

MINISTRY OF EDUCATION AND SCIENCE OF UKRAINE

V.N. KARAZIN KHARKIV NATIONAL UNIVERSITY

Department of International and European Law

PROGRAM

of the comprehensive certification exam in the disciplines

Law of international responsibility, International legal basis for human rights activity, International labor law, First foreign language by profession

Level of higher education – second (master's)

Specialty 293 International Law

2024-2025 academic year

Kharkiv 2024

The program is recommended for approval by the Academic Council of School of Law

“28” August 2024, Protocol №1

DEVELOPERS: T. Syroid, head of the department of International and European Law of V.N. Karazin Kharkiv National University, Doctor of Law, Professor; L. Fomina, associate professor at the department of International and European Law of V.N. Karazin Kharkiv National University; P. Fomin, associate professor at the department of International and European Law of V.N. Karazin Kharkiv National University, PhD in International Law. L.Kulachok-Titova, associate professor of the department of state and legal discipline, candidate of legal sciences, associate professor; Iryna Avdieienko, Associate Professor at the Department of Foreign Languages for Professional Purposes, PhD, Associate Professor)

The program was approved at the meeting of the department of International and European Law

Protocol of “26” August 2024, №1

Head of the department of
International and European Law



Tetiana SYROID

The program was agreed with the guarantor of the educational and professional program of the second (master's) level of higher education in the specialty 293 International Law

Guarantor of the educational and professional program of the
second (master's) level of higher education "International Law"
Doctor of Law, Professor

 Oleksandr HAVRYLENKO

The program is approved by the Scientific and Methodological Committee of School of Law

Protocol of “28” August 2024, №1

Head of the Scientific and Methodological Committee



Hanna ZUBENKO

GENERAL PROVISIONS

For the purpose of certification of higher education applicants for a master's degree, an examination committee is established at the faculty by order of the rector. The terms of certification are determined by the curriculum and the schedule of the educational process. Each applicant passes the certification after full implementation of the relevant curriculum.

Admission to certification is carried out by order of the rector on the request of the dean of the faculty. The dean of the faculty submits a request to the rector for admission to certification in the form of a comprehensive certification examination in case the student fully completes the relevant curriculum.

The procedure for the formation, organisation of work and summarising the results of the work of examination commissions is regulated by the Regulation on the procedure for the establishment and organisation of the work of the examination commission for the certification of higher education applicants who receive a bachelor's or master's degree (bachelor's, specialist's, master's degree), which is approved by the Academic Council of the University (<https://old.karazin.ua/docs/work/polozhennya-ekzamen-komicia-2.pdf>).

Attestation of applicants for higher education who obtain a master's degree is carried out in accordance with the Temporary Standard of Higher Education and the educational and professional programme in the form of a comprehensive certification examination.

The main document regulating the content of the certification examination is the programme. It is aimed at providing a comprehensive approach to assessing the theoretical, methodological and practical training of students, to identify the degree of their preparation for future independent work.

The purpose of the programme is to determine the scope and required level of theoretical knowledge, practical skills and abilities in the specialised disciplines in the field of international law.

In order to successfully pass the comprehensive certification examination in the speciality, a student **must master the following general competencies**:

- knowledge and understanding of the subject area, awareness of the social significance of their future profession (GC 1);
- the ability to perform professional duties in good faith, to act in accordance with ethical motives and current legislation (GC 2);
- the ability to improve and develop their intellectual and general cultural level, the ability to acquire new knowledge using modern information and educational technologies in the context of the development of legal science and public policy (GC 3);
- mastery of business communication skills in native and foreign languages at a high professional level, knowledge and understanding of scientific legal terminology (GC 4);
- the ability to conduct independent, organise individual and collective research within the acquired speciality, formulate tasks and draw up a research programme, select and organise primary and secondary sources, draw up the

results of scientific activity, in particular, create high-quality scientific texts that can be published in professional journals (GC 6);

- value and respect diversity and multiculturalism (GC 9);
- acquire skills in the use of information and communication technologies (GC 10);

special competences:

- the ability to apply the acquired knowledge, skills and abilities in the field of international law in practice, the ability to develop draft international legal acts of a regulatory and individual nature (SC 1);

- the ability to apply international legal acts in different areas of legal activity, the ability to apply material and procedural international legal norms in professional activities (SC 2);

- ability to ensure compliance with the requirements of international law, international obligations of Ukraine within the framework of their official duties (SC 3);

- ability to interpret international legal acts and provide qualified legal opinions and advice on international legal issues (LC 4);

- the ability to participate in international negotiations and the work of international intergovernmental and non-governmental organisations, to make informed and effective management decisions (SC 5);

- ability to analyse and implement management innovations in professional activities, ensure compliance with international legal standards in professional activities (SC 6);

- the ability to carry out qualified research in the field of international law (SC 7);

- ability to teach international legal disciplines at a high theoretical and methodological level (SC 8);

- ability to supervise students' independent work, in particular in international legal disciplines (SC 9);

- determination and perseverance in setting professional tasks and the ability to take responsibility (SC 10);

- ability to provide effective legal education on international legal issues (SC 11);

to achieve the following programme results:

- to assess the nature and character and regulatory potential of international law; to demonstrate an understanding of the limits and mechanisms of its legal regulation (PLO 1)

- to understand the interaction of international law with national legislation of states, the procedure for implementing international norms in the legislation of Ukraine (PLO 2);

- to navigate in the field of international legal responsibility (PLO 3);

- understand the concept of jurisdiction in international law (PLO 5);

- to carry out comparative legal analysis of individual legal institutions of different legal systems, taking into account the relationship of the legal system of

Ukraine with the legal systems of the Council of Europe and the European Union (PLO 6).

- understand the legal and political significance of international law for the national legal system; the system of international law, methods and content of legal regulation in various branches of international law (PLO 7);

- be able to apply scientific developments, scientific, pedagogical, educational and methodological practices in the teaching of disciplines effectively apply methods, means, techniques of pedagogical influence, methods of education and teaching of international legal disciplines (PLO 8);

- independently choose and apply methods of international legal science and algorithm for solving practical situations in accordance with international legal standards in the relevant field (PLO 9);

- to have skills of oral and written business communication, conducting research on international legal issues, formulating problems in the field of professional activity and finding an algorithm for their solution (PLO 12);

- provide a legal assessment of international events and acts; resolve international legal disputes; provide legal support for foreign policy activities (PLO 14);

- to collect, analyse and summarise materials from various sources, including scientific and professional literature, databases, digital, statistical, test and other sources, and to check their reliability using modern research methods (PLO 16);

- integrate the necessary knowledge and solve complex law enforcement problems in various fields of professional activity (PLO 17).

Form of the certification exam and evaluation criteria:

Examination tasks are provided to students in test form, one ticket contains 100 questions (1 point is awarded for each correct answer), each of which offers 4 answer options, one of which is correct.

Grading scale

Оцінка за екзамен складається шляхом підрахунку суми правильних відповідей і визначається за чотирирівневою шкалою:

90 – 100	Excellent	Credit
70-89	Good	Credit
50-69	Adequate	Credit
1-49	Inadequate	No credit

PROGRAM CONTENT

LAW OF INTERNATIONAL RESPONSIBILITY

(Program developer: Syroid Tetiana Leonidivna, Head of the Department of International and European Law, Faculty of Law of V.N. Karazin KhNU, Doctor of Legal Sciences, Professor)

Thematic plan of the educational discipline

Topic No. 1. International legal responsibility: stages of establishment and development

Legal responsibility. Concept of legal responsibility, main features. *Basic concepts of legal responsibility*. The concept of international legal responsibility. The concept of the law of international responsibility, principles. Peculiarities of the law of international responsibility. Legal and factual circumstances of international responsibility. Stages of formation of the law of international responsibility. The ancient world. The Middle Ages (VI-XVI centuries). Classical international law. Genesis (XVI-XVIII centuries). Development (1739-1919). Doctrine. Transition from classical to modern international law (1919-1946). Modern international law. Codification of the law of international responsibility. Doctrinal codification. Official codification.

Topic No. 2. International illegal act

The concept of an internationally illegal act. Elements of an internationally illegal act. Determination of violation of the subject's international obligation. Qualification of behavior of offenders.

Topic No. 3. International offenses: concepts, types, composition

International offenses of states: concepts, types. The composition of an international offense: the importance of the element of guilt and causation.

Topic No. 4. International crime. The concept of state crime in the doctrine of international law and international practice

International crimes. The concept of "state crime" in the doctrine of international law. The concept of "state crimes" in international practice. The concept of "state crime" of the UN International Law Commission. Articles on serious violations of obligations arising from mandatory norms of international law.

Topic No. 5. Responsibility of states in international law

Concepts and grounds of state responsibility in international law. Responsibility of states for internationally illegal acts. Elements of an internationally illegal act of the state. Responsibility of states in connection with the action of another state. Serious violations of obligations stemming from

imperative norms of general international law. Determination of the violation of the state's international obligation in the field of human rights protection. Elements of internationally illegal acts of states regarding the violation of obligations in the field of human rights protection.

Topic No. 6. Responsibility of international interstate organizations

International crimes committed by international organizations. International torts. Types and forms of responsibility of international intergovernmental organizations. Internal judicial procedure of international organizations. Grounds of responsibility of international non-governmental organizations.

Topic No. 7. Responsibility of natural persons in international law

Grounds, peculiarities of responsibility of natural persons in international law. International treaties providing for individual responsibility of natural persons. Principles of responsibility of natural persons in international law. The procedure for bringing individuals to justice. Jurisdiction of international judicial bodies regarding prosecution of natural persons.

Topic No. 8. Content of international responsibility

General principles. Legal consequences of an internationally illegal act. Preservation of performance obligations. Stopping and not repeating the illegal act. Reimbursement. Inadmissibility of reference to domestic law and rules of an international organization. The scope of international obligations established by the norms on the content of responsibility.

Reparation. Types and forms of compensation.

Circumstances excluding international legal responsibility. The concept of circumstances excluding international illegality. Consent. Self-defense. Countermeasures Force majeure. Disaster. State of emergency. Compliance with mandatory norms. Consequences of reference to circumstances that exclude illegality.

Topic No. 9. Call for international responsibility

A call to responsibility. The concept of the victim. International legal formulation of the call for the responsibility of states for violation of obligations in the field of human rights protection. Admissibility of requirements. Loss of the right to call for responsibility. The multitude of victims. The plurality of persons who bear responsibility. A call for states to be held accountable for violations of obligations in the field of human rights protection by other entities.

Topic No. 10. Application of coercion in international law. Countermeasures and sanctions as means of realizing the international responsibility of states

The problem of coercion in international law. Countermeasures: purpose and conditions of application. Obligations not affected by countermeasures. Proportionality of countermeasures. Conditions for the use of countermeasures.

Cessation of countermeasures. Measures applied by non-victim States. Sanctioned international legal norms and sanctioned international legal relations. Addressees of international sanctions. Activities of the Ombudsman within the UN sanctions regimes. Implementation of the regime of international sanctions and the domestic level. Suspension of application of international sanctions.

Topic No. 11. Problems of the effectiveness of the implementation of international responsibility. Development trends of the institute of international responsibility

Raising the question about the effectiveness of the implementation of international responsibility. Problematic aspects of the application of UN international sanctions. Ways to improve the effectiveness of UN international sanctions. Development trend of the institute of international responsibility.

QUESTIONS FOR THE PREPARATION TO THE CURRENT AND FINAL CONTROL

1. Basic concepts of legal responsibility.
2. The concept of international legal responsibility.
3. The concept of the law of international responsibility, principles.
4. Peculiarities of the law of international responsibility.
5. Legal and factual circumstances of international responsibility.
6. Stages of formation of the law of international responsibility.
7. Modern international law on international responsibility.
8. Codification of international responsibility.
9. Doctrinal codification of international responsibility.
10. Official codification of international responsibility.
11. The concept of an internationally illegal act.
12. Elements of internationally illegal acts of states regarding the violation of obligations in the field of human rights protection.
13. Qualification of the behavior of states.
14. Determination of the violation of the state's international obligation in the field of human rights protection.
15. International offenses of states: concept, types.
16. Composition of the international offense of states: the importance of the element of guilt and causation.
17. International crimes.
18. The concept of "state crime" in the doctrine of international law. The concept of "state crime" in international practice.
19. The concept of "state crime" of the UN International Law Commission.
20. Articles on serious violations of obligations arising from mandatory norms of international law.
21. Concepts and grounds of state responsibility in international law.
22. Responsibility of states for internationally illegal acts.

23. Responsibility of states for violations of norms of international humanitarian law.
24. Elements of an internationally illegal act of the state.
25. International offenses: concept, essence.
26. Responsibility of states in connection with the action of another state.
27. Responsibility for giving help or assistance in the commission of an internationally illegal act.
28. Responsibility for the management and control of the commission of an internationally wrongful act.
29. Responsibility for forcing another subject to commit an internationally illegal act.
30. Crimes against the peace and security of mankind.
31. Crimes against humanity.
32. War crimes.
33. Serious violations of obligations stemming from imperative norms of general international law.
34. UN International Court of Justice.
35. International Tribunal for the Law of the Sea.
36. International non-judicial settlement of international disputes.
37. International arbitration procedure.
38. Grounds of responsibility of international intergovernmental organizations.
39. International offenses committed by international organizations.
40. International delicts.
41. Types and forms of responsibility of international intergovernmental organizations.
42. Internal judicial procedure of international organizations.
43. Grounds of responsibility of international non-governmental organizations.
44. Grounds, peculiarities of responsibility of natural persons in international law.
45. The procedure for prosecuting natural persons.
46. The category of "officials" as subjects of responsibility in international law.
47. Responsibility of natural persons for violations of the norms of international humanitarian law.
48. Competence of international bodies of criminal jurisdiction to prosecute natural persons.
49. International treaties providing for individual responsibility of natural persons.
50. Principles of responsibility of natural persons in international law.
51. The procedure for bringing individuals to justice.
52. Jurisdiction of the International Criminal Court.
53. Legal consequences of an internationally illegal act.
54. Termination and non-repetition of the illegal act.

55. Inadmissibility of reference to domestic law and rules of an international organization.

56. The scope of international obligations established by the norms on the content of responsibility.

57. Grounds for damages repayment in international law.

58. Forms of damages repayment.

59. Circumstances excluding international legal responsibility.

60. The concept of circumstances excluding international illegality.

61. Consequences of reference to circumstances that exclude illegality.

62. A call to responsibility.

63. The status of the victim in international law.

64. International legal formulation of the call for the responsibility of states for violation of obligations in the field of human rights protection.

65. Loss of the right to call for responsibility.

66. The multitude of victims.

67. The plurality of persons who bear responsibility.

68. A call for states to be held responsible for violations of obligations in the field of human rights protection by other entities.

69. The problem of coercion in international law.

70. Countermeasures: purpose and conditions of application.

71. Obligations not affected by countermeasures.

72. Proportionality of countermeasures.

73. Conditions for the use of countermeasures.

74. Cessation of countermeasures.

75. Measures applied by non-victim States.

76. Sanction international legal norms and sanction international legal relations.

77. Concept, types of sanctions in international law.

78. Addressees of international sanctions.

79. Activities of the Ombudsman within the UN sanctions regimes.

80. Implementation of the regime of international sanctions and the domestic level.

81. Suspension of application of international sanctions.

82. Raising the question about the effectiveness of the implementation of international responsibility.

83. Problematic aspects of the application of UN international sanctions.

Ways to improve the effectiveness of UN international sanctions.

84. Development trend of the institute of international responsibility.

85. Competence of international judicial bodies to prosecute subjects of international law.

86. The European Union as a subject of responsibility.

87. Separation of responsibility of international intergovernmental organizations and member states.

88. Responsibility of bodies and institutes of international intergovernmental organizations.

89. Responsibility of officials of international intergovernmental organizations.

90. Crime of terrorism.

RECOMMENDED LITERATURE

International legal acts

1. ICC Rules of Procedure and Evidence. URL: <https://www.icc-cpi.int/news/rules-procedure-and-evidence>.
2. ICC Regulations of the Registry. URL: <https://www.icc-cpi.int/news/regulations-registry>.
3. ICC Regulations of the Court. URL: <https://www.icc-cpi.int/sites/default/files/Publications/Regulations-of-the-Court.pdf>.
4. Rome Statute of the International Criminal Court. URL: <https://www.icc-cpi.int/sites/default/files/Publications/Regulations-of-the-Court.pdf>.
5. Charter of the International Military Tribunal. URL: https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.2_Charter%20of%20IMT%201945.pdf.
6. Статут Організації Об'єднаних Націй. URL: https://zakon.rada.gov.ua/laws/show/995_010#Text.
7. Конвенція проти катувань та інших жорстоких, нелюдських або таких, що принижують гідність, видів поводження і покарання. URL: https://zakon.rada.gov.ua/laws/show/995_085#Text.
8. Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power. URL: <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-basic-principles-justice-victims-crime-and-abuse>.
9. Європейська конвенція про незастосування строків давності до злочинів проти людяності та воєнних злочинів. URL: https://zakon.rada.gov.ua/laws/show/994_125#Text.
10. Convention on the Prevention and Punishment of the Crime of Genocide. URL: https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.1_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf.
11. Мінімальні стандартні правила поводження з в'язнями. URL: https://zakon.rada.gov.ua/laws/show/995_212#Text.
12. United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules). URL: <https://www.ohchr.org/sites/default/files/Documents/ProfessionalInterest/beijingrules.pdf>.
13. Основні принципи поводження з в'язнями (резолюція 45/111 Генеральної Асамблеї ООН від 14 грудня 1990 року). URL: http://zakon2.rada.gov.ua/laws/show/995_230.

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15. Elements of crime. URL: <https://www.icc-cpi.int/sites/default/files/Publications/Elements-of-Crimes.pdf>.
16. Constitution of the International Criminal Police Organization-Interpol. URL: <https://www.interpol.int/About-INTERPOL/Legal-materials/The-Constitution>.
17. Regulation (eu) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA. URL: <https://www.europol.europa.eu/publications-documents/regulation-eu-2016/794-of-european-parliament-and-of-council-of-11-may-2016>.

Textbooks, study guides

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2. Важна К. А. Концепція кримінальної відповідальності держави: можливість реалізації в сучасному міжнародному праві : монографія. Київ: Вид-во Ліра, 2017. 292 с.
3. Блажевич Ю. Ю. Відповідальність держав за міжнародні неправомірні діяння : автореф. дис. ... канд. юрид. наук : 12.00.11. Київ, 2006. 22 с.
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9. Дяків Т., Тетарчук І. Міжнародне право : навчальний посібник для підготовки до іспитів. Центр навчальної літератури, 2019 р.
10. Жукорська Я. М. Відповідальність міжнародних організацій за порушення міжнародно-правових зобов'язань: сучасний стан. Часопис Київського університету права. 2013. № 2. С. 31–35.

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17. Сироїд Т. Л. Міжнародне право : навчальний посібник. Харків : ХНУВС, 2009.
18. Сироїд Т. Л. Міжнародне публічне право : підручник. Одеса : Вид-во «Фенікс», 2017 р. 744 с.
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24. René Provost. State Responsibility in International Law. Routledge. 2017. ISBN 9781351898034
25. Responsibility of States for Internationally Wrongful Acts. URL: https://legal.un.org/ilc/texts/instruments/english/draft_articles/9_6_2001.pdf
26. Jeremias Adams-Prassl, Sanja Bogojevic. Great Debates in EU Law. Red Globe Press. 2021. ISBN 9781352012101.

Supporting literature

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Links to information resources on the Internet, video lectures, other methodical support

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6. Human Rights Watch. URL: <http://www.hrw.org/>
7. International Residual Mechanism for Criminal Tribunals. URL: <https://www.irmct.org/en>.
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INTERNATIONAL LEGAL BASIS FOR HUMAN RIGHTS ACTIVITY

(Developers: T. Syroid, head of the department of International and European Law of V.N.Karazin Kharkiv National University, Doctor of Law, Professor; L. Fomina, associate professor at the department of International and European Law of V.N. Karazin Kharkiv National University, PhD in Law, Associate professor; P. Fomin, associate professor at the department of International and European Law of V.N. Karazin Kharkiv National University, PhD in International Law.)

Topic 1. Protection of human rights in the activities of the UN Human Rights Council

Legal basis of the UN Human Rights Council. Structure of the UN Human Rights Council. Universal Periodic Review: concept, purpose, procedure. Procedure for filing a report on human rights violations with the UN Human Rights Council: subjects of the complaint, admissibility criteria, procedure for consideration. Procedure 1503.

Topic 2. Protection of women's rights in the activities of the UN

Formation and development of international protection of women's rights. International treaties in the field of women's rights protection. The Committee on the Elimination of Discrimination against Women: legal basis, structure, areas of work. Procedure for submitting a report on violations of women's rights to the Committee: subjects of submission, criteria for the admissibility of the application, procedure for consideration of the application.

Topic 3. Protection of children's rights in the activities of the UN

Formation and development of the protection of children's rights in international law. International treaties in the field of child protection. The Committee on the Rights of the Child: organisation, procedure for hearing reports of States parties. Procedure for submitting a complaint about a violation of the rights of the child to the Committee: admissibility of the complaint, procedure for its consideration. Features of child protection during armed conflicts. Monitoring and reporting mechanism.

Topic 4. Protection of the rights of refugees and internally displaced persons in the activities of the UN

Approaches to defining the concepts of «refugee» and «internally displaced person». International legal basis of refugee status. International instruments for the protection of refugee rights. Bodies monitoring compliance with international

legal norms on refugee protection. Office of the United Nations High Commissioner for Refugees.

Topic 5. Protection of the rights of indigenous peoples and minorities in the activities of the UN

Definition of «national minority», «indigenous people». International legal regulation of the rights of national minorities and indigenous peoples. International legal framework for the protection of national minorities and indigenous peoples. Regional legal system of minority protection. The principle of non-discrimination against minorities and persons belonging to minorities in international law. Minorities and the international legal principle of self-determination of nations and peoples. Special procedures of the UN Human Rights Council: Forum on Minority Issues, Special Rapporteur on minority issues, Permanent Forum on Indigenous Issues, Special Rapporteur on the rights of indigenous peoples, Expert Mechanism on the Rights of Indigenous Peoples.

Topic 6. Protection of migrant workers' rights in the activities of the UN

Definition of «migrant workers» in international law. Features of migrant workers as a vulnerable category of persons in international law. International legal regulation of migrant workers' rights at the universal level. The Committee on the Protection of the Rights of Migrant Workers: organisation, areas of activity.

Topic 7. International protection of human rights in Europe

Activities of the statutory bodies of the Council of Europe in the field of human rights protection. International treaties adopted in the field of human rights protection within the Council of Europe (Convention for the Protection of Human Rights and Fundamental Freedoms, European Social Charter (revised), Framework Convention for the Protection of National Minorities, European Charter for Regional or Minority Languages, Council of Europe Convention on Action against Trafficking in Human Beings, etc.) European Court of Human Rights: jurisdiction and application procedure. The Council of Europe Committee for the Prevention of Torture (CPT). OSCE activities in the field of human rights protection (Moscow Mechanism, Office for Democratic Institutions and Human Rights, High Commissioner on National Minorities).

Topic 8. Protection of human rights within sub-regional organisations

Inter-American system of human rights protection: American Convention on Human Rights, Inter-American Commission on Human Rights, Inter-American Court of Human Rights. African system of human rights protection: The African Charter on Human and Peoples' Rights and its Protocols, the African Charter on the Rights and Welfare of the Child, the Convention Governing the Specific Aspects of Refugee Problems in Africa, the African Court on Human and Peoples' Rights. The Arab system of human rights protection: The Arab Charter on Human Rights, the Arab Human Rights Committee, the Permanent Arab Committee on

Human Rights, the Arab Court of Human Rights. Human rights protection within ASEAN (Association of Southeast Asian Nations): ASEAN Declaration on Human Rights, The Declaration on the Elimination of Violence Against Women and Elimination of Violence Against Children in ASEAN, ASEAN Intergovernmental Commission on Human Rights, ASEAN Ministerial Meeting on Women.

Topic 9. Protection of human rights in the activities of international criminal jurisdiction bodies

Functions and powers of international criminal courts to protect participants in the process. Security measures. Rights of suspects and accused persons. Protection of persons who ensure the implementation of the tasks of international criminal justice. Vulnerable categories of persons in international criminal justice (women, children, elderly persons). Features of protection of vulnerable categories of persons by international criminal jurisdiction.

Topic 10. International legal framework for human rights defenders

Approaches to the definition of «human rights defender» in international law. Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (1998). Special Rapporteur on the Situation of Human Rights Defenders. Declaration of the Committee of Ministers on the Council of Europe's action to improve the protection of human rights defenders and to promote their activities. Features of the protection of human rights defenders.

QUESTIONS FOR CURRENT AND FINAL CONTROL

1. The legal basis of the activities of the UN Human Rights Council.
2. Structure of the UN Human Rights Council.
3. Universal periodic review: concept, purpose, implementation procedure.
4. The procedure for submitting a report on human rights violations to the UN Human Rights Council: subjects of filing a complaint, criteria for admissibility of applications.
5. The procedure for submitting a report on human rights violations to the UN Human Rights Council: procedure for review.
6. Procedure 1503.
7. Formation and development of international protection of women's rights.
8. International treaties on the protection of women's rights.
9. Committee on the Elimination of Discrimination against Women: legal basis of activity, structure, directions of work.
10. Submission of a notification of a violation of women's rights to the Committee on the Elimination of Discrimination against Women: subjects of submission, Admissibility criteria.

11. Submitting a report on a violation of women's rights to the Committee on the Elimination of Discrimination against Women: procedure for considering the application.

12. Formation and development of protection of children's rights in international law.

13. International agreements in the field of protection of children's rights.

14. Committee on the Rights of the Child: organization, procedure for hearing reports of member states.

15. The procedure for submitting an application regarding the violation of the child's rights to the Committee on the Rights of the Child: the issue of admissibility of the application, the procedure for its consideration.

16. Features of the child rights protection during armed conflicts.

17. Monitoring and reporting mechanism.

18. Approaches to defining the concepts of «refugee», «internally displaced person».

19. The international legal basis of the status of refugees.

20. International instruments for the protection of refugee rights.

21. Bodies for monitoring compliance with international legal norms on the protection of refugees. The Office of the United Nations High Commissioner for Refugees.

22. Definition of the concepts «national minority», «indigenous people».

23. International legal regulation of the rights of national minorities and indigenous peoples.

24. International legal basis for the protection of national minorities and indigenous peoples.

25. Regional legal system for the protection of minorities.

26. The principle of non-discrimination of minorities and persons belonging to minorities in international law.

27. Minorities and the international legal principle of self-determination of nations and peoples.

28. Special procedures of the UN Human Rights Council: Forum on Minorities, Special Rapporteur on Minorities.

29. Special Procedures of the UN Human Rights Council: Permanent Forum on Indigenous Issues, Special Rapporteur on the Rights of Indigenous Peoples, Expert Mechanism on the Rights of Indigenous Peoples.

30. Definition of the concept of «migrant workers» in international law.

31. Features of the protection of migrant workers as a vulnerable category of persons in international law.

32. International legal regulation of the rights of migrant workers at the universal level.

33. The Committee on the Protection of the Rights of All Migrant Workers and Members of their Families: Organization, Areas of Activity.

34. Activities of statutory bodies of the Council of Europe in the field of human rights protection.

35. International treaties in the field of human rights protection within the framework of the Council of Europe.
36. European Court of Human Rights: jurisdiction and procedure for applying.
37. Council of Europe Committee for the Prevention of Torture.
38. OSCE activities in the field of human rights protection: the Moscow Mechanism.
39. OSCE human rights activities: The OSCE Office for Democratic Institutions and Human Rights (ODIHR).
40. OSCE activities in the field of human rights protection: OSCE High Commissioner on National Minorities.
41. Inter-American system of protection of human rights.
42. Inter-American Commission on Human Rights.
43. Inter-American Court of Human Rights.
44. African human rights protection system.
45. The African Court on Human and Peoples' Rights.
46. The Arab system for the protection of human rights
47. Arab Charter on Human Rights.
48. Arab Committee on Human Rights. Permanent Arab Committee on Human Rights.
49. Arab Court of Human Rights.
50. Protection of human rights within the framework of ASEAN (Association of Southeast Asian Nations).
51. ASEAN Intergovernmental Commission on Human Rights. ASEAN Ministerial Meeting on Women.
52. Functions and powers of bodies of international criminal courts in the sphere of the protection of trial participants.
53. Security measures for participants in international criminal proceedings.
54. Rights of suspects and accused persons in international criminal proceedings.
55. Protection of persons who ensure the implementation of the tasks of international criminal justice.
56. Features of the protection of vulnerable categories of persons by bodies of international criminal jurisdiction.
57. Approaches to defining the concept of «human rights defender» in international law. Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms (1998).
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RECOMMENDED LITERATURE

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Supplementary literature

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5. Сироїд Т.Л. Міжнародно-правове підґрунтя регулювання статусу біженців і вимушених переселенців: реалії та перспективи. Вісник Харківського національного університету ім. В.Н. Каразіна. Серія: Право. Випуск 24, 2017. С. 154-157.

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22. Tetiana L. Syroid, Tetiana Ye. Kaganovska, Valentina M. Shamraieva, Olexander S. Perederii, Ievgen B. Titov, Larysa D. Varunts The

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26. Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse. Adopted by the Interagency Working Group in Luxembourg, 28 January 2016. URL: https://www.ohchr.org/Documents/Issues/Children/SR/TerminologyGuidelines_en.pdf.

27. 5 years of fighting the sale and sexual exploitation of children: addressing new challenges. United Nations Special Rapporteur on the sale of children, child prostitution and child pornography. URL: <https://www.ohchr.org/Documents/Issues/Children/SR/25YearsMandate.pdf>.

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Links to information resources on the Internet, video lectures, other methodological support

1. African Union. URL: <https://au.in>.
2. Amnesty International. URL: <https://www.amnesty.org.ua>.
3. Association of Southeast Asian Nations. URL: <https://asean.org>.
4. Council of Europe. URL: <http://www.coe.int>.
5. European Court of Human Rights. URL: <https://www.echr.coe.int>.
6. European Union. URL: <http://europa.eu>.
7. European Union Agency for Law Enforcement Cooperation. URL: <https://www.europol.europa.eu/>.

8. Human Rights Watch. URL: <http://www.hrw.org/>
9. International Committee of the Red Cross. URL: <http://www.icrc.org/eng/>.
10. International Court of Justice. URL: <https://www.icj-cij.org>.
11. International Criminal Court. URL: <https://www.icc-cpi.int/>.
12. International Criminal Police Organization. URL: <http://www.interpol.int>.
13. Organization for Security and Co-operation in Europe. URL: <http://www.osce.org>.
14. Organization of American States. URL: <https://www.oas.org/>.
15. United Nations. URL: <http://www.un.org>.
16. United Nations International Children's Emergency Fund. URL: <http://www.unicef.org>.

INTERNATIONAL LABOR LAW

(PROGRAM DEVELOPER: Lyudmila Viktorivna Kulachok-Titova – candidate of legal sciences, associate professor, associate professor of the department of state and legal disciplines)

Section 1. General provisions of international labor law

Topic 1. The concept of international labor law, its subject, method and principles

Concept and subject of international labor law. Commonalities and differences between national and international labor law. Features of the method of international labor law: dispositive and imperative elements. Application of the comparative method in international labor law. Principles of international labor law. Basic (fundamental) principles of international labor law: freedom of association and effective recognition of the right to collective bargaining; abolition of all forms of forced or compulsory labor; effective prohibition of child labor; prevention of discrimination in the field of work and occupations.

Topic 2. History of the development of international labor law

Prerequisites for the emergence of international labor regulation in the 19th century. The contribution of R. Owen, C. Hindley, D. Legrand to the initiation of the idea of international legal regulation of labor. Association for Legal Protection of Workers. Creation of the International Labor Organization (ILO) and the beginning of its activities. USSR and ILO. Activities of Albert Tom. Declaration of Philadelphia regarding the goals and objectives of the ILO. ILO in the period after the Second World War. Modern international legal regulation of labor relations. Contradictions between rich and poor countries regarding the adoption of international labor standards. Change in ILO policy after the end of the Cold War. ILO and the problem of globalization. Decent Work Program, 2008 ILO Declaration on Social Justice for Fair Globalization.

Topic 3. Subjects of international labor law

Concepts and types of subjects of international labor law. International organizations. ILO: structure, International Labor Conference, International Labor Office; Administrative Council of the International Labor Office. International Association of Social Security. World Health Organization; World Trade Organization; Organization of economic cooperation and development; regional international organizations. International trade union organizations. International associations of employers. Non-governmental organizations related to international labor law.

Topic 4. Sources of international labor law. Monitoring compliance with international labor standards and their effectiveness.

Concept and classification of sources of international labor law. Correlation between international and national labor law. Basic principles and rights in the field of labor. Direct effect of sources of international labor law. Types of sources by number of participating states. Universal and regional acts. Acts of the CIS, the Council of Europe, the European Union, the North American Agreement on Cooperation in the Field of Labor, Mercosur. Classification according to the form of the act: international agreements; Jus cogens; national legislation; international advisory acts; international collective agreements and agreements; corporate acts of multinational corporations; codes of conduct of non-governmental organizations. Classification of ILO acts by status and content. Procedures related to ILO acts.

Mechanism for monitoring compliance with international labor standards. Supervision. Consideration of complaints. Special control procedures of the ILO. Other methods of monitoring compliance with international labor standards. "Social clauses" of the USA and the EU. The debate on "social clauses" within the World Trade Organization. Monitoring compliance with corporate codes of conduct. Social marking. Effectiveness of international labor standards.

Section 2. Fundamental rights and principles in the field of labor

Topic 5. Freedom of association and effective recognition of the right to collective bargaining

Legal acts on freedom of association and recognition of the right to collective bargaining by the UN, ILO, regional and national acts. "Positive" and "negative" right to association. Creation of organizations. The right to independently create statutes and organize one's activities. Prevention of administrative dissolution. The right of associations to create federations and confederations.

The right to conduct collective negotiations and conclude collective agreements. Subject of collective negotiations, content of collective agreements.

Parties and levels of collective bargaining and contracts. Principles of management, scope, term of validity and legal force of collective agreements.

Procedures for informing and consulting with workers' representatives in the management of the organization. Acts of the ILO and the European Social Charter. National models of informing employees in European countries. EU directives on European works councils of 1994 and 2009. EU directive on information and consultation with employees of 2002. Participation of employees in supervisory boards of companies.

Peaceful procedures for resolving labor disputes between social partnership participants. Strikes and other industrial actions of workers. Lockouts and other means of protecting employers against industrial action by workers.

Topic 6. Abolition of all forms of forced or compulsory labor.

Effective prohibition of child labor

Legal acts on the prohibition of slavery and forced labor: acts of the League of Nations, UN, ILO, regional and bilateral agreements, national legislation. Forced labor, slavery and human trafficking. Legal definitions of forced labor in ILO conventions: purpose of legal definitions; scope of application; definition of forced labor. Provisions of the 1930 ILO Convention on Forced Labor No. 29. ILO Recommendation of 1930 on Indirect Forced Labor No. 35.

Legal acts on the labor of children and adolescents. The problem of child labor in the modern world. Definition of the concept of child labor. Discussion on the use of child labor. The relationship between poverty and the use of child labor. 1973 ILO Convention on Minimum Age No. 138 and Recommendation No. 146. 1999 Convention on the Worst Forms of Child Labor No. 182. Recommendation No. 190.

Topic 7. Prevention of discrimination in the field of work and occupations

Legal acts on the prohibition of discrimination in the field of labor. Modern concepts of ensuring equality in the field of work: equal treatment; differentiation and discrimination; formal and real equality; open and closed lists of discrimination criteria; direct and indirect, open and hidden discrimination. Scope of application of anti-discrimination legislation. Discrimination in the interpretation of the ILO Convention of 1958 on discrimination in the field of work and occupation No. 111 and criteria of discrimination. Racial and gender discrimination; gender discrimination; discrimination related to the views of the employee. Legitimate exceptions to the principle of equal treatment: specific job requirements; considerations of national security; protection of certain categories of employees ("compensatory action").

Chapter 3. International labor standards.

Topic 8. Employment.

Different approaches to the right to work. International acts on the right to work and protection against unemployment. Key elements of international legal

regulation of the employment issue. ILO Conventions and Recommendations on Employment Policy. Flexibility and stability in the labor market. European policy of "flexibility". Acts of the ILO on the development of human resources. Activities of employment services and agencies, the problem of temporary work. The right to work and the stability of labor relations. Recommendation of 2006 on employment relations No. 198. Termination of employment relations. Preservation of labor relations during the transition of the enterprise to the EU.

Topic 9. Payment of labor.

International acts on remuneration: general international legal standards; acts of the ILO. Concept, form of payment, freedom of disposition, periodicity of salary payment. The employee's right to information about the salary due to him.

Protection of the employee's right to wages in case of bankruptcy of the employer. History of the problem and trends in the development of national legislation. ILO Convention of 1949 on the protection of wages No. 95. ILO Convention of 1992 on the protection of workers' claims in the event of the insolvency of their entrepreneur No. 173. EU Directive No. 2002/74/EC. Minimum wage. The right to wage indexation.

Topic 10. Working time and rest time. Health and safe working conditions (occupational safety). Protection of personal data of employees.

Working hours: general norms; normal and reduced working hours; overtime work; regulation of working hours of certain categories of employees. Rest time: weekly rest; paid leave. Separate types of working time: work on part-time terms; home work and telework; night work

General issues of occupational safety and hygiene. Acts of the ILO on occupational safety and hygiene. Evolution of the international approach to occupational safety and health. Acts of 1981 and Protocol of 2002. Acts of 2006

Human right to protection of private life and freedom of speech: basic concepts and legal acts. Recommendation of the Council of Europe No. R(89)2 and the ILO Code of Practice on the Protection of Personal Data of Employees: Conceptual Apparatus and Scope of Acts; general principles; receiving personal data; storage; use and transfer; individual and collective rights of employees.

Topic 11. Regulation of the work of employees of international organizations.

Regulation of labor relations between an international and intergovernmental organization and its staff. Autonomy of an intergovernmental organization, which is a subject of private international law, regarding consideration of issues related to its internal activities. The special nature of the organization's legal personality, which is not affected by the place of conclusion of the agreement or the place where the employee performs his duties.

Labor disputes of the UN and its specialized agencies with their personnel are considered by the administrative tribunals of these organizations. Jurisdiction of the United Nations Administrative Tribunal to hear claims relating to violations

of the contracts of employment of UN Secretariat personnel or the terms of employment of such personnel.

Contents of the Regulations on the staff of the International Labor Office, other international organizations that have recognized the jurisdiction of the Tribunal (UNESCO, the International Telecommunication Union, the Food and Agricultural Organization, the Universal Postal Union, etc.). Category of international civil servants, international nature of their responsibility. The procedure for hiring personnel, payment of salaries and other monetary rewards, business trips, pension provision, prohibition of restrictions on the rights of women and men to participate in the performance of labor functions, competitive selection of personnel. Other conditions of employment: granting of leave, disciplinary responsibility of the employee, hours of work and rest, medical examinations or medical support, payments of various types of compensation, etc.

QUESTIONS FOR PREPARING FOR THE FINAL INSPECTION

1. Concept and subject of international labor law. Correlation with national labor law.

2. Features of the method of international labor law: dispositive and imperative elements. Common and different from the method of labor law as a branch of the national legal system. Application of the comparative method in international labor law.

3. Principles of international labor law. Basic (fundamental) principles of international labor law. Principles of national labor law.

4. History of the development of international labor law: main stages and personalities.

5. Creation and history of the International Labor Organization. Declaration of Philadelphia regarding the goals and objectives of the ILO.

6. Modern international legal regulation of labor relations. Change in ILO policy after the end of the Cold War.

7. ILO and the problem of globalization. Decent Work Program, 2008 ILO Declaration on Social Justice for Fair Globalization.

8. ILO decent work program for Ukraine for the period 2020-2024.

9. Concepts and types of subjects of international labor law.

10. International organizations. ILO: structure and main areas of activity. International Association of Social Security.

11. World Health Organization; World Trade Organization; Organization of economic cooperation and development; regional international organizations as subjects of international labor law.

12. International trade union organizations and international associations of employers as participants in international relations.

13. Concept and classification of sources of international labor law. Correlation between international and national labor law.

14. Types of sources of international labor law by number of participants. Universal and regional acts.

15. Acts of the Council of Europe, the European Union, the North American Agreement on Cooperation in the Field of Labor, Mercosur as sources of international labor law.

16. Classification of ILO acts by status and content. Procedures related to ILO acts.

17. Classification of sources of international labor law according to the form of the act: international treaties; Jus cogens; national legislation; international advisory acts; international collective agreements and agreements; corporate acts of multinational corporations; codes of conduct of non-governmental organizations.

18. Mechanism for monitoring compliance with international labor standards. Effectiveness of international labor standards.

19. Legal acts on freedom of association and recognition of the right to collective bargaining of the UN, ILO, regional and national acts. Norms of Ukrainian national legislation on freedom of association.

20. Collective negotiations and conclusion of collective agreements as a subject of international labor standards and national legislation.

21. Peaceful procedures for resolving labor disputes between participants in a social partnership. Strikes and lockouts as means of protection for employers and employees.

22. Legal acts on the prohibition of slavery and forced labor: international legal and national legislation. Legal definitions of forced labor in ILO conventions.

23. The problem of child labor in the modern world. 1973 ILO Minimum Age Convention No. 138 and Recommendation No. 146. 1999 Worst Forms of Child Labor Convention No. 182. Recommendation No. 190.

24. Legal acts on the prohibition of discrimination in the field of work. Discrimination in the interpretation of the ILO Convention of 1958 on discrimination in the field of work and occupation No. 111 and criteria of discrimination.

25. International acts on the right to work and protection against unemployment. ILO Conventions and Recommendations on Employment Policy.

26. International acts on remuneration. Legal regulation of wages in national legislation, the minimum amount of wages, indexation.

27. Acts of the ILO on occupational safety and hygiene. Evolution of the international approach to occupational safety and health.

28. Council of Europe Recommendation No. R(89)2 and the ILO Code of Practice on the Protection of Employees' Personal Data.

29. Regulation of labor relations between an international and intergovernmental organization and its personnel.

30. Labor disputes of the UN and its specialized agencies with their staff.

31. Contents of the Regulation on the personnel of MBP employees. Category of international civil servants. The procedure for hiring personnel.

RECOMMENDED LITERATURE

Normative and legal acts

1. Statute of the International Labor Organization / [Electronic resource] URL: http://zakon3.rada.gov.ua/laws/show/993_154
2. Conventions and recommendations of the ILO. Text / Official web portal of the Federation of Trade Unions of Ukraine / [Electronic resource] URL: <http://www.fpsu.org.ua/konventsiji-rekomendatsiji-mop>

Basic literature

1. Міжнародне регулювання праці. Електронний навчально-методичний посібник для студентів першого (бакалаврського) рівня вищої освіти Одеського інституту МАУП URL: <http://odessamaup.pp.ua/upload/editor/files.pdf>
2. Шашкова-Журавель І.О. Міжнародне трудове право: навчальний посібник. Київ: ВД «Персонал», 2017. 190 с.
3. Андріїв В.М. Міжнародне трудове право: навчальний посібник. Київ: ВД «Дакор», 2017. – 574 с.
4. Чижмарь Ю.В. Національне та міжнародне трудове право. Дисертація на здобуття наукового ступеня доктора юридичних наук. Спеціальність 12.00.05 – трудове право; право соціального забезпечення. Київ-2016. 471 с. URL: https://uu.edu.ua/upload/universitet/Osobisti_zdobutki/Zahist_disertaciy_S_Ya/Chizhmar_YV_dis.pdf
5. Білоус О.Ю. Конвенції міжнародної організації праці як джерела трудового права України. Дисертація на здобуття наукового ступеня кандидата юридичних наук. Спеціальність 12.00.05 – трудове право; право соціального забезпечення. Одеса-2016. URL: <http://dspace.onua.edu.ua/handle/11300/7622>.

Supporting literature

1. Краснов Є. В. Основні трудові права: міжнародні стандарти і законодавство України Автореф. дис. канд. юрид. наук Спеціальність: 12.00.03 - 12.00.05 - трудове право; право соціального забезпечення Одеса, 2008. 22 с. URL: <http://dspace.onua.edu.ua/bitstream/handle/11300/1677/%20%20%20%20%20%20%20.pdf?sequence=1>
2. Чижмарь Ю.В. Сутність і зміст міжнародного трудового права. Науковий вісник публічного і приватного права. Вип. 5. Т. 1. 2018 URL: http://nvppp.in.ua/vip/2018/5/tom_1/32.pdf
3. Яцкевич І. Поняття та особливості міжнародно-правового регулювання юридичних гарантій у сфері праці. 2014 URL: https://www.researchgate.net/publication/315548631_Ponatta_ta_osoblivosti_miznarodno-pravovogo_reguluvanna_uridicnih_garantij_u_sferi_praci

4. Волохов О.С. Міжнародно-правове регулювання праці: поняття і принципи URL: <http://dspace.nbuv.gov.ua/bitstream/handle/123456789/64471/65-Volohov.pdf?sequence=1>
5. Клемпарський М., Назимко О. Способи застосування міжнародних трудових стандартів і національного трудового законодавства. *Підприємництво, господарство і право*. 2021. № 5. С. 57-62. URL: <http://pgp-journal.kiev.ua/archive/2021/5/10.pdf>
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11. Сироїд Т.Л., Фоміна Л.О., Фомін П.В. Захист трудових прав співробітників міжнародних міжурядових організацій: теорія та практика *Електронне наукове видання «Аналітично-порівняльне правознавство», 2022, с. 447-452 URL: <http://journal-app.uzhnu.edu.ua/article/view/270795/266236>*

Links to information resources on the Internet, video lectures, other methodical support

1. International Labor Organization. Official website. URL: <https://www.ilo.org>.
2. Міжнародна організація праці // Постійне представництво України при ООН та інших міжнародних організаціях URL: <http://geneva.mfa.gov.ua/ua/ukraine-io/labour>
3. International Organization for Migration (IOM) Official website URL: <http://iom.org.ua/ua>.

FIRST FOREIGN LANGUAGE BY PROFESSION

(Program developer: Iryna Avdieienko, Associate Professor at the Department of Foreign Languages for Professional Purposes, PhD, Associate Professor)

Section 1.

Topic 1: International law as a special legal system. Terminology of international law.

Topic 2. Intellectual property.

Topic 3. Competition law.

Topic 4. Labour law.

Section 2.

Topic 1: Contract law.

Topic 2. Real estate law.

Topic 3. Law governing the activities of joint stock companies.

Topic 5. Environmental law.

Topic 4. Law of international treaties, international economic law and international humanitarian law.

RECOMMENDED LITERATURE

Basic literature

1. Helen Callanan, Lynda Edwards. Absolute Legal English (English for International Law). Delta Publishing, 2010. 110 p.

2. Буква закону: навчальний посібник з англійської мови для навчання професійного спілкування майбутніх правників / Л. М. Черноватий, І. П. Липко, С. М. Романюк, А. В. Говорун, В. Я. Міщенко, О. І. Петухова, Н. А. Сорока, Т. М. Щокіна; за ред. Л. М. Черноватого, І. П. Липко. Х.: Право, 2021. 526 с.

Supporting literature

1. Andrew Frost. English for Legal Professionals. – Oxford University Press, 2013. – 96 p.

2. Словники.

Links to information resources on the Internet, video lectures, other methodical support

1. Legal websites, websites of law firms.
2. English- and Ukrainian-language press in the speciality
3. Television news and reviews (CNN, BBC, World News, etc.), videos of law firms.

1. <https://www.employment.govt.nz/about/employment-law/>
2. <https://www.justia.com/>
3. <http://www.usconstitution.net/const.html>

The program was considered and approved at a meeting of the Scientific council of the School of Law
Protocol 1 dated 28.08.2024

Head of the Scientific council



V. SEROHIN