

relevant results and theoretical developments  
of science and research

12

2022

issue 1, special XXVII.

AD ALTA

Journal of Interdisciplinary Research

AD ALTA: Journal of Interdisciplinary Research

Double-Blind Peer-Reviewed

Volume 12, Issue 1, Special Issue XXVII., 2022

Number of regular issues per year: 2

© The Authors (May, 2022)

MAGNANIMITAS Assn.

## AD ALTA: JOURNAL OF INTERDISCIPLINARY RESEARCH

© THE AUTHORS (MAY, 2022), BY MAGNANIMITAS, ATTN. AND/OR ITS LICENSORS AND AFFILIATES (COLLECTIVELY, "MAGNANIMITAS"). ALL RIGHTS RESERVED.

SPECIAL ISSUE NO.: 12/01/XXVII. (VOL. 12, ISSUE 1, SPECIAL ISSUE XXVII.)

ADDRESS: CESKOSLOVENSKE ARMADY 300, 500 03, HRADEC KRALOVE, THE CZECH REPUBLIC, TEL.: 498 651 292, EMAIL: INFO@MAGNANIMITAS.CZ

ISSN 1804-7890, ISSN 2464-6733 (ONLINE)

AD ALTA IS A PEER-REVIEWED JOURNAL OF INTERNATIONAL SCOPE.

2 ISSUES PER VOLUME AND SPECIAL ISSUES.

**AD ALTA: JOURNAL OF INTERDISCIPLINARY RESEARCH** USES THE RIV BRANCH GROUPS AND BRANCHES, BUT THE JOURNAL IS NOT A PART OF RIV. THE RIV IS ONE OF PARTS OF THE R&D INFORMATION SYSTEM. THE RIV HAS COLLECTED AN INFORMATION ABOUT RESULTS OF R&D LONG-TERM INTENTIONS AND R&D PROJECTS SUPPORTED BY DIFFERENT STATE AND OTHER PUBLIC BUDGETS, ACCORDING TO THE R&D ACT [CODE NUMBER 130/2002], THE CZECH REPUBLIC.

A	SOCIAL SCIENCES
B	PHYSICS AND MATHEMATICS
C	CHEMISTRY
D	EARTH SCIENCE
E	BIOLOGICAL SCIENCES
F	MEDICAL SCIENCES
G	AGRICULTURE
I	INFORMATICS
J	INDUSTRY
K	MILITARISM

ALL INFORMATION CONTAINED HEREIN IS PROTECTED BY LAW, INCLUDING BUT NOT LIMITED TO, COPYRIGHT LAW, AND NONE OF SUCH INFORMATION MAY BE COPIED OR OTHERWISE REPRODUCED, REPACKAGED, FURTHER TRANSMITTED, TRANSFERRED, DISSEMINATED, REDISTRIBUTED OR RESOLD, OR STORED FOR SUBSEQUENT USE FOR ANY SUCH PURPOSE, IN WHOLE OR IN PART, IN ANY FORM OR MANNER OR BY ANY MEANS WHATSOEVER, BY ANY PERSON WITHOUT MAGNANIMITAS'S PRIOR WRITTEN CONSENT. ALL INFORMATION CONTAINED HEREIN IS OBTAINED BY MAGNANIMITAS FROM SOURCES BELIEVED BY IT TO BE ACCURATE AND RELIABLE. BECAUSE OF THE POSSIBILITY OF HUMAN OR MECHANICAL ERROR AS WELL AS OTHER FACTORS, HOWEVER, ALL INFORMATION CONTAINED HEREIN IS PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND. UNDER NO CIRCUMSTANCES SHALL MAGNANIMITAS HAVE ANY LIABILITY TO ANY PERSON OR ENTITY FOR (A) ANY LOSS OR DAMAGE IN WHOLE OR IN PART CAUSED BY, RESULTING FROM, OR RELATING TO, ANY ERROR (NEGLIGENT OR OTHERWISE) OR OTHER CIRCUMSTANCE OR CONTINGENCY WITHIN OR OUTSIDE THE CONTROL OF MAGNANIMITAS OR ANY OF ITS DIRECTORS, OFFICERS, EMPLOYEES OR AGENTS IN CONNECTION WITH THE PROCUREMENT, COLLECTION, COMPILATION, ANALYSIS, INTERPRETATION, COMMUNICATION, PUBLICATION OR DELIVERY OF ANY SUCH INFORMATION, OR (B) ANY DIRECT, INDIRECT, SPECIAL, CONSEQUENTIAL, COMPENSATORY OR INCIDENTAL DAMAGES WHATSOEVER (INCLUDING WITHOUT LIMITATION, LOST PROFITS), EVEN IF MAGNANIMITAS IS ADVISED IN ADVANCE OF THE POSSIBILITY OF SUCH DAMAGES, RESULTING FROM THE USE OF OR INABILITY TO USE, ANY SUCH INFORMATION.

**PAPERS PUBLISHED IN THE JOURNAL EXPRESS THE VIEWPOINTS OF INDEPENDENT AUTHORS.**

## TABLE OF CONTENTS (BY BRANCH GROUPS)

### A SOCIAL SCIENCES

<b>APPLICATION OF MODERN INNOVATIVE PRACTICES IN PROFESSIONAL TRAINING OF FUTURE TEACHERS</b> OKSANA BRASLAVSKA, LIUDMYLA OZEROVA, VALENTYNA VITIUK, OLHA HONCHARUK, GALYNA BORYN	6
<b>EVALUATIVE LEXIS IN CONTEMPORARY PUBLICISTIC DISCOURSE: LEXICOLOGICAL AND PSYCHOLINGUISTIC PROJECTION</b> IRYNA MELNYK, TETIANA MASYTSKA, LARYSA HOLOIUKH, VOLODYMYR KRAVCHUK, TETIANA POLEZHAIEVA, KATERYNA HONCHAR	12
<b>THE FORMATION OF ETHNO-CULTURAL COMPETENCE OF FUTURE ACTORS</b> ANATOLII HRYTSAN, NADIIA HRYTSAN, TETIANA OSADCHUK, VIRA PROKOPIAK, TARAS VASYLIUK	19
<b>CONCEPTUAL OPPOSITION <i>UKRAINIAN NATION – RUSSIA</i> IN DMITRY DONTSOV'S POLITICAL JOURNALISM IN THE EARLY XX CENTURY</b> OLHA PAVLUSHENKO, LIUDMYLA PROKOPCHUK, NATALIIA PAVLYKIVSKA, NINA KUKHAR, OLENA ZARICHNA, VOLODYMYR KALENYCH, VALENTYNA FRYTSIUK, ALINA OLIINYK	22
<b>THE ROLE AND FUNCTIONS OF THE MASS MEDIA IN THE POLITICAL SOCIALISATION OF THE ACTOR</b> TETIANA KHITROVA, HANNA SUKHAREVSKA, VIKTORIYA POGREBNAYA, KATERYNA NASTOIASHCHA	26
<b>MODELING CAREER STRATEGIES FOR MEMBERS OF DIFFERENT SOCIAL GROUPS</b> VIKTOR KUZMIN, EDUARD GUGNIN, OLHA STASHUK, MARHARYTA KUDINOVA, KATERYNA CHERVONENKO	29
<b>UTTERANCES OF DEBITIVE MODALITY IN ASSOCIATIVE-PSYCHOLOGICAL DIMENSION</b> NATALIIA KOSTUSIAK, MARYNA NAVALNA, OKSANA PRYIMACHOK, NATALIIA POZHARSKA, VIKTORIYA YUSHAK, ANNA SHEREMET	35
<b>COMMUNICATIVE-PRAGMATIC POTENTIAL AND SEMANTIC-GRAMMATICAL MANIFESTATIONS OF UNCERTAINTY IN MODERN UKRAINIAN MASMEDIA</b> NATALIIA KOSTUSIAK, OKSANA PRYIMACHOK, TETIANA ZDIKHOVSKA, OKSANA SHKAMARDA, OLENA SVITLIKOVSKA, IRYNA POLIAK	41
<b>INFORMATION RESOURCES AND FEATURES OF COMMUNICATIVE INTERACTION IN THE MODERN INFORMATION SPACE OF UKRAINE</b> OLENA ISAIKINA, LIUDMYLA DYBKOVA, SVITLANA YAREMENKO, INNAMASHKOVA, TETIANA SYDORENKO, ALLA OVSIENKO	47
<b>UKRAINIAN PAREMIES: LAWS OF CREATION</b> VICTOR BRITSYN, TETIANA SUKALENKO, LIUDMYLA MARCHUK, OLGA SAKHAROVA, MARINA PAUK	54
<b>PECULIARITIES OF THE FUNCTIONING OF METAPHORS IN THE TEXTS OF THE INTERNET PUBLICATION "UKRAINSKA PRAVDA"</b> MARYNA NAVALNA, OLEKSANDR MEZHOV, OLESIA SKLIARENKO, ALLA OVSIENKO, TETIANA SYDORENKO, DARIIA POLOVYK	59
<b>IDENTIFICATION OF UKRAINIAN ART DURING ACTIVE TRANSFORMATIONS OF WORLD ART SPACE</b> TATIANA MIRONOVA, KATERYNA GAMALIIA, SERHII LUTS, OLEKSIY ZHADEYKO, ANASTASIIA HONCHARENKO	67
<b>COMING OF AGE NOVELS IN THE ERA OF "NEW SINCERITY": TRAUMA AND PERSONALITY DEVELOPMENT OF A TEENAGER (BASED ON THE NOVELS "BLACK SWAN GREEN" BY D. MITCHELL AND "TIME TO SPEAK" BY K. KLIMOVSKY)</b> SVITLANA TARATUTA, TETIANA MELNYK, OKSANA KOZACHYSHYNA, LIUDMYLA PRADIVLIANNA, IVANNA KULYK, ULIANA KONVALIUK	72
<b>MENTALITY AS A MEANS OF ENRICHING THE NATIONAL LINGUISTIC PICTURE OF THE WORLD</b> LYUDMYLA POPKO	77
<b>THE ESTABLISHMENT OF THE NATIONWIDE CONCEPT OF AGRICULTURAL RESEARCH AFFAIRS IN THE CONTEXT OF THE ACTIVITIES OF THE HORY-HORETSKI AGRICULTURAL INSTITUTE</b> OLENA HOLIKOVA	82
<b>ART PRACTICES IN MUSEUMS OF WESTERN UKRAINE - FROM SUBJECT TO METHOD</b> NADIIA BABII, IRYNA CHMELYK, LESIA SEMCHUK, VIKTORIYA TYPCHUK, YURII VOLOSHCHUK	91
<b>IMPROVING THE QUALIFICATION OF SOCIAL WORKERS IN THE CONDITIONS OF TRANSFORMING THE EDUCATIONAL PROCESS IN PANDEMIC</b> LIUBOV SERHANIUK, HALYNA MYKHAILYSHYN, MIROSLAVA DOVGA, OKSANA SHKAMARDA, IVANNA KULYK, ULIANA KONVALIUK	99
<b>COMPREHENSIVE ASSESSMENT OF ACTIVITIES OF CORPORATE INTEGRATION ASSOCIATION OF SERVICES ENTERPRISES</b> OLHA SUKHACHOVA, NATALIA NEBABA, OLEKSANDR SABIROV, OLENA VYSHNIKINA, YELYZAVETA SAIHAK, ANASTASIIA HLUSHENKOVA	103

<b>PEDAGOGICAL INTERNSHIP AS A MEANS OF FORMING PEDAGOGICAL SELFIDENTIFICATION OF FUTURE PRIMARY SCHOOL ENGLISH LANGUAGE TEACHERS IN THE PR CHINA</b>	108
TETIANA DOVZHENKO, LYUBOV KALASHNYK, YANA LEVCHENKO, OLENA KHOLODNIAK, YULIIA LAKHMOTOVA	
<b>NEW STRATEGIES FOR PROFESSIONAL TRAINING OF TEACHERS IN THE CONTEXT OF EUROPEAN INTEGRATION</b>	115
NADIA LUTSAN, NATALIIA CHERNENKO, VALENTYNA VERTUHINA, TETIANA RUDIUK, MARIANNA RUCHKINA	
<b>FORMING OF TERMINOLOGICAL COMPETENCE AMONG THE FUTURE SPECIALISTS OF WOODWORKING INDUSTRY</b>	120
OKSANA HRYDZHUK, HALYNA HORODYLOVSKA, LYUBOV STRUHANETS, IRYNA DENYS, BORYS STRUHANETS	
<b>MOTIVATORS OF COGNITIVE ACTIVITY, ACCOMPANYING EMOTIONS AND FEELINGS IN THE CONDITIONS OF TRADITIONAL AND E-LEARNING THROUGHOUT LIFELONG</b>	129
TETIANA MIYER, LARYSA HOLODIUK, LYUDMILA ROMANENKO, OLENA SAKALIUK, OLGA KHYZHNA, KARINA SHAFRANSKA, JI ZHIDAN	
<b>DECREASED LEARNING MOTIVATION AS A SCIENTIFIC PROBLEM OF THE CENTURIES</b>	136
TETIANA MIYER, HENNADII BONDARENKO, NATALIA DYKA, NINA RUDENKO, OLENA VASHCHENKO, OLHA TRETIAK, YULIIA FEDOROVA	
<b>THE PHENOMENON "NATURE" IN SOCIAL AND INDIVIDUAL CULTURE, IN SOCIOCULTURAL REALITY AND IN SOCIO-CULTURAL EXPERIENCE OF MANKIND AND MAN</b>	143
ALINA MARTIN, NATALIYA VYSHNIVSKA, ROKSOLANA SHPITSA, OLENA SAKALIUK, NINA RUDENKO, LYUDMILA ROMANENKO, KATERYNA ROMANENKO	
<b>FEATURES OF BANKS` LIQUIDITY MANAGEMENT IN THE CONTEXT OF THE INTRODUCTION OF THE LCR RATIO IN UKRAINE</b>	148
MYKOLA DZIAMULYCH, KOSTIANTYN HRYTSENKO, IHOR KRUPKA, BOHDANA VYSHYVANA, SOFIIA TESLIA, OLEKSANDRA TERESHKO, IRYNA FADYEYEVA	
<b>MODERN INFORMATION AND COMMUNICATION TECHNOLOGIES IN THE DIGITAL ECONOMY IN THE SYSTEM OF ECONOMIC SECURITY OF THE ENTERPRISES</b>	153
TETIANA SHMATKOVSKA, IGOR BRITCHENKO, SERHII VOITOVYCH, PETER LOŠONCZI, IRYNA LORVI, IULIIA KULYK, SVITLANA BEGUN	
<b>SOCIO-ECONOMIC SECURITY AND ITS INFLUENCE ON UKRAINE`S HUMAN CAPITAL DEVELOPMENT</b>	157
LYUDMILA LEVKOVSKA, VOLODYMYR SARIOGLO, TETIANA KOTENKO, OLEG DOBRYANSKY, YULIIA HOREMYKINA, OLENA DIDKIVSKA	
<b>EXPRESSIVENESS OF MODAL WORDS IN HEYDAR ALIYEV'S SPEECH</b>	161
NAGDALI ZAMANOV, NATAVAN HAJIYEVA	
<b>SIMILAR SYMBOLS AND CHARACTERS IN THE WORKS OF FERDOWSI AND ATTAR</b>	164
NEZAKET MEMMEDLI	
<b>BRIDGING LEGISLATIVE GAPS THROUGH JUDICIAL LAWMAKING IN CIVIL PROCEEDINGS IN UKRAINE AND EUROPE</b>	170
MYKOLA YASYNOK, TATYANA KRAVTSOVA, IVAN KRAVCHENKO, YURII KOTVIKOVSKIY, MYKOLA MYKHAILICHENKO	
<b>THE EUROPEAN COURT OF HUMAN RIGHTS, ITS JUDICIAL LAWMAKING AND ITS IMPACT ON THE CASE LAW OF NATIONAL COURTS</b>	176
TAMARA CHERNADCHUK, DMYTRO YASYNOK, VITALII GORDIEIEV, NATALIIA KLIETSOVA, VITALII BOIKO	
<b>THE LATEST TOOLS OF PUBLIC ADMINISTRATION IN THE PROCESS OF SOLVING SOCIOENVIRONMENTAL PROBLEMS AT THE LEVEL OF LOCAL GOVERNMENT</b>	181
OLHA RUDENKO, OLENA MYKHAILOVSKA, IHOR KOZIURA, IRYNA KOLOSOVSKA, INNA KONONENKO	
<b>ORGANIZATIONAL MECHANISM OF STATE MANAGEMENT OF SOCIAL SERVICES IN TERRITORIAL COMMUNITIES</b>	188
KSENIA SUKHOVA, YEVGENIY BORODIN, TETIANA TARASENKO, KATERINA KOMAROVA, LIUDMYLA AKIMOVA, OLEKSANDR AKIMOV	
<b>CONCEPTUAL COMPREHENSION OF EUROPEAN SECURITY ARCHITECTURE: MYTHS AND REALITIES</b>	193
TETIANA PALAMARCHUK, VITALII BASHTANNYK, VOLODYMYR IEMELIANOV, OLEKSANDR ZHAIVORONOK, HALYNA ZAVORITNYA	
<b>ECONOMIC JUSTIFICATION FOR STRATEGIC DECISIONS TO IMPROVE THE COMPETITIVENESS OF THE ENTERPRISE</b>	198
OLEKSANDRA VAHONOVA, OLENA TRYFONOVA, OLENA BONDAR, NINA PETRUKHA, OKSANA KYRYCHENKO, OLEKSANDR AKIMOV	

## J INDUSTRY

<b>PREREQUISITES FOR THE CREATION OF LIFTING AND COLLECTING TECHNOLOGICAL MODULE FOR THE INSTALLATION OF STRUCTURAL BLOCKS OF THE COATING</b>	204
HENNADII TONKACHEIEV, VOLODYMYR RASHKIVSKIY, LIUBOV LEPSKA, SERHII SHARAPA, YURI SOBKO	



## **A SOCIAL SCIENCES**

AA	PHILOSOPHY AND RELIGION
AB	HISTORY
AC	ARCHAEOLOGY, ANTHROPOLOGY, ETHNOLOGY
AD	POLITICAL SCIENCES
AE	MANAGEMENT, ADMINISTRATION AND CLERICAL WORK
AF	DOCUMENTATION, LIBRARIANSHIP, WORK WITH INFORMATION
AG	LEGAL SCIENCES
AH	ECONOMICS
AI	LINGUISTICS
AJ	LITERATURE, MASS MEDIA, AUDIO-VISUAL ACTIVITIES
AK	SPORT AND LEISURE TIME ACTIVITIES
AL	ART, ARCHITECTURE, CULTURAL HERITAGE
AM	PEDAGOGY AND EDUCATION
AN	PSYCHOLOGY
AO	SOCIOLOGY, DEMOGRAPHY
AP	MUNICIPAL, REGIONAL AND TRANSPORTATION PLANNING
AQ	SAFETY AND HEALTH PROTECTION, SAFETY IN OPERATING MACHINERY

## THE EUROPEAN COURT OF HUMAN RIGHTS, ITS JUDICIAL LAWMAKING AND ITS IMPACT ON THE CASE LAW OF NATIONAL COURTS

<sup>a</sup>TAMARA CHERNADCHUK, <sup>b</sup>DMYTRO YASYNOK,  
<sup>c</sup>VITALII GORDIEIEV, <sup>d</sup>NATALIIA KLIETSOVA, <sup>e</sup>VITALII  
BOIKO

<sup>a,b,d,e</sup>Sumy National Agrarian University, 160, Herasyma  
Kondratieva Str., 40000, Sumy, Ukraine

<sup>c</sup>Chernivtsi Yuriy Fedkovych National University, 2,

Kotsyubynsky Str., 58012, Chernivtsi, Ukraine

email: <sup>a</sup>tamarachernadchuk@gmail.com,

<sup>b</sup>supernova16055@gmail.com, <sup>c</sup>v.gordieiev@chnu.edu.ua,

<sup>d</sup>klietsovanataliiaa@gmail.com, <sup>e</sup>boikov.111.ss@gmail.com

**Abstract:** The article examines the problem of legal qualification of the legal positions of the European Court of Human Rights. Various aspects of the functioning of the European Court of Human Rights in the context of the human rights protection system are considered. The article deals with the issue of the influence of legal positions on civil law. In addition, the possibility of judicial law-making is consistently proved. The existing approaches to understanding the nature of the legal position of the court are summarized. It is shown that the European Court of Human Rights, when interpreting certain provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms, focuses on its own decisions made earlier. A distinction is made between the terms "legal position" and "decision of the European Court of Human Rights".

**Keywords:** Convention for the Protection of Human Rights, International experience, European Court of Human Rights, Lawmaking, Legal position.

### 1 Introduction

The principle of universal respect for human rights and fundamental freedoms is one of the universally recognized principles of international law. For decades, a unified system of human rights protection has been formed on the European continent within the framework of the Council of Europe, which basically meets the requirements of international law. The main body of this system is the European Court of Human Rights (ECtHR), which operates on the basis of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) and its Protocols. Since the adoption of the Charter of Fundamental Rights of the European Union in 2000, one can talk about the development in of the EU law' own mechanism for the protection of human rights and fundamental freedoms, which was required due to the need to protect rights from abuse by EU institutions.

The existence within the framework of the European Union and the Council of Europe (hereinafter referred to as the CE) of their own mechanisms for the protection of human rights and fundamental freedoms gives rise to conflicts, including due to different interpretations of human rights norms by the judiciary of the above-mentioned international organizations. Avoiding conflicts, as well as forming a single European system in this area, is possible only in the process of close cooperation between the Court of Justice of the European Union (the EU Court of Justice) and the ECtHR.

The European Court of Human Rights is an international judicial body, its jurisdiction extends to all member states of the Council of Europe that have ratified the European Convention for the Protection of Human Rights and Fundamental Freedoms [1]. The European Court is called upon to ensure the observance and implementation of the norms of the Convention by its member states. Considering and resolving specific cases accepted by the Court for proceedings on the basis of individual complaints filed by an individual, a group of individuals, or a non-governmental organization, the Court implements its tasks. It is also necessary to take into account that it is possible to file a complaint about a violation of the Convention by a member state of the Council of Europe from the side of another member state. The European Court throughout its long history has considered thousands of cases, most of which were complaints from citizens [2, 5]. When lodging an application, the strict rules and conditions of the European Court of Justice must be taken into account. So the subject of the complaint can only be violated rights, which are

guaranteed by the Convention or its Protocols. It should be noted that the list of these rights is quite wide. However, the jurisdiction of the European Court extends only to the Convention for the Protection of Human Rights and Fundamental Freedoms. It should be borne in mind that a complaint can only come from the victim himself; if a complaint is filed by a group of people, each filer must indicate his personal claims. There are also procedural deadlines in the rules for filing complaints it must be filed no later than six months after the final consideration of the issue by the competent state body. One of the important criteria for filing a complaint is the exhaustion of all domestic remedies of one's right and, above all, judicial remedies; only after that the complaint can be declared admissible on the merits. It should be noted that the European Court is not the highest court of a member state, however, but namely the European Court of Human Rights can be regarded as a guarantor in ensuring human rights and freedoms in case of violation of civil, housing, property rights.

When used by an international court, the doctrine turns from a theoretical, sometimes abstract concept into a practical tool for solving the problems facing the Court. Researchers note that in this way the doctrine turns into a legal principle and a method of resolving court cases based on the achievements of the theory of law [11]. Of course, the formation of a doctrine does not take place momentarily: many factors influence its origin, evolution, and approbation [37]. However, it seems unequivocal that the ECtHR, as one of the most demanded bodies of international justice, has an objective need for judicial doctrines: they are designed to streamline case practice, facilitate (as far as possible) the resolution of the most complex and controversial cases, ensure uniformity of applied approaches, etc.

The significance of judicial doctrines is also sound for the interpretation of Article 6 of the Convention. The evolution of the interpretation of the right to a fair trial and the evolution of the doctrines formulated by the Court took place in close conjunction with each other. Indicative one, for example, is the evolution of the efficiency doctrine based on Article 13 of the Convention. This doctrine was first applied in *Golder v. United Kingdom*, in which it was said that the applicant was deprived of the opportunity to initiate a lawsuit and take advantage of the guarantees enshrined in Article 6 ECHR. The British government insisted on a fairly formal reading of Article 6 of the Convention, which did not imply that the applicant had a right of access to the Court. However, this approach was rejected by the Court on the grounds that it deprives the right to a fair trial of effectiveness and makes it too formal [3]. The legal position of the ECtHR in the *Golder* case laid the foundation for the formation of the concept of access to justice, to which the Court subsequently turned more than once.

At the same time, the practice of the European Court of Human Rights also influences the practice of national courts. Thus, it seems appropriate to consider in a complex judicial lawmaking of the European Court of Human Rights and its impact on the case law of national courts.

### 2 Materials and Methods

The theoretical basis of the work is the scientific works of scientists, both on general issues of international law and on international human rights law, international procedural law, international judicial institutions, and the law of international organizations.

The normative base of the research consists of international legal acts and international documents. International legal acts include the UN Charter, the Charter of the Council of Europe and the European Convention for the Protection of Human Rights and Fundamental Freedoms of 1950, which is the founding act of the ECtHR. Numerous treaties in the field of human rights protection, both universal and regional, are also used, the

practice of the ECHR on the application of the provisions of the Convention, internal acts of the ECHR (its rules), as well as various documents adopted by the Parliamentary Assembly of the Council of Europe, the Committee of Ministers of the Council of Europe, and others acts are considered [12-14, 18].

The subject of scientific research involves the use of certain scientific methods to conduct an objective and comprehensive study of the international legal nature and international legal status of the ECtHR and its impact on the development of international human rights law. For a more complete disclosure of the content of the topic, historical, comparative, normative, systemic, logical methods, the method of system-structural analysis and the method of comparative law are used.

### 3 Results and Discussion

The main international treaty at the European regional level is the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms adopted within the Council of Europe (hereinafter referred to as the Convention), to which 47 states are currently parties, that is, almost all states of Europe (in the geographical sense of this term, with the exception of Belarus). In the Convention, only some of the human rights proclaimed in the Universal Declaration of Human Rights of 1948 were enshrined the main ones, in the opinion of its developers, without the possession of which and their effective implementation, a person in a democratic state would be unthinkable.

During its existence, the control mechanism of the Convention has gone through a long evolutionary path from a mechanism with a predominance of quasi-judicial functions and a high role of states in its functioning to a truly independent international control mechanism, the basis of which is the international court [18, 20-26]. As a result, the activities of the control mechanism of the Convention began to be considered, first of all, as the activities of the European Court of Human Rights.

The European Court of Human Rights was one of the first international courts. In the years that have passed since the beginning of the activities of the ECtHR, the number of international judicial institutions has multiplied many times, and the peak of their creation fell on the last quarter of the 20th century. The international community has entrusted international courts with the vital task of maintaining international law and order by ensuring the peaceful resolution of international disputes [29, 30, 32]. The study of international judicial institutions is one of the most urgent tasks of the theory of modern international law.

The legal nature of the European Court of Human Rights has an international legal character. Statements about the supranationality of the ECHR or the presence of signs of supranationality in its activities do not correspond to either the doctrine of international law or the practice of international relations, including the practice of the ECtHR itself. The activities of the ECHR testify not to its supranationality, but to such a progressive phenomenon in modern international law as the strengthening of its (law) normativity and the strengthening of the international order based on law and human rights [8]. The ECtHR is an international court, an independent subspecies of international judicial institutions, which, in turn, are a type of international institutions (associations of states), and this is how it should be called in order to avoid semantic confusion. The uniqueness of the ECtHR as an international court lies in the fact that it is the first international court that combines the consideration of interstate disputes and control functions.

Namely the presence of the ECtHR as a control mechanism provided the European Convention for the Protection of Human Rights and Fundamental Freedoms of 1950 with a special place in the system of sources of international human rights law. The authority and high legal quality of decisions and legal positions of the ECtHR has a significant impact on the practice and institutional structure of other international judicial institutions. In addition, the successful experience of the ECHR has played a

decisive role in the establishment and approval of such international courts as the Inter-American Court of Human Rights and the African Court of Human and Peoples' Rights.

As a result of its activities, the ECtHR ensures the effective implementation of the norms of international human rights law not only at the international, but also at the domestic level [34-36]. This fact also indicates the recognition of international legal regulation by states in the field of human rights and contributes to the development of international human rights law as an independent branch of international law.

The ECtHR pays much attention to the effectiveness of domestic legal remedies, especially the courts. The ECHR has repeatedly emphasized that it is only a subsidiary means of protecting rights and freedoms and that the main responsibility for their observance lies with the member states. Namely the international legal nature of the ECtHR and its status as an international court empowered to make legally binding decisions allowed it to play a decisive role in the emergence of one of the main branches of modern international law International Human Rights Law in a short time.

Recently, a large number of studies have appeared on the functioning of international mechanisms and procedures in the field of human rights, among which absolute leadership is held by works on the European Convention for the Protection of Human Rights and Fundamental Freedoms of 1950 and its control mechanism. However, most of these works are devoted specifically to the procedural aspects of the operation of the control mechanism and the analysis of the content of conventional rights. Many authors focus on the procedure for filing a complaint with the ECtHR, which is due to practical necessity [4]. Certain studies are also being undertaken in the direction of international judicial institutions. Unfortunately, with rare exceptions, the works are devoted to describing the activities of such institutions and analyzing their practices.

Meanwhile, through the judicial interpretation of the European Convention, the general European norms on human rights and fundamental freedoms are put into practice. It is not safe to argue that the acquired European unity will easily strengthen its position through the implementation of *jus commune*, which aims to harmonize fundamental rights, while maintaining the necessary diversity of national legal systems, as well as through the political and economic organization of Europe [6]. Although this arrangement is legitimate and necessarily seeks to unify, it generates inevitable divisions that are ultimately difficult to accept in terms of principles, as they concern societies that, in their own way, reflect the richness of European civilization.

Through the establishment of the European Court of Human Rights, the European Convention, as emphasized earlier, introduced an element of innovation into international relations. The Center for Permanent Lawmaking, inherent in the European Convention and independent of the purely national dimension, checks the conditions of admissibility, establishes the facts, conciliates the parties and decides on the merits of individual complaints (and very on rarely state complaints) [38-40]. This European judiciary, which stands above the national judiciary but does not replace them, shows considerable flexibility, since, in deciding on individual cases, it succeeds in isolating guiding principles designed to regulate the behavior of national authorities and, in particular, the behavior of the legislator, lawyers, and practitioners (judges and lawyers). The activity of the European Court of Human Rights has had a significant impact on the approval of fundamental human rights, the development and expansion of their content, including such fundamental rights as the right to life and the prohibition of torture, as peremptory norms of international law, binding on all states and other subjects of international law. Based on the experience of the ECtHR, universal and regional international legal acts in the field of human rights were developed and created, the provisions of the Convention in the interpretation of the ECtHR were enshrined in the legislation of various states of the world that are not parties to the Convention.



Judges (international or national) are not involved in the daily work of rule-making. Their professional duty is mainly to decide a particular case on the basis of existing laws. They do not intentionally change the laws, realizing that this applies to the legislative branch of government. At the same time, in order to resolve the dispute, starting from the existing rule of law and comprehending all possible meanings and meanings, they, interpreting it, seek to try on the facts of a particular case. All of the above are the stages of judicial lawmaking, which culminate in law enforcement. A specific norm is interpreted from the point of view of the goals and intentions of the legislator, taking into account the history and linguistic manifestations of the law as a whole. That is, the creation of law requires the use of a systematic approach. In cases where the methods of interpretation used cannot cover the range of issues raised by the circumstances of the case under consideration, which urgently require the introduction of a new element, judges give the legal norm a new meaning, and this is the essence of what can also be called law-making activity [9, 15].

The composition of the European Court reflects the different legal systems, in which the professional views of judges were formed, and while jurists trained in the continental system draw their rationale from legal principles, jurists educated in the common law tradition turn to precedent. As a result, such interaction helps the Court to combine respect for the law with the consistency of its practice. At the same time, in any case, there are two important deterrents: the text of the law and the social nature of the problem to be solved. The restrictions in question should not be taken as a constraint on judicial freedom, but as conditions that must be observed. The legal norm, for all the brevity of its textual presentation, can be approached differently in terms of options, scope, and limits of interpretation. Problems of a social nature require a cautious approach. However, it is possible that judges will face a paradox, which lies in the very meaning of judicial activity. When interpreting norms, judges usually look for a social meaning that accurately reflects the needs of society and gives their law-making mission a special role, significance, which is very important for maintaining their authority and respect. The combination of two principles – social conditioning and justice support incentives for judicial lawmaking [9]. Thus, the social nature of the restriction is a rather thin line, the observance of which requires deep knowledge, experience and wisdom from the judges. It seems that the current logic of development will require international courts to cooperate more actively in implementing the concept of economic conditionality of many rights, responding to two serious challenges: the economic crisis and populist democracy. The abstract reaction involves achieving a balance between good governance and the improvement of the economic system and the observance of social human rights.

The active intervention of judges in the form of law-making must be accompanied by public consent, that is, judges have to be receptive to the subtle sensitive sphere of society's needs. This, perhaps, explains the emergence and widespread use of the doctrine of consensus by the ECtHR. Considering the questions raised by the Court's law-making function, former Judge of the Court Mahoney believes that in exercising such vast powers, judges must be able to self-restraint by recognizing and respecting the decisions of "other actors in a democratic society". He calls the condition for the judges' exercise of their powers a "contract of trust", which they must not violate [19].

There are two important pillars, foundations that represent a condition for the development of international justice - judicial law-making and judicial precedent, which have been developed in the practice of the Strasbourg Court in the context of the protection of human rights. Both of them are of fundamental importance for the evolution of human rights law, which requires an in-depth analysis of the facts of the case, the meaning of the applicable norm, the search for new elements and criteria for interpretation aimed at legal certainty and real shifts in law that capture and respond to progressive factors of social development.

The authority and high legal quality of the decisions and legal positions of the ECtHR allow other international judicial institutions to use its practice to establish the content of the norms of international human rights law. The positive experience of the establishment and development of the ECtHR played a significant role in the creation and development of such international courts as the Inter-American Court of Human Rights and the African Court of Human and Peoples' Rights [10, 11].

The activity of the ECHR is one of the main instruments that ensure the effectiveness of the norms of international human rights law both at the interstate and national levels. Moreover, the effectiveness is achieved not only by the direct execution of the decisions and resolutions of the ECtHR by the states parties to the Convention, but also by the influence of the authority of the ECtHR and its activities for the legal consciousness of national law enforcers.

The Strasbourg jurisprudence guidelines deal both with the keys of reading, which are the principles of interpretation and which allow understanding the logical course of legal reasoning (among other things: autonomy of concepts, efficiency, proportionality, margin of appreciation, positive obligations), as well as technical aspects that relate to specific areas procedural law (fair trial, custodial dispute) and to the classical realms of human rights (right to life, prohibition of torture) and fundamental freedoms (privacy, freedom of expression, property rights).

However, lawyers, judges, and other officials very rarely base their activities on the practice of the European Court. They themselves often say that they do not know how to do it [16, 17, 33]. It must be said that even before the first reform of the European Court in 1998, the number of documents decisions and rulings that had a precedent character, amounted to hundreds and even for an experienced lawyer it was very difficult to navigate them.

In addition, as a rule, only particularly significant court decisions acquire a precedent character. Formally binding only for the disputing parties, such a decision in fact becomes an independent source of law [27]. However, it seems rather difficult to develop criteria by which these "particularly significant" decisions can be distinguished.

Some authors express the opinion that a new source of law has appeared international judicial precedent [41]. In fact, the decisions of the ECtHR are the norms of the Convention in their dynamics and development. The ECtHR itself has repeatedly expressed its position in the wording: "The Convention is a living instrument and must be interpreted in the light of today". This type of interpretation in the legal literature is called dynamic-evolutionary [28]. One can claim that for the state, decisions made not only in respect of a case where it is a party, but also in respect of other member states of the Council of Europe, are binding.

Analyzing the decisions of the ECtHR as an act of interpretation of law, the following features can be distinguished: they contain general rules of conduct for their explanation, therefore the decisions of the ECtHR are acts of an authoritative judicial body, and not just normative rules; they are addressed, as a rule, to the participants in the process and are binding. However, unlike the act of interpretation, the decisions of the ECtHR also contain normative instructions, have independent significance and, most importantly, include a decision on the case.

In addition, acts of interpretation are not a form and source of law. Experts believe that "the ECHR, in the process of deciding on a particular case, creates a rule of interpretation" [4]. At the same time, denoting the signs of this norm, the author actually enumerates the signs inherent in the legal positions (ratio decidendi) of the ECtHR.

References to the legal positions in the final judgment, which are developed and applied by the ECtHR in earlier judgments, as



well as new norms that concretize the Convention, provide an opportunity to talk about the degree of their binding. The state is able to take steps in the legislative, law enforcement sphere (to comply with an international treaty – the Convention) precisely thanks to the legal positions contained in the decision of the ECtHR.

In the legal literature, there is also an opinion that the decisions of the ECtHR are law enforcement acts, and, therefore, they cannot be considered part of any national legal system [16]. However, unlike a law enforcement act, the decision of the ECtHR is valid not only for strictly defined situations and persons, but also applies to similar cases in the future, and most importantly, it is designed for repeated use. To confirm this point of view, it is worth referring to the case of *Pretty v. the United Kingdom* [31]. The ECtHR argued about the precedent nature of decisions in specific cases to a greater or lesser extent. In fact, the decision *Pretty v. the United Kingdom* itself was passed and regarded by the ECtHR in such a way that “neither from a practical nor from a theoretical point of view, the Court sees no obstacles to prevent its application in future cases”. At the same time, the applicant's lawyer argued with the ECtHR that the violation of the Convention did not create a precedent in the present case [10].

As M. Entin notes, “Due to the international legal custom formed in Europe and the evolution of constitutional traditions, the decisions of the ECtHR are considered by the member states of the Council of Europe and their judicial bodies as having precedent value, as a common standard, the observance of which is legally binding” [7].

However, the evolutionary interpretation of the norms contained in the Convention is a reflection of the modern development of European society, the trend of legal regulation in the member countries of the Council of Europe. The analysis allows making the following generalization: in fact, every decision of the ECtHR contains an interpretation of the norms of the Convention and its protocols, i.e., gives its normative interpretation. In addition, the decisions of the ECtHR are a precedent for interpretation, a law enforcement act.

The nature of the decisions of the ECtHR is triune it includes signs of an act of interpretation, a law enforcement act, a precedent of interpretation. The center, the core in this understanding is the precedent nature of the decision of the ECtHR, while the presence of legal positions in the structure of decisions of the ECtHR gives it the characteristic of a precedent decision.

In other words, by applying and interpreting the Convention within the framework of a specific case, the ECtHR creates new legal positions in specific circumstances. Decisions of the ECHR can be perceived as acts containing certain rules of law (rules, legal positions) that should be applied when considering similar cases by subjects of law: member countries of the Council of Europe.

For some national courts, not the entire decision is binding, but that part of it that sets out the legal positions of the ECtHR. Therefore, it is necessary to rely on the reasoning part of the decision of the ECtHR when considering the case. However, it is not entirely correct to consider the legal positions of the ECtHR as a source of law, its external expression, since positions represent a rule of law, and the decision of the ECtHR is recognized as a source of law.

In this vein, it is interesting to demonstrate the way in the issue of recognition of judicial lawmaking in European and American law. Thus, Karapetov expresses the opinion about “the impossibility of avoiding judicial lawmaking both in the implementation of gap lawmaking and in the interpretation of the norms of the law. There is judicial law-making, since it is simply impossible to avoid it” [27]. The scientist also notes that “the trend fully corresponds to the all-European line of involving the courts in active lawmaking” [16]. Here, the scientists meant the extremely active law-making of the ECtHR, as well as the

European Court of Justice, which have long assumed the competence to create legal norms based on the interpretation of the extremely abstract principles of the Convention and the fundamental normative treaties that underlie the European Union, respectively” [41].

Indeed, the legal positions of the ECtHR and the European Court can be attributed to “legislative innovations”, which were one of the main driving forces of European integration. By interpreting the fundamental documents, giving them “pro-integration” interpretations, the European judicial authorities are doing what the member states of the European Union and the Council of Europe did not expect when concluding international treaties. It is not surprising that in many countries of continental Europe, where a normative legal act occupies a dominant position as a source of law, the decisions of the ECtHR are judicial acts that are officially recognized as a source of national law.

#### 4 Conclusion

It can be assumed that in the field of protecting human rights and freedoms, the legal positions of the ECtHR affect the rule-making activities of the national bodies of the member states of the Council of Europe, since after identifying a contradiction between national legal acts and the legal positions of the ECtHR, the state is obliged, in accordance with an international treaty, to bring its own legislation into line with the norms of Council of Europe law and decisions of the ECtHR.

Whatever meaning the legal science of the countries of different legal families puts into understanding the judicial precedent, in any case, it is based on the legal position (in our case, the legal position of the ECtHR). The new legal position independently developed by the ECtHR is a rule-making component of the decision, which is the source of law for any member state of the Council of Europe. The above conclusion also points to the demarcation of the concepts of “legal position” and “court decision”, which should not be considered equal.

As a main conclusion, let us clarify that the decisions of the ECtHR have a rule-making component, which is contained in the legal positions of the ECtHR. The legal positions of the ECtHR are understood as the rules of conduct developed by this court by concretizing the norms contained in the Convention and subsequently applied in resolving similar cases. At the same time, consideration of national civil legislation through the prism of the legal positions of the ECtHR reveals the possibility of improving national private law as well.

It is important that the legal positions of the ECHR, reflected in the decisions, make it possible to predict the further forward movement and evolutionary development of civil legislation and law, taking into account all-European trends. In this regard, a certain “privilege” is given to the states parties to the Convention, since it is possible to use the developments of the ECtHR for national legal needs, which already accumulate experience, progressive legal developments in the field of protecting the rights of individuals.

#### Literature:

1. Bessarabov, V. G. (2006). *The European court on human rights*. Moscow: Yurlitinform.
2. Chang, S., & Gupta, S. K. (2021). Scenario Analysis of the Expected Integral Economic Effect from an Innovative Project. *Marketing and Management of Innovations* 3, 237-251. DOI: 10.21272/mmi.2021.3-20.
3. Conway, G. (2002). *The limits of Legal Reasoning and the European Court of Justice*. Routledge.
4. De Salvia, M. (2004). *Precedents of the European Court of Human Rights. Guidelines for the case law relating to the European Convention for the Protection of Human Rights and Fundamental Freedoms*. SPb.: Legal Center Press.
5. Denysov, O., Litvin, N., Lotariyev, A., & Yegorova-Gudkova, T. (2021) Management of state financial policy in the context of

- the Covid-19 pandemic. *Ad Alta: Journal of interdisciplinary research*, 11(2), XX, 52-57.
6. Dzehtsiarou, K., & Tzevelekos, V. (2022). *European Convention on Human Rights Law Review*. Brill-Nijhoff.
  7. Entin, M. L. (2003). Justified court examination according to the rights of European Counsel and European Union. *Constitutional Law: Eastern European Review*, 3, 85-97.
  8. Freitas, L. V. (2015). *The Judicial Activism of the European Court of Justice*. Switzerland, 2015.
  9. Karamanukyan, D. T. (2013) *European Court cases*. Omsk: Juridical Academy.
  10. Kharris, D., O'Boyl, M., & Uorbrik, K. (2016) *The Law of the European Convention on Human Rights*. Moscow: Razvitie pravovykh system.
  11. Kiestra, L. (2014). *The Impact of the European Convention on Human Rights on Private International Law*. T.M.C. Asser Press.
  12. Kostiukevych, R., Mishchuk, H., & Nakonieczny, J. (2020). The impact of European integration processes on the investment potential and institutional maturity of rural communities. *Economics and Sociology*, 13(3), 46-63. DOI:10.14254/2071-789X.2020/13-3/3.
  13. Kryshchanovych, M., Gavkalova, N., & Shulga, A. (2022) Modern Technologies for Ensuring Economic Security in the Context of Achieving High Efficiency of Public Administration. *International Journal of Computer Science and Network Security*. Vol. 22 No. 2 pp. 362-368. DOI: 10.22937/IJCSNS.2022.22.2.42.
  14. Kveliashvili, I., Yevdokymov, V., & Kotviakovskiy, Y. (2021). Legal bases and features of public administration in the budget sphere in Ukraine and foreign countries. *Ad Alta: Journal of interdisciplinary research*, 1(1), XVIII, 63-68.
  15. Letsas, G. (2007). *A theory of Interpretation of the European Convention on Human Rights*. Oxford University Press.
  16. Letzas, G. (2010). Strasbourg's Interpretive Ethic: Lessons for International Lawyer. *European Journal of International Law*, 21(3), 5-15.
  17. Lobov, M. B. (2015). Decisions of the European Court on human rights: legal consequences for member states of the Council of Europe//www.echr-base.ru/lobov.jsp.
  18. Lyulyov, O., Kwilinski, A., Us, Y., & Pudryk, D. (2020). Government Policy on Macroeconomic Stability: Case for Low- and Middle-Income Economies. *Proceedings of the 36th International Business Information Management Association (IBIMA)*. ISBN: 978-0-9998551-5-7. Dated on November, 4-5, 2020. Granada, Spain, 8087-8101.
  19. Mahoney, P. (2011). From Strasbourg to Luxembourg and Back: Speculating about Human Rights Protection in European Union after the Treaty of Lisbon. *Human Rights Law Journal*, 31(2), 32-36.
  20. Marchenko, A., & Akimova, L. (2021) The current state of ensuring the effectiveness of coordination of anticorruption reform. *Ad Alta: Journal of interdisciplinary research*, 11(2), XX, 78-83.
  21. Mihus, I., Laptev, S., & Gaman, N. (2021). Influence of corporate governance ratings on assessment of non-financial threats to economic security of joint stock companies. *Financial and Credit Activity: Problems of Theory and Practice*, 6(41), 223-237. DOI: 10.18371/fcaptop.v6i41.251442.
  22. Mishchuk, H., Bilan, S., & Navickas, M. (2020). Impact of the shadow economy on social safety: The experience of Ukraine. *Economics and Sociology*, 13(2), 289-303. DOI:10.14254/2071-789X.2020/13-2/19.
  23. Mlaabdal, S., Kwilinski, A., & Muzychuk, O. (2020) Economic Growth and Oil Industry Development: Assessment of the Interaction of National Economy Indicators. *Proceedings of the 36th International Business Information Management Association (IBIMA)*, 8102-8114.
  24. Mordvinov, O., Kravchenko, T., & Vahonova, O. (2021). Innovative tools for public management of the development of territorial communities. *Ad Alta: Journal of interdisciplinary research*, 11(1), XVII, 33-37.
  25. Novak, A., Tkachenko, I., & Terska, S. (2022) Anti-corruption as a component of state policy. *Ad Alta: Journal of interdisciplinary research*, 12(1), XXV, 79-87.
  26. Oliynyk, O., Bilan, Y., Mishchuk, H., & Vasa, L. (2021). The Impact of Migration of Highly Skilled Workers on The Country's Competitiveness and Economic Growth. *Montenegrin Journal of Economics*, 17, 3, 7-19. DOI: 10.14254/1800-5845/2021.17-3.1.
  27. Pasa, B., & Bairati, L. (2014). Judicial Creativity Within Europe's "Mixed Jurisdiction". *Tulane European and Civil Law Forum*, Vol. 29.
  28. Pollicino, O. (2004). Legal Reasoning of the Court of Justice in the Context of the Principle of Equality between Judicial Activism and Self-Restraint. *German Law Journal*, 5(3), 18-24.
  29. Rummyk, I., Laptev, S., Sehedra, S., & Karpa, M. (2021) Financial support and forecasting of food production using economic description modeling methods. *Financial and Credit Activity: Problems of Theory and Practice*, 5(40), 248-262. DOI: 10.18371/fcaptop.v4i35.245098.
  30. Seibert-Fohr, A., & Villiger, M. E. (2017). *Judgments of the European Court of Human Rights - Effects and Implementation*. Routledge.
  31. Senden, H. C. K. (2011). *Interpretation of Fundamental Rights in Multilevel Legal System*. Antwerpen.
  32. Serohina, T., Pliushch, R., & Shulga, N. (2022) Pedagogical innovations in public administration and legal aspects: the EU experience. *Ad Alta: Journal of interdisciplinary research*, 12(1), XXV, 7-13.
  33. Seyranov, K. (2010). *Literature review on Precedent law of the European Court on Human Rights*. Dissertation, Malmö högskola/Kultur och samhälle.
  34. Shestakova, S., Bondar, N., & Kuznetsova, M. (2022) Comparative characteristics of social leave: international and foreign experience. *Ad Alta: Journal of interdisciplinary research*, 12(1), XXV, 27-32.
  35. Shpektorenko, I., Vasylevska, T., & Palamarchuk, T. (2021). Legal bases of public administration in the context of European integration of Ukraine: questions of formation of a personnel reserve. *Ad Alta: Journal of interdisciplinary research*, 11(1), XVIII, 76-81.
  36. Smyrnova, I., & Babych, A. (2021). Analysis of The Application of Information and Innovation Experience in The Training of Public Administration Specialists. *IJCSNS International Journal of Computer Science and Network Security*, 21, 3, March 2021, 120-126.
  37. Spano, R. (2014). The European Court of Human Rights and National Courts: A Concrete Conversation or a Dialogue of Disrespect? The Torkel Opsahl Memorial Lecture 2014. Norwegian Center for Human Rights, Friday 28 November 2014.
  38. Sysoieva, I., Poznyakovska, N., & Pohrishchuk, B. (2021). Social innovations in the educational space as a driver of economic development of modern society. *Financial and Credit Activity: Problems of Theory and Practice*, 3(38), 538-548. DOI: 10.18371/fcaptop.v3i38.237486.
  39. Venediktov, V., Boiko, V., & Tyshchenko, O. (2021) European standards of mediation in civil disputes and their implementation in Ukraine: theory and practice. *Ad Alta: Journal of interdisciplinary research*, 11(2), XXI, 25-29.
  40. Zapara, S., Pronina, O., & Lohvinko, M. (2021) Legal regulation of the land market: European experience and Ukrainian realities. *Ad Alta: Journal of interdisciplinary research*, 11(2), XXI, 18-24.
  41. Zupancic, B. (2016, November 17). In the Context of Common Law: the European Court of Human Rights in Strasbourg, Gresham College, Transcript of Lecture.

#### Primary Paper Section: A

#### Secondary Paper Section: AG



PAPERS PUBLISHED IN THE JOURNAL EXPRESS THE VIEWPOINTS OF INDEPENDENT AUTHORS.



