
19. Martyniuk R. Pryroda pravovykh pozytsii orhaniv spetsializovanoho konstytutsiinoho kontroliu: teoretyko-pravovyi aspekt. Visnyk Konstytutsiinoho Sudu Ukrainy. 2014. № 1. S. 76–86.
20. Dombrovskiy I. Pravovi pozytsii Konstytutsiinoho Sudu Ukrainy: okremi aspekty. Visnyk Konstytutsiinoho Sudu Ukrainy. 2011. № 4-5. S. 140–146.

Miroslava Bielova,

*Doctor of legal sciences, associate professor
Department of Constitutional Law and Comparative Law
Faculty of Law
“Uzhgorod National University”
ORCID: 0000-0003-2077-2342*

Dmytro Byelov,

*Doctor of Law, Professor,
Professor of the Department of Constitutional Law and Comparative Law
Faculty of Law
“Uzhgorod National University”
Honored lawyer of Ukraine
ORCID: 0000-0002-7168-9488*