ABSTRACT&REFERENCES

DOI: 10.15587/2523-4153.2017.118638

ABOUT THE QUESTION OF THE ESSENCE OF INTERNATIONAL ECONOMIC PROCEDURAL LAW

p. 4-8

Vitaliy Opryshko, Doctor of Law, Professor, Corresponding Member of National Academy of Sciences of Ukraine

The paper is devoted to the essence of international economic procedural law and its subjects. It considers the mutual influence and dependence of the international legal and national legal systems, their material and procedural law norms. The analysis of the international law system gives a possibility to separate international material and international procedural law in it.

The one of such branches of international law it international economic procedural law, that must be understood as the system of norms and principles that establish the order, provision form of realization of material norms of international economic law by states, international organizations and other subjects in the process of realization of international economic cooperation and also regulate the activity of international arbitral and forensic institutions in this sphere

Keywords: *international economic law, legislation proceeding, procedural activity, international organizations*

References

1. Marks, K., Engel's, F. (1955). Debaty po povodu zakona o krazhe lesa. Vol. 1. Sochineniya. Moscow: Politizdat, 723.

2. Korets'kiy, V. M.; Denisov, V. N. (Ed.) (2004). Mezhdunarodnoe khozyaystvennoe pravo. Ocherk chetvertyy (Mezhdunarodnoe khozyaystvennoe pravo i mirovoe pravo). Antologiya ukrains'koi yuridichnoi dumki. Vol. 8. Mizhnarodne pravo. Kyiv: VD «Yuridichna kniga», 568.

3. Opryshko, V. F. (Ed.) (1998). Problemy harmonizatsii zakonodavstva Ukrainy z mizhnarodnym pravom. Kyiv: Instytut zakonodavstva Verkhovnoi Rady Ukrainy, 11–25.

4. Vel'yaminov, G. M. (2004). Mezhdunarodnoe ekonomicheskoe pravo i protsess (Akademicheskiy kurs). Moscow: Volters Kluver, 496.

5. Makhniboroda, I. M. (2011). Mezhdunarodnoe protsessual'noe pravo i mezhdunarodnoe sudoproizvodstvo: osobennosti vzaimodeystviya; Yuzhnyy federal'nyy universitet. Moscow, 25.

6. Pushmin, E. A. (1990). Mezhdunarodnyy yuridicheskiy protsess i mezhdunarodnoe pravo. Kemerovo: Izdatel'stvo Keremerov. universiteta, 83.

7. Shemshuchenko, Yu. S., Bobrovnyk, S. V. ta in. (Eds.) (1999). Zakonodavchyi protses. Yurydychna entsyklopediia. Vol. 2: D-Y. Kyiv: Ukrainska entsyklopediia im. M. P. Bazhana, 504.

8. Rehlament Verkhovnoi Rady Ukrainy (2008). Verkhovna Rada Ukrainy. Kyiv: Parlamentske vyd-vo, 237.

9. Angene, M., Ben'yamin, M., Dorokhov, G., Elovitskiy, M. et. al. (Eds.) (1977). Apparat upravleniya sotsialistecheskogo gosudarstva. P. 2. Moscow: Yuridicheskaya literatura, 351.

10. Averianov, V. B. et. al. (Eds.) (2004). Administratyvne pravo Ukrainy. Akademichnyi kurs. Vol. 1. Zahalna chastyna. Kyiv: Yurydychna dumka, 584.

11. Lukashuk, I. I. (2000). Mezhdunarodnoe pravo. Obshhaya chast'. Moscow: Bek, 121–122.

DOI: 10.15587/2523-4153.2017.119995

«WELFARE RIGHTS» IN THE CONTEXT OF THE PRACTICE OF THE UNITED STATES SUPREME COURT

p. 9-13

Andrianna Badyda, PhD, Senior Lecturer, Department of Theory and History of State and Law, State University «Uzhhorod National University», Narodna sq., 3, Uzhhorod, Transcarpathian region, Ukraine, 88000

Vasyl Lemak, Doctor of Law, Professor, Corresponding Member of the National Academy of Legal Sciences of Ukraine, Head of the Department, Department of Theory and History of State and Law, State University "Uzhhorod National University", Narodna sq., 3, Uzhhorod, Transcarpathian region, Ukraine, 88000

The article aims to study the contents of the «welfare rights» in the United States in the context of the legal position of the Supreme Court of the United States. An analysis of key decisions of the Supreme Court concerning the protection of such rights is made. The authors came to the conclusion that the legal positions of the Supreme Court of the United States have undergone a long evolution in the sense of «welfare rights»: from their complete rejection to the assessment in the coordinates of the rule of law principle, which is implicitly derived from the Constitution. It has been found that the Supreme Court links the protection of «welfare rights» (unwritten constitutional rights) with the protection of other rights, which are outwardly enshrined in the text of the Constitution (in particular, with the right to due process).

Keywords: *USA, Supreme Court, welfare law, social rights, rule of law*

References

1. Salomatin, O. (2013). Verkhovnyi Sud SShA: osnovni etapy zakhystu konstytutsiinykh prav hromadian. Pravo SShA, 1-2, 113–121.

2. Tushnet, M. (1992). Civil Rights and Social Rights: The Future of the Reconstruction Amendments. Loyola of Los Angeles Law Review. Available at: https://www.law.ufl.edu/_pdf/student-affairs/syllabus/fa13/tushnet_social_and_political_rights.pdf

3. Dandridge v. Williams, 397 U.S. 471 (1970). Available at: https://supreme.justia.com/cases/federal/us/397/471/case.html

4. San Antonio Indep. Sch. Dist. v. Rodriguez, 411 U.S. 1 (1973). Available at: https://supreme.justia.com/cases/federal/us/411/1/

5. Shelley v. Kraemer, 334 U.S. 1 (1948). Available at: https://supreme.justia.com/cases/federal/us/334/1/case.html

6. David, R., Zhoffre-Spinozi, K. (1999). Osnovnye pravovye sistemy sovremennosti. Moscow: Mezhdunar. otnosheniya, 400.

7. Chernilovskiy, Z. M. (1982). Ot Marshalla do Uorrena: (Ocherki istorii Verhovnogo suda SShA). Moscow: YUrid. lit., 224.

8. Adygezalova, G. E. (2006). Oliver Uendell Holms. Pravovedenie, 5, 184–196.

9. Lochner v. New York, 198 U.S. 45 (1905). Available at: https://supreme.justia.com/cases/federal/us/198/45/case.html

10. Goldberg v. Kelly, 397 U.S. 254 (1970). Available at: https://supreme.justia.com/cases/federal/us/397/254/

11. Board of Regents of State Colleges v. Roth, 408 U.S. 564 (1972). Available at: https://supreme.justia.com/cases/federal/us/408/564/case.html

12. Baker v. Carr 369 U.S. 186 (1962). Available at: http://law2.umkc.edu/faculty/projects/ftrials/conlaw/baker.html

13. Supreme court of the united states. Available at: https://www.law.cornell.edu/supct/pdf/11-393.pdf

---

DOI: 10.15587/2523-4153.2017.119853

METHODOLOGICAL PARADIGM OF THE SCIENTIFIC KNOWLEDGE OF LAW

p. 14-20

Oleksii Yuschik, Doctor of Juridical Sciences, Professor, Honoured Lawyer of Ukraine, Leading Researcher, V. M. Koretsky Institute of state and law of National Academy of Sciences of Ukraine, Tryokhsviatitelska str., 4, Kyiv, Ukraine, 01601
E-mail: al-yus@i.ua

The article reveals the importance of scientific methodology in the development of legal science, especially dialectics, as a general scientific method in the methodological system of scientific knowledge. It is noted the presence of numerous definitions of the concept of law and legal theories; a critical assessment of the explanation of this situation is given by the fact that researchers do not take into account in the scientific knowledge the dual function of the concept; Criticism of «universal principles of constructing a scientific theory of law» from the point of view of dialectical logic is also given. It is substantiated that the basis of the scientific methodology of cognition of law is general method of ascension from the abstract to the concrete as the only correct in the scientific sense.

Indicated on the negative role of «methodological pluralism», which prevails in legal science and denies objectively necessary for science methodological monism. In this connection, the relationship between science and ideology is considered, it is stated that the status of ideology as a form of social consciousness is not identical to the position of science, they have different genesis and functions. The epistemological aspect of this relation is revealed, according to which the roots of ideology must be sought in utopia and the ontological aspect accordind to which the basis of ideological pluralism is the presence of various partial interests.

Noted the peculiarity of Marxism as a scientific trend, the significance of the method of ascent from the abstract to the concrete for the formation of the dialectical theory of law on the basis of the only correct scientific methodology

Keywords: *scientific methodology, dialectics, method of ascending from abstract to concrete, scientific theory, dialectical theory of law*

References

1. Dynin, B. S. (1972). K voprosu o haraktere problem metodologii: Filosofiya. Metodologiya. Nauka. Moscow: Izd-vo «Nauka», 236.

2. Rachkov, P. A. (174). Naukovedenie. Problemy, struktura, elementy. Moscow: Izd-vo Moskovskogo universiteta, 242.

3. Kohanovskiy, V. P. et. al. (2006). Filosofiya nauki v voprosah i otvetah. Rostov-na-Donu: Feniks, 352.

4. Bekbaev, E. Z. (2014). O dvuh funktsiyah ponyatiy v nauchnom poznanii prava. Zhurnal rossiyskogo prava, 9, 18–26.

5. Ivakin, O. A. (2003). Dialektychna filosofiia. Odessa: Yurydychna literatura, 352.

6. Yushchyk, O. I. (1997). Pravova reforma: zahalne poniattia, problemy zdiysnennia v Ukraini. Kyiv, 192.

7. Marks, K., Engel's, F. Sochineniya. Vol. 46, Ch. 1.

8. Yushchik, A. I. (2013). Dialektika prava. Kyiv: Red. zhurn. «Pravo Ukrainy»; In Yure.

9. Lenin, V. I. Povnyi zibrnyk tvoriv. Vol. 29.

10. Marks, K., Engel's, F. Sochineniya. Vol. 20.

11. Yushchyk, O. (2016). Kryza pravorozuminnia i dialektychna teoriya prava. Pravo Ukrainy, 3, 258–265.

12. Kara-Murza, S. G. (2002). Ideologiya i mat' ee nauka. Moscow: Izd-vo Eksmo, 256.

13. Suprun, V. I. (1990). Nauka i ideologiya: Nauka i ee mesto v kul'ture. Novosibirsk: Nauka, Sib. otd-nie, 274.

14. Elez, Y. (1973). Kategoriya praktiki v trudah K. Marksa: Praktika i poznanie. Moscow: Izd-vo «Nauka», 360.

15. Yushchyk, O. I. (2002). Haluzi ta instytuty pravovoi systemy (mify i realnist). Kyiv: Oriyany, 112.

16. Lenin, V. I. Povnyi zibrnyk tvoriv. Vol. 18.

17. Yushchik, A. I. (2013). Dialektika prava. Kn. 1: Obshchee uchenie o prave (Kriticheskiy analiz obshchepravovyh ponyatiy). Ch. II. Kyiv: Red. zhurn. «Pravo Ukrainy»; In Yure, 768.

18. Yushchyk, O. (2016). Metod dialektychnoi teoriy prava yak kryteriy yii naukovoi novyzny. Pravo Ukrainy, 5, 155–163.

DOI: 10.15587/2523-4153.2017.116078

POLITICAL AND LEGAL CHARACTERISTICS OF EXTREMISM

p. 21-25

Vira Tymoshenko, Doctor of Law, Professor, Chief Scientific Officer, National Academy of Internal Affairs, Solomianska sq., 1, Kyiv, Ukraine, 03035
E-mail: tymvera@ukr.net
ORCID: *http://orcid.org/0000-0003-2947-5627*

The concept, essence, social conditionality, types and consequences of extremism is considered in the article. The opinion that extremism is not only aggressive actions, violence, but also negative attitudes, beliefs, moods, hatred, cruelty, approval of radical actions and statements is proved. Extremism is considered as one of the forms of manifestation of legal nihilism.

There are such features of extremism as extreme, categoriality, peremptoriness in theory and practice, the representation of own position as the only correct, the striving to achieve desired in any way, including by violence, which is justified at the ideological level. The extremist ideology is formed on the basis of traditional ideologies by their radicalization. The above-mentioned features characterize the essence of extremism.

Extremism is a consequence of social and cultural contradictions in modern society. Strengthening of extremist attitudes is observed where there is inequality and opposition of the interests of social groups in political, economic, social, spiritual, interracial, interreligious, geopolitical and other relations. The main source of extremism is the crisis state of society, which generates its anomie.

There are such types of extremism as political, religious, nationalistic and ecological extremism. Each of them reproduces the main features of extremism and has its own specifics. In particular, political extremism is an ideologized, organized, destructive and systematic political activity of both individuals and organizations, states, international organizations, which contradicts the officially proclaimed policy of the country and the current legislation, or even threatens the survival of entire communities or all human civilization. The intolerance to representatives of other faiths or rigid confrontation within one faith is characteristic of religious extremism. This is a kind of extremism, based on religious ideology. Nationalistic extremism manifests itself in the extreme forms of nationalism, racism, fascism (its present form of neo-Nazism), xenophobia, chauvinism, anti-Semitism. Ecological extremism is caused by aggravation of environmental problems, deterioration of the environment. Environmental terrorism, which is defined as deliberate pollution of the environment for the sake of blackmail in order to achieve certain political, economic or ideological goals, is the dangerous manifestation of ecological extremism.

It is proved that extremism is an anti-legal ideology. It leads to violation of rights, freedoms and legitimate interests of legal entities. It is impossible to overcome extremism completely, because there will always be contradictions that cause it in society. However, it is necessary to counteract extremism, thereby reducing its manifestations and minimizing the consequences. It requires coordinated measures of socio-economic, political, legal and ideological measures aimed at overcoming the contradictions in society

***Keywords**: extremism, ideology, extreme, crisis, violence, hatred, contradictions, radicalism, terrorism, fanaticism*

References

1. Berdyaev, N. A. (1990). Filosofiya neravenstva. Moscow: IMA-Press, 286.

2. Beron, R., Richardson, D. (1997). Agressiya. Saint Petersburg: Piter, 336.

3. Fromm, E. (1994). Anatomiya chelovecheskoy destruktivnosti. Moscow: Respublika, 447.

4. Senin, I. N. (2011). Ekstremizm kak forma pravovogo nigilizma v sovremennoy Rossii. Avtonomnaya nekommercheskaya organizatsiya vysshego professional'nogo obrazovaniya «Omskiy ekonomicheskiy institut». Omsk, 218. Available at: http://www.dissercat.com/content/ekstremizm-kak-forma-pravovogo-nigilizma-v-sovremennoi-rossii

5. Kremenovska, I. (2017). Ekstremizm i radykalizm i Ukraini. Vilne slovo. Available at: http://vilneslovo.com/екстремізм-і-радикалізм-в-україні/

6. Shakhov, V. A.; Shemshuchenko, Yu. S., Babkin, V. D., Horbatenko, V. P. (Eds.) (2004). Ekstremizm. Politolohichnyi entsyklopedychnyi slovnyk. Kyiv: Heneza, 181.

7. Yak Ukraina pidhotuvalasia do yadernoi viiny KNDR i SShA. Available at: http://fakty.ictv.ua/ua/svit/20171023-yak-ukrayina-pidgotuvalasya-do-yadernoyi-vijny-kndr-i-ssha/

8. Hariacha dvadtsiatka: dynamika protestiv antyhlobalistiv na samitakh G20 z 2008 roku i do sohodni (infohrafika). Available at: https://www.unian.ua/politics/2016789-garyacha-dvadtsyatka-dinamika-protestiv-antiglobalistiv-na-samitah-g20-z-2008-roku-i-do-sogodni-infografika.html

9. Nikitin, A. G. (2010). Ekstremizm kak ob"ekt obshheteoreticheskogo i obshhepravovogo analiza. Chastnoe obrazovatel'noe uchrezhdenie vysshego professional'nogo obrazovaniya «Institut ekonomiki, upravleniya i prava g. Kazan». Kazan, 257. Available at: http://www.dissercat.com/content/ekstremizm-kak-obekt-obshcheteoreticheskogo-i-obshchepravovogo-analiza

10. Pro osnovy natsionalnoi bezpeky Ukrainy (2003). Verkhovna Rada Ukrainy, No. 964-IV. Available at: http://zakon3.rada.gov.ua/laws/show/964-15

DOI: 10.15587/2523-4153.2017.119790

INTERNATIONAL ORGANIZATIONS AND INSTITUTIONS AS PARTICIPANTS OF THE LEGAL PROCESS IN UKRAINE

p. 26-30

Ian Bernaziuk, Doctor of Juridical Sciences, Associate professor, Honored Lawyer of Ukraine, Department of Constitutional and International Law, Educational-Scientific Humanitarian Institute, Taurida National V. I. Vernadsky University, Ivana Kudri str., 33, Kyiv, Ukraine, 01042
E-mail: bern1979@ukr.net

The article is devoted to determining the role and place of international organizations and institutions in the law-making process in Ukraine. The concept of law-making is analyzed and defined system of its subjects; the stage of law-making process is highlighted; the directions and results of participation of international organizations in the national law-making process are described.

The author finds that international organizations tend to join the law-making process at the stage of elaboration and elaboration of the bill by conducting an expert examination, conducting consultations in support of the relevant reforms, and participating in monitoring the implementation of the adopted legislation. As an appropriate organization on the basis of an international agreement or constituent instrument, the Ukrainian side (the subject of the drafting of the bill, national experts, etc.) may initiate the participation of an international organization or institution in the law-making process.

Based on the analysis, a conclusion is drawn on the role and place of international organizations and institutions in the law-making process in Ukraine.

***Keywords**: international organizations, institutions, law-making, law-making process, stages of law-making, subjects of law-making.*

References

1. Uhoda pro asotsiatsiyu mizh Ukrainoiu, z odniiei storony, ta Yevropeiskym Soiuzom, Yevropeiskym spivtovarystvom z atomnoi enerhiy i yikhnimy derzhavamy-chlenamy, z inshoi storony. Verkhovna Rada Ukrainy. Available at: http://zakon3.rada.gov.ua/laws/show/984_011

2. Konstytutsiya Ukrainy: Zakon Ukrainy vid 28.06.1996 No. 254k/96-VR. Verkhovna Rada Ukrainy. Available at: http://zakon3.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80

3. Bernaziuk, Ya. O. (2014). Konstytutsiyni osnovy pravotvorchosti Prezydenta Ukrainy: teoriya i praktyka. Kyiv: Kyivskyi nats. un-t im. T. Shevchenka, 40.

4. Bernaziuk, Ya. O. (2017). Formy uchasti instytutiv hromadianskoho suspilstva u normotvorchomu protsesi. Konstytutsiyno-pravovi analitychni studiy, 1, 43–51.

5. Bernaziuk, Ya. O. (2013). Diyalnist instytutiv hromadianskoho suspilstva yak novyi vyd kontroliu za normotvorchistiu Prezydenta Ukrainy. Materialy mizhnarodnoi naukovo-praktychnoi konferentsyi «Problemy ta stan dotrymannia zakhystu prav liudyny v Ukraini». Lviv: Zakhidnoukrainska orhanizatsiya «Tsentr pravnychykh initsiatyv», 140.

6. Bernaziuk, Ya. O. (2015). Uchast u pravotvorchiy diyalnosti yak odna z harantiy isnuvannia ta rozvytku hromadianskoho suspilstva. Aktualni pytannia reformuvannia pravovoi systemy Ukrainy: zb. nauk. st. za materialamy XII Mizhnar. nauk.-prakt. konf. Lutsk: Vezha-Druk, 68–70.

7. Dohovir pro Yevropeiskyi Soiuz. Verkhovna Rada Ukrainy. Availabe at: http://zakon2.rada.gov.ua/laws/show/994_029

8. Statti Uhody Mizhnarodnoho valiutnoho fondu. Verkhovna Rada Ukrainy. Available at: http://zakon5.rada.gov.ua/laws/show/995_921

9. Akhmad, I. (1999). Pravotvorchist mizhnarodnykh mizhuriadovykh orhanizatsiy. Kyiv, 18.

10. Skrypnyk, O. M. (2011). Istoriya mizhnarodnykh orhanizatsiy. Uman: PP Zhovtyi O. O., 226.

11. Pro zatverdzhennia Rehlamentu Kabinetu Ministriv Ukrainy (2007). Verkhovna Rada Ukrainy, No. 950.

12. Pro Rehlament Verkhovnoi Rady Ukrainy: Zakon Ukrainy vid 10 liutoho 2010 roku No. 1861-VI (2010). Ofitsiynyi visnyk Ukrainy, 12, 565.

13. Syryh, V. M. (2006). Teoriya gosudarstva i prava. Moscow: ZAO Yustitsinform, 551.

14. Kovalskyi, V. S., Kozintsev, I. P. (2005). Pravotvorchist: teoretychni ta lohichni zasady. Kyiv: Yurinkom Inter, 192.

15. Pro normatyvno-pravovi akty: proekt Zakonu Ukrainy reiestr (2010). Verkhovna Rada Ukrainy, No. 7409. Available at: http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=39123

16. Vysnovok shchodo Zakonu Ukrainy "Pro sudoustrii i status suddiv". Available at: http://www.osce.org/uk/odihr/335431?download=true

17. Poroshenko prosytyme Radu ukhvalyty zakon pro Donbas za odyn tyzhden (2017). Ukrainska pravda. Available at: http://www.pravda.com.ua/news/2017/09/29/7156763/

18. Pro osoblyvosti derzhavnoi polityky iz zabezpechennia derzhavnoho suverenitetu Ukrainy nad tymchasovo okupovanymy terytoriiamy Ukrainy (2017). Verkhovna Rada Ukrainy, No. 7163-3. Available at: http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=62664

19. YeS zbilshyt do 150 mln yevro pidtrymku hromadianskoho suspilstva – Han (2015). Yevropeiska pravda. Available at: http://www.eurointegration.com.ua/news/2015/11/20/7041058/view_print

20. Hrant. Wikipedia. Available at: https://uk.wikipedia.org/wiki/грант

21. Shevchenko, T. (2016). Milion na reformy. Ukrainska pravda. Blohy. Available at: http://blogs.pravda.com.ua/authors/tshevchenko/574f1be9bfb13/view_print

22. Joint staff working document. Association Implementation Report on Ukraine (2016). European Commission. Available at: https://eeas.europa.eu/sites/eeas/files/ukraine_v2_0.pdf

---

DOI: 10.15587/2523-4153.2017.119065

CONSTITUTIONAL HUMANITARIAN LAW: BASICS OF CONCEPTUAL PARADIGM

p. 31-36

Anzhelika Krusyan, Doctor of Law, Professor, Head of Department, Department of General Jurisprudence, Constitutional and Administrative Law, Kyiv Institute of Intellectual Property and Law of National University "Odessa Academy of Law", Kharkivske shose str., 210, Kyiv, Ukraine, 02121
E-mail: 370235@ukr.net
ORCID: *http://orcid.org/0000-0002-5574-0685*

In modern conditions of constitutional development of Ukraine, favorable conditions are created for the formation and separation in the system of national constitutional law of such its humanitarian component as the constitutional humanitarian law.
It is grounded to distinguish three main reasons of this.
The first reason – is the current stage of constitutional reforms in Ukraine, which determines this tendency of the development of national constitutional law as its humanization and improvement of human dimension of constitutional and legal realities. Hence, the recognition and legal support for livelihood, development, self-fulfillment and protection of such subjects of constitutional law as a person, a citizen, society (including civil society).
The second reason for separation and formation of humanitarian law in the system of constitutional law is strengthening interaction between national and international law. This is particularly evident under current conditions of European integration of Ukraine. International acts (including in human rights and freedoms) are (under certain conditions (see: Art. 9 of the Constitution of Ukraine) part of domestic law.
The third reason is associated with the need of complex regulation of social relations that arise between people, civil society and state by constitutional and legal norms for the purpose of establishing constitutional and legal freedoms.
The nature of constitutional humanitarian law is marked in the fact that modern constitutional law has a relationship with humanism ("humanism" – Lat. "humane"), which is found in its

humanitarian focus, that is – to focus on ensuring the constitutional and legal freedoms, development and sustainable development of civil society.

Constitutional humanitarian law is an institution of constitutional law, which defines the establishment and protection of human rights, development of civil society through constitutional and legal means. The subject of its regulation are the social relations that arise between people, civil society and the state in the implementation of public (state) authorities for the purpose of establishing constitutional and legal freedoms

Keywords: *constitutional humanitarian law, humanity, humancentrism, constitutionalism, constitutional and legal human freedom, human rights and civil society*

References

1. Todyka, Yu. N., Todyka, O. Y. (2004). Konstytutsyonno-pravovoi status cheloveka y hrazhdanyna v Ukrayne [Constitutional and legal status of man and citizen in Ukraine]. Kyiv: In Yure, 368.

2. Ierusalimov, O. I., Stakhursky, M. F., Ierusalimova, I. O.; Holosnichenko, I. P. (Ed.) (2004). Konstytutsiini prava, svobody ta oboviazky liudyny i hromadianyna [Constitutional rights, freedoms and duties of man and citizen]. Kyiv, GAN, 352.

3. Shemshuchenko, Yu. S. (2013). Na shlyakhu do onovlennya Konstytutsiyi Ukrayiny [On the way to updating the Constitution of Ukraine]. Journal of the Kyiv University of Law, 2, 4–5.

4. Selivanov, V. M. (2002). Pravo i vlada suverennoi Ukrainy: metodolohichni aspekty [The Law and Power of a Sovereign Ukraine: Methodological Aspects]. Kyiv: In Yure, 724.

5. Henkin, L. (1978). The rights of man today. Boulder: Westview Press, 173.

6. Rishennya Konstytutsiynoho Sudu Ukrayiny vid 02 lystopada 2004 r. № 15-rp/2004 (sprava pro vyznachennya sudom bil'sh m"yakoho pokarannya) [Decision of the Constitutional Court of Ukraine on case of the lighter punishment] (2004). Official Bulletin of Ukraine, 45, 2975.

7. Rishennia Konstytutsiinoho Sudu Ukrainy vid 11 zhovtnia 2005 r. № 8-rp/2005 (sprava pro riven pensii i shchomisiachnoho dovichnoho hroshovoho utrymannia) [Decision of the Constitutional Court of Ukraine on case of the pension level and every-month lifetime money payings] (2005). Official Bulletin of Ukraine, 42, 2662.

8. Cappeletti, M. (1989). The Judicial Process in Comparative Perspective. Oxford-New York: Clarendon Press, 417.

9. Association Agreement between the European Union and the European Atomic Energy Community and their member states, of the one part, and Ukraine, of the other part (2009). Available at: http://zakon5.rada.gov.ua/laws/show/984_011

10. Pro ratyfikatsiiu Uhody pro asotsiatsiiu mizh Ukrainoiu, z odniiei storony, ta Yevropeiskym Soiuzom, Yevropeiskym spivtovarystvom z atomnoi enerhii i yikhnimy derzhavamy-chlenamy, z inshoi storony: Zakon Ukrainy vid 16 veresnia 2014 r. [On ratification of the Association Agreement between the European Union and the European Atomic Energy Community and their member states, of the one part, and Ukraine, of the other part: Law of Ukraine dated September 16, 2014] (2014). Bulletin of the Verkhovna Rada of Ukraine, 40, 2021.

11. Annual report of the Commissioner of the Verkhovna Rada of Ukraine on human rights on the state of observance of human and civil rights and freedoms in Ukraine (2017). Kyiv, 627. Available at: www.ombudsman.gov.ua/files/Dopovidi/Dopovid_2017.pdf

12. On Amendments to the Commercial Procedural Code of Ukraine, the Civil Procedural Code of Ukraine, the Code of Administrative Judicial Procedure of Ukraine and other legal acts (2017). Verkhovna Rada of Ukraine, No. 2147-VIII. Available at: http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=61415

13. The president has begun to reform the procedural legislation. Available at: http://www.president.gov.ua/news/prezident-dav-start-reformuvannyu-procesualnogo-zakonodavstv-44578

14. Rishennia Konstytutsiinoho Sudu Ukrainy vid 1 chervnia 2016 roku No. 2-rp/2016 (sprava pro sudovyi kontrol za hospitalizatsiieiu nediiezdatnykh osib do psykhiatrychnoho zakladu) [Decision of the Constitutional Court of Ukraine on case of the judicial control of the uncapable persons's hospitalization to the mental hospitals] (2016). Official Bulletin of Ukraine, 48, 1724.

15. Pro vnesennia zmin do Konstytutsii Ukrainy (shchodo pravosuddia): Zakon Ukrainy № 1401-VIII vid 02.06.2016 r. [On amendments to the Constitution of Ukraine (on justice): Law of Ukraine No. 1401-VIII dated 02.06.2016 (2016). Voice of Ukraine. Available at: https://www.5.ua/suspilstvo/holos-ukrainy-opublikuvav-zminy-do-konstytutsii-v-chastyni-pravosuddia-118533.html

16. Pro Konstytutsiinyi Sud Ukrainy: Zakon Ukrainy vid 13 lypnia 2017 r. [On the Constitutional Court of Ukraine: The Law of Ukraine of July 13, 2017] (2017). Bulletin of the Verkhovna Rada, 35, 376.

17. Rishennia Konstytutsiinoho Sudu Ukrainy vid 24 bereznia 2005 r. № 2-rp/2005 (sprava pro podatkovu zastavu) [Decision of the Constitutional Court of Ukraine on case of the tax pledge] (2005). Available at: http://zakon3.rada.gov.ua/laws/show/v002p710-05

18. The Convention for the Protection of Human Rights and Fundamental Freedoms of November 4, 1950 (as amended by the Protocol No. 11) (1950). Available at: http://zakon3.rada.gov.ua/laws/show/995_004

19. Pro vykonannia rishen ta zastosuvannia praktyky Yevropeiskoho sudu z prav liudyny : Zakon Ukrainy vid 23 liutoho 2006 r. [On the implementation of decisions and application of the European Court of Human Rights practice: Law of Ukraine dated February 23, 2006] (2006). Bulletin of the Verkhovna Rada of Ukraine, 30, 260.

20. Rozova, T. V., Barkov, Y. V. (2003). Spetsyfyka stanovlenyia hrazhdanskoho obshchestva v Ukrayne [Specificity of the formation of civil society in Ukraine]. Odesa: Yurydychna literatura, 336.

DOI: 10.15587/2523-4153.2017.119511

COURT AS A FUNDAMENTAL SOCIAL AND LEGAL PHENOMENON (ORIGIN, EVOLUTION, MODERNITY)

p. 37-44

Serhii Prylutskyi, Doctor of Juridical Science, Professor, Departmant of Justice, Taras Shevchenko National University of Kyiv, Volodymyrska str., 60, Kyiv, Ukraine, 01033

Through the prism of philosophical, anthropological and historical analysis, the social phenomenon of the court is revealed in the paper. The concept of interaction between the state and the court, as a special form of social relations, is analyzed. Issues are raised about non-state courts, decisions of which are recognized by the state and provided by public coercion, as well as special state bodies with the right of judicial jurisdiction, which are not included in the judicial system of the state. A separate aspect of the study was the question of the phenomenon of the court at the supranational (international) level. The author substantiates that in the framework of domestic legal science there should be a thorough rethinking of the philosophical and general legal category "court". It was established that the court - an independent form of social relations, which, within certain historical stages of development of social and public-legal relations, acquires its separate organizational and legal forms. Within the framework of the theory of the judiciary, it is necessary to clearly distinguish and correlate the "court" as a social institution, and "court" as an institution of public authority. As a unique social phenomenon, the court exists and develops according to the rules and laws of social development of people. It was established that the court – a social phenomenon, which is based on the anthropological ability of man to logical thinking through the perception of information, its analysis and evaluation. At the same time, the emergence of a court as a separate form of human relations is associated with the early stages of not only human civilization, but the very development of man as a social being. This process coincides with the period of pre-class, tribal structure, when the main economic institutions (property and means of production) were still in its infancy. Due to its evolutionary development, the social phenomenon of the court has become an integral part of both collective and individual human existence. This reveals the external and internal aspects of the social nature of the court. The author distinguishes between "court" as a social institution and "court" as an institution of public authority. However, in all historical epochs, these two formations of the court existed and exist in parallel, simultaneously influencing each other, and often merging together. Today, the court maintains and plays its decisive role in the existence of individual societies, the organization of states, the construction of the latest global world order. At the same time, realities indicate that societies collapse and states collapse if they lost or failed to organize the social and legal foundations of a fair trial. The paper substantiates that between the provisions of Art. 124 of the Constitution of Ukraine, which establish that the administration of justice in the state is carried out exclusively by the courts, and the delegation of functions of courts or the appropriation of these functions by other bodies or officials is not allowed by the provisions of Art. 6 The ECHR (the right to a fair trial) has a philosophical and legal controversy, which requires the fastest elimination.

***Keywords**: court, judicial power, justice, conscience, society, state*

References

1. Skliarenko, V. H. (2011). Etymolohichni rozvidky. 11. Movoznavstvo, 5, 3–7.

2. Kistyakovskiy, A. F. (2005). Obshchaya chast' ugolovnogo sudoproizvodstva. Kyiv: Izdatel'stvo Semenko Sergeya, 20.

3. Riker, P. (2002). Pravo i spravedlyvist. Kyiv: Dukh i litera, 216.

4. Riker, P. (2001). Akt sudzhennia. Dukh i litera, 7-8, 74–80.

5. Kvasnevska, N. D. (2010). Kryminalna vidpovidalnist suddi za nepravosuddia v Ukraini. Kyiv: Yurinkom Inter, 44–45.

6. Prylutskyi, S. V. (2011). Sud yak sotsialnyi fenomen tsyvilizatsiynoho rozvytku liudstva. Biuleten Ministerstva yustytsiy Ukrainy, 12, 14–22.

7. Filosofiya v Entsiklopedii Didro i Dalambera. Moscow: Nauka, 364–365.

8. Gugo, G. (1994). O prave voyny i mira. Moscow: Ladomir, 49.

9. Morgan, G. L. (1935). Drevnee obshchestvo ili issledovanie liniy chelovecheskogo progressa ot dikosti cherez varvarstvo k tsivilizatsii. Leningrad: Izd. In-ta narodov severa TSIK SSSR, 46–47.

10. Voitovych, V. M. (2002). Ukrainska mifolohiya. Kyiv: Lybid, 393.

11. Lozko, G. (2004). Kolo Svarozhe. Kyiv: Ukr. pis'mennik, 6.

12. Sudova vlada v Ukraini i sviti: istoriya, suchasnist, perspektyvy rozvytku (2011). Materialy XXV Mizhnarodnoi istoryko-pravovoi konferentsiy. Ch. 1. Kyiv; Simferopol: SMD, 142–143.

13. Holovatskyi, Ya. F. (2003). Vyklady davnoslovianskykh lehend, abo Mifolohiya. Ukrainski tradytsiy. Kharkiv: Folio, 74.

14. Bertol'd, V. V. (2001). Arabskie izvestiya o russah. Slavyane i Rus': Problemy i idei: Kontseptsii, rozhdennye trekhvekovoy polemikoy, v hrestomatiynom izlozhenii. Moscow: Flinta: Nauka, 305–306.

15. Dudchenko, O. Yu. (2015). Pravovyi status osib, yaki zaimaiut administratyvni posady v sudi. Kharkiv: Pravo, 160.

16. Shcherbaniuk, O. V. (2015). Stanovlennia kontseptsiy sudovoho prava. Naukovyi visnyk Uzhhorodskoho natsionalnoho universytetu. Seriya: Pravo, 1 (32), 157–159.

17. Marochkin, I. Ye. (Ed.) (2013). Orhanizatsiya sudovykh ta pravookhoronnykh orhaniv. Kharkiv: Pravo, 70–71.

18. Baronin, D. B. (2015). Pravovyi status sudu v Ukraini. Kharkiv, 14–15.

19. Rishennia Konstytutsiinoho Sudu Ukrainy u spravi za konstytutsiynym podanniam 51 narodnoho deputata Ukrainy shchodo vidpovidnosti Konstytutsiy Ukrainy (konstytutsiynosti) polozhen abzatsiv somoho, odynadtsiatoho statti 2, statti 3, punktu 9 statti 4 ta rozdilu VIII "Treteiske samovriaduvannia" Zakonu Ukrainy "Pro treteiski sudy" (sprava pro zavdannia treteiskoho sudu (2008). Ofitsiynyi visnyk Ukrainy, No. 28, stattia 903, 145.

20. Rishennia Konstytutsiinoho Sudu Ukrainy u spravi za konstytutsiynym zvernenniam spilnoho pidpryiemstva "Mukachivskyi plodoovochevyi konservnyi zavod" pro ofitsiyne tlumachennia polozhennia punktu 10 statti 3 Zakonu Ukrainy "Pro vykonavche provadzhennia" (sprava pro vykonannia rishen treteiskykh sudiv) (2004). Holos Ukrainy, 49.

21. Mahrelo, M. (2013). Avtonomna kontseptsiia poniattia «sud» yak osnova instytutu spravedlyvoho sudu. Visnyk Akademiy advokatury Ukrainy, 2 (27), 70–77.

22. Kuijer, M. Tribunal Established by Law. Available at: https://www.google.com.ua/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&ved=0CC8QFjAA&

url=http%3A%2F%2Fwww.blhr.org%2Fmedia%2Fdocuments%2FTribunal_established_by_law_1.doc&ei=-8I8jUdaqBMaF4gSmlYCQDA&usg=AFQjCNH4DCvUJGxdcoMMNUhFUnqEKjMS-Q&sig2=nKKNhjsoOzLLdRVB7Tp-1w

23. Vysnovok Konstytutsiynoho Sudu Ukrainy u spravi za konstytutsiynym podanniam Prezydenta Ukrainy pro nadannia vysnovku shchodo vidpovidnosti Konstytutsiy Ukrainy Rymskoho Statutu Mizhnarodnoho kryminalnoho sudu (sprava pro Rymskyi Statut). Sprava No. 1-35/2001 vid 11 lypnia 2001 roku No. 3-v/2001. Available at: http://www.ccu.gov.ua/sites/default/files/ndf/3-v/2001.doc

---

DOI: 10.15587/2523-4153.2017.118829

FOREIGN EXPERIENCE AND PUBLIC SERVICES THROUGH THE IMPLEMENTATION IN NATIONAL LEGISLATION UKRAINE

p. 45-49

Yevgeny Leheza, Doctor of Law, Associate Professor, Professor, Department of Administrative and Customs Law, University of Customs and Finance, Volodymyra Vernadskoho str., 2/4, Dnipro, Ukraine, 49000
E-mail: pasto@i.ua
ORCID: *http://orcid.org/0000-0001-9134-8499*

Andrii Manzhula, Doctor of Law, Associate Professor, Professor, Department of Branch Law, Volodymyr Vynnychenko Central Ukrainian State Pedagogical University, Shevchenka str., 1, Kropivnitsky, Ukraine, 25006
E-mail: mors200708@ukr.net
ORCID: *http://orcid.org/0000-0003-4662-9376*

The scientific research is devoted to the coverage of foreign experience in the provision of public services and ways of implementation in the domestic legislation of Ukraine. Covered by law in France, the United States, and the United Kingdom regarding the provision of public services by public administration bodies. It is established that the general tendency of the European countries, aimed at ensuring the effective and qualitative realization of the rights, freedoms and interests of citizens, meeting the needs of society, is characterized by the authorities to achieve the result.

The directions of improvement of the domestic legislation regarding the provision of public services in accordance with international legal standards are: development of the theory of public services, which consists in the definition of conceptual categorical provisions, principles of public services, criteria of the quality of public services, etc., in the Concept of public services; unification of legal regulation of administrative procedures by adopting the Administrative Procedural Code of Ukraine, which would clearly disclose the issue of providing public services; consolidation in the legal acts of types of legal guarantees of ensuring the legality of the provision of public services: control over the activities of public administration entities regarding the provision of public services; the prosecution of public servants for refusing to provide a certain type of public service, etc

Keywords: *administrative service, accessibility, implementation, service, public service, transparency, efficiency, quality*

References

1. Kovbas, I. V. (2011). Publichno-vladni posluhy yak zasib zabezpechennia derzhavoiu realizatsii prav liudyny. Natsionalnyi universytet DPS Ukrainy. Irpin, 236.

2. Pryimak, L. I. (2013). Publichni posluhy v diialnosti derzhavnoi podatkovoi sluzhby Ukrainy: orhanizatsiino-pravovi zasady; Natsionalnyi universytet bioresursiv i pryrodokorystuvannia Ukrainy. Kyiv, 21.

3. Tyshchenkova, I. O. (2015). Klasyfikatsiia elektronnykh posluh, shcho nadaiutsia orhanamy publichnoi administratsii. Naukovyi visnyk Uzhhorodskoho natsionalnoho universytetu. Seriia «Pravo», 3 (32), 70–74.

4. Bukhanevych, O. M. (2016). Teoretyko-pravovi ta prakseolohichni zasady nadannia administratyvnykh posluh v Ukraini. Kyiv, 42.

5. Ivanov, A. A. (2007). Administrativnoe pravo zarubezhnykh stran. Moscow: Spark, 60.

6. Kuznetsova, Yu. A. Povyshenie kachestva i effektivnosti byudzhetnykh uslug: obobshhenie opyta zarubezhnykh stran. Available at: https://admhmao.ru/

7. Vasil'eva, A. F. (2009). Administrativno-pravovoe regulirovanie publichnykh uslug v Germanii i Rossii: sravnitel'no-pravovoy analiz. Sankt-Peterburgskiy gosudarstvennyy universitet. Saint Petersburg, 25.

8. Tikhomirov, Yu. A. (Ed.) (2007). Publichnye uslugi i pravo. Moscow: Norma, 416.

9. Syvertsen, T. The Many Uses of the «Public Service» Concept. Available at: http://nurmandi.staff.umy.ac.id/files/2012/02/theorypublicservice.pdf

10. Sympson, R., Synkov, O. M. (Eds.) (2004). Rehuliuvannia posluh zahalnoho interesu v YeS. Kyiv: IMV KNU imeni Tarasa Shevchenka, 129.

11. UK Corporate Tax Reform Update. Available at: http://www.cadwalader.com/resources/clients-friends-memos/uk-corporate-tax-reform-update

12. Corporation tax reform. A consultation document. Available at: *www.hmrc.gov.uk*

13. Osnovnoy Zakon Federativnoy Respubliki Germaniya ot 23 maya 1949 goda. Available at: http://www.1000dokumente.de/?c=dokument_de&dokument=0014_gru&object=tratranslat&l=ru

14. Konstytutsiia Frantsii vid 3 chervnia 1958 roku. Available at: http://www.megabook.ru/

15. Kozyrin, A. N. Publichnaya administratsiya v zarubezhnykh stranakh. Available at: www.kozyrin.ru/userfiles/documents/articleak.pdf

16. Kozyrin, A. N. (Ed.) (1996). Administrativnoe pravo zarubezhnykh stran. Moscow: Izdatel'stvo «SPARK», 229.

17. Konstytutsiia korolivstva Ispaniia vid 27 hrudnia 1978 roku. Available at: http://worldconstitutions.ru/?p=149

18. Manylich, L. I. (2012). Publichni posluhy v diialnosti derzhavnoi podatkovoi sluzhby Ukrainy: orhanizatsiino-pravovi zasady. Natsionalnyi universytet bioresursiv i pryrodokorystuvannia Ukrainy. Kyiv, 242.

DOI: 10.15587/2523-4153.2017.119861

QUALIFICATION: THE LEGAL CATEGORY OF HIGHER EDUCATION - COMPARATIVE ANALYSIS OF LEGISLATIVE SOURCES

p. 50-53

Irina Alieksieieva, PhD, Associate Professor, Department of Management and Economics of Pharmacy, Medical and Pharmaceutical Law, Zaporozhye State Medical University, Maiakovskoho str., 26, Zaporozhye, Ukraine, 69035
E-mail: zapgur@ukr.net
ORCID: *http://orcid.org/0000-0003-1580-1081*

The adoption of the new version of the Law of Ukraine «On Higher Education» (2014) was a consequence of the state's efforts to implement the European standards of education in Ukraine.
***Purpose**. Scientific and analytical study of the definition of qualification under the legislation on higher education, as a criterion for the professional level of a graduate of a higher educational establishment.*
***Methods**. In the course of the study bibliographic, linguistic, substantive-legal and comparative-legal methods were used.*
***Results.** From our analysis, it is seen that both in international and national standards, the concept of «qualification» applies in two aspects, namely: as a result of academic education and as a result of professional training in other forms, which results in certain differences in its articulation depending on from the scope of application.*
In our opinion, the concept of «qualification» in the Law of Ukraine «On Higher Education» is the most concretised, unambiguous and understandable, reflecting its substantive content, namely, competence in accordance with higher education standards, rather than general references to the type and degree of professional training, and the more so on the document, as the form of its fixation.
***Conclusions**. The above shows that the notion of «qualification» under the current national legislation on higher education is of no significance to the general definition, but the cross-cutting legal category, the cornerstone institutional criterion for defining fundamental approaches to the forms and principles of the organization of higher and vocational education, interdisciplinary and inter-branch relations, as well as comparing national and international standards of education / training and professional levels. With regard to the definition of «qualification» (in the context of higher education), we see it appropriate to supplement it, taking into account the statutory tasks of the higher school, with regard to the formation of not only the professional competences of the graduate (future specialist), but also his civil, moral, ethical and other personal qualities. According to international official documents and national normative acts, the definition of «qualification» exists in two dimensions: academic / educational and professional, which differ to a certain extent by the wording. In order to ensure a unified and stable inter-sectoral, inter-level understanding, interpretation and application, it is considered appropriate to unify and standardize it according to the rules of legal technique, based on the articulation of this concept for higher education*
***Keywords:** Higher education, qualifications, national qualifications framework, european qualifications framework, unification*

References

1. Pro vyschu osvitu. Verkhovna Rada Ukrainy. Zakon vid 01.07.2014 No. 1556-VII [About Higher Education. Verkhovna Rada of Ukraine; Law from 01.07.2014 No. 1556-VII] (2014). Vidomosti Verkhovnoi Rady [Information from the Verkhovna Rada], 37-38, 2004. Available at: http://zakon2.rada.gov.ua/laws/show/1556-18#Find

2. Zhgurovskyi, M. Z. (2006). Bolonskyi protses: holovni pryntsypy ta shliakhy strukturnoho reformuvannia vyschoi osvity Ukrainy [Bologna process: main principles and ways of structural reform of higher education of Ukraine]. Kyiv: NTUU»KPY, 544.

3. Kremen, V. H. (2012). Filosofiia osvity: poshuk priorytetiv. Book. 2. Filosofiia liudynotsentryzmu v osvitnomu prostori. Filosofiia liudyny i osvita [Philosophy of Education: Finding Priorities. Book 2. Philosophy of human centeredness in the educational space. Human Philosophy and Education]. Kyiv: MP Lesia, 523.

4. Voronenko, Yu. V., Vitenko, I. S., Pishak, V. P. (Eds.) (2002). Aktualni problemy pidhotovky fakhivtsiv u vyschykh medychnykh ta farmatsevtychnomu navchalnykh zakladakh Ukrainy [Actual problems of preparation of specialists in higher medical and pharmaceutical educational institutions of Ukraine]. Chernivtsi, 736.

5. Starcha, T. M., Volosovets, O. P., Klochenko, I. V. et. al. (2015). Suchasni zavdannia vyschoi medychnoi osvity ta kadrovoho zabezpechennia reformuvannia haluzi. [Modern tasks of higher medical education and staffing for reforming the industry]. Realizatsiia Zakonu Ukrainy «Pro vyschu osvitu» u vyschii medychnii ta farmatsevtychnii osviti Ukrainy [Implementation of the Law of Ukraine» On Higher Education «in the Higher Medical and Pharmaceutical Education of Ukraine]. Ternopil: TDMU, «Ukrmedknyha», 5–7.

6. Prokhorov, A. M. (Ed.) (1989). Sovetskyi entsyklopedycheskyi slovar [Soviet Encyclopedic Dictionary]. Moscow: Sovetskaia entsyklopedyia, 1632.

7. Busel, V. T. (Ed.) (2001). Velykyi tlumachnyi slovnyk suchasnoi ukrainskoi movy [Great explanatory dictionary of modern Ukrainian language]. Kyiv-Irpin: VTF "Perun", 900.

8. Konventsiia pro vyznannia kvalifikatsii vidnesenykh do vyshchoi osvity v yevropeiskomu rehioni. Yevropeisky soiuz. Mizhnarodnyi document. Konventsiia vid 11.04.1997 [Convention on the Recognition of Qualifications concerning Higher Education in the European Region. European Union. International Document, Convention of 11.04.1997]. Lisbon. Available at: http://conventions.coe.int/Treaty/rus/Treaties/Html/165.htm

9. Pro ratyfikatsiiu Konventsii pro vyznannia kvalifikatsii z vyschoi osvity v Yevropeiskomu rehioni [On Ratification of the Convention on the Recognition of Qualifications concerning Higher Education in the European Region] (1999). Verkhovna Rada Ukrainy [Verkhovna Rada of Ukraine], 1273-XIV. Available at: http://zakon2.rada.gov.ua/laws/show/1273-14

10. Modelnyi zakon pro vyshchu ta pisliavuzivsku profesiinu osvitu [Model Law on Higher and Post-Secondary Vocational Education] (2002). SND. Model, Mizhnarodnyi document [The CIS Model, International Document], No. 20-5. Available at: http://zakon2.rada.gov.ua/laws/show/997_a11

11. A Framework for Qualifications of the European Higher Education Area (2005). Ministry of Science, Technology and Innovation. Copenhagen. Available at: http://www.medecine.unige.ch/enseignement/information/med/IMG/pdf/framework_21_2_05.pdf

12. Recommendation of the european parliament and of the council of 23 April 2008 on the establishment of the European Qualifications Framework for lifelong learning (Text with EEA relevance) (2008). Official Journal of the European Union, 6.5, 111/1–111/7. Available at: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:111:0001:0007:EN:PDF

13. Pro zatverdzhennia Natsional'noi ramky kvalifikatsii [On Approval of the National Qualifications Framework] (2011). Kabinet Ministriv Ukrainy [Cabinet of Ministers of Ukraine], No. 1341. Available at: http://zakon5.rada.gov.ua/laws/show/1341-2011-%D0%BF

14. International standard classification of occupations (ISCO-08). Structure, group definitions and correspondence tables (2012). Geneva: International Labor Office, 1, 420. Available at: http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_172572.pdf

15. Natsionalnyi klasyfikator Ukrainy. Klasyfikator profesii DK 003:2010 [National Classifier of Ukraine. Classifier of occupations DK 003: 2010] (2010). Derzhspozhyvstandart Ukrainy [Derzhspozhyvstandart of Ukraine], No. 327. Available at: http://profstandart.org.ua/classifiers/professions

16. Metodychni rekomendatsii z rozroblennia skladovykh haluzevykh standartiv vyshchoi osvity (kompetentnisnyi pidkhid) [Methodical recommendations on the development of component industry standards of higher education (competence approach)] (2013). Kyiv: Instytut innovatsiinykh tekhnolohii i zmistu osvity MON Ukrainy, 92.