

**НАЦІОНАЛЬНИЙ УНІВЕРСИТЕТ ПРИРОДОКОРИСТУВАННЯ ТА
БІОРЕСУРСІВ УКРАЇНИ**

Кафедра англійської філології

**НАВЧАЛЬНИЙ ПОСІБНИК
«LEGAL ENGLISH»
PART I**

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Навчальний посібник розрахований на студентів вищих юридичних навчальних закладів та факультетів, а також працівників правоохоронних органів, які бажають поповнити свої знання з англійської мови.

Мета посібника – навчити студентів читати та розуміти оригінальну фахову літературу, отримувати необхідну інформацію з юридичних текстів та відтворювати зміст прочитаного англійською або рідною мовою. Саме розуміння прочитаного оригінального матеріалу є одним з найважливіших завдань при навчанні читанню фахової літератури.

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Укладачі: ДУБОВИК ОЛЕНА МИКОЛАЇВНА,
ЧЕРНЕЛЯ ІРИНА МИКОЛАЇВНА

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INTRODUCTION

Навчальний посібник призначений для підготовки студентів за спеціальністю «Правознавство». Інтеграція України в європейську освітню систему, рекомендації МОН України з мовної освіти до вивчення та викладання європейських мов висувають нагальну потребу в розробці національних типових програм, навчальних планів, підручників з мовної підготовки, які б задовольняли сучасні освітні потреби в Україні.

Цей курс є складовим елементом програми вищої школи, що має на меті формування висококваліфікованого конкурентоспроможного фахівця у галузі права, який повинен уміти спілкуватися англійською мовою на професійні теми та здобувати інформацію з новітньої фахової англomовної літератури.

Посібник охоплює увесь необхідний матеріал для опанування студентами такого рівня знань, навичок і вмінь, який дасть змогу спілкуватися, читати та перекладати літературу з фаху. Тому не викликає сумніву актуальність матеріалу, викладеного в запропонованому навчальному посібнику, його необхідність та цінність. Він є спробою певною мірою поповнити дефіцит літератури для студентів, які навчаються за спеціальністю «Правознавство».

Велика кількість текстів дозволяє викладачу здійснювати індивідуальний підхід до кожного студента, охоплювати при груповому обговоренні кожної теми широке коло питань, закріплювати поняття як на рівні правових знань, так і на рівні засвоєння іншомовної лексики.

Посібник розділений на 2 частини, які в свою чергу тематично складаються з текстів, тестів з граматики англійської мови, словника термінів з фаху. Лексичні вправи посібника направлені в першу чергу на активізацію мовленнєвих здібностей з фаху. Розроблену авторами структуру посібника, вибір лексичного та текстового матеріалу можна вважати доцільним та методично обґрунтованим. Вправи комунікативного характеру спрямовані на розвиток репродуктивних навичок і призначені для монологічного і діалогічного мовлення, як усного (вміння коментувати прочитаний (переглянутий) матеріал, робити коротке повідомлення, що торкається загальної фахової проблеми), так і писемного (завдання на складання доповідей, резюме, написання есе, коротких ділових листів, рефератів та наукових статей за фахом, project work і т. ін.).

В основу відбору і організації всього навчального матеріалу покладено тематичний принцип. Він містить розробки тем згідно з програмою з англійської мови. Текстовий матеріал запозичено з оригінальних англійських та американських джерел.

Завдання у кожному уроці побудовані на аутентичному матеріалі, спрямовані на інтеграцію змісту мовлення і засобів вираження думки англійською мовою та утворюють методично виправдану систему вправ, що сприяють досягненню загальної мети - прищепленню навичок спілкування в галузі права. У посібнику поєднується фактична правнича інформація з комунікативними вправами, розрахованими на формування навичок спілкування на професійну тематику.

Сподіваємося, що навчання за цим навчальним посібником принесе Вам задоволення і сприятиме оволодінню англійською правничою термінологією, а сам посібник стане Вашим надійним помічником у спілкуванні фаховою англійською.

Starting test

You don't have to do the whole test at once — you could do numbers 2 to 22 first to test your knowledge of verbs. Choose the correct answer — a), b), c) or d).

Some of the questions are quite difficult, so don't worry if you get them wrong.

I. Words and sentences

1. We gave ... a meal.

- a) at the visitors b) to the visitors
- c) the visitors d) for the visitors

II. Verbs

2. My friend ... the answer to the question.

- a) is know b) know c) knowing d) knows

3. I'm busy at the moment ... on the computer.

- a) I work b) I'm work
- c) I'm working d) I working

4. I think I'll buy these shoes ... really well.

- a) They fit b) They have fit
- c) They're fitting d) They were fitting

5. At nine o'clock yesterday morning we ... for the bus.

- a) wait c) was waiting
- b) waiting d) were waiting

6. Where ... the car?

- a) did you park b) did you parked
- c) parked you d) you parked

7. When I looked round the door, the baby ... quietly.

- a) is sleeping b) slept
- c) was sleeping d) were sleeping

8. We ... to Ireland for our holidays last year.

- a) goes b) going
- c) have gone d) went

9. I've ... made some coffee. It's in the kitchen.

- a) ever b) just
- c) never d) yet

10. Here's my report ... it at last.

- a) I finish b) I finished
c) I'm finished d) I've finished
11. Robert ... ill for three weeks. He's still in hospital.
a) had been b) has been c) is d) was
12. My arms are aching now because ... since two o'clock.
a) I'm swimming b) I swam
c) I swim d) I've been swimming
13. I'm very tired ... over four hundred miles today.
a) I drive b) I'm driving
c) I've been driving d) I've driven
14. When Martin ... the car, he took it out for a drive.
a) had repaired b) has repaired
c) repaired d) was repairing
15. At this time tomorrow ... over the Atlantic.
a) we flying b) we'll be flying
c) we'll fly d) we to fly
16. Don't worry. I ... be here to help you.
a) not b) will
c) willn't d) won't
17. Our friends ... meet us at the airport tonight.
a) are b) are going to c) go to d) will be to
- 18 ... a party next Saturday. We've sent out the invitations.
a) We had b) We have
c) We'll have d) We're having
19. I'll tell Anna all the news when ... her.
a) I'll see b) I'm going to see
c) I see d) I shall see
20. Janet was out of breath because
a) she'd been running b) she did run
c) she's been running d) she's run
21. Where's Robert? ... a shower?

- a) Does he have b) Has he
c) Has he got d) Is he having

22. I ... like that coat. It's really nice.

- a) am b) do
c) very d) yes

III. Questions, negatives and answers

23. What did you leave the meeting early ... ? ~ I didn't feel very well.

- a) away b) because
c) for d) like

24. Which team ... the game?

- a) did it win b) did they win c) won d) won it

25. What's the weather like in Canada? How often ... there?

- a) does it snow b) does it snows
c) snow it d) snows it

26. Are we going the right way? ~ I think

- a) indeed b) it
c) so d) yes

27. You haven't eaten your pudding. ... it?

- a) Are you no want b) Do you no want
c) Don't want you d) Don't you want

28. I really enjoyed the disco. It was great, ... ?

- a) is it b) isn't it
c) was it d) wasn't it

29. Unfortunately the driver ... the red light.

- a) didn't saw b) didn't see
c) no saw d) saw not

IV. Modal verbs

30. The chemist's was open, so luckily I ... buy some aspirin.

- a) can b) can't c) did can d) was able to

31. Susan has to work very hard. I ... do her job, I'm sure.

a) can't b) couldn't c) don't d) shouldn't

32. I've lost the key. I ought ... it in a safe place.

a) that I put b) to be putting

c) to have put d) to put

33. There was no one else at the box office. I ... in a queue.

a) didn't need to wait b) mustn't wait

c) needn't have waited d) needn't wait

34 ... I carry that bag for you? ~ Oh, thank you.

a) Do b) Shall c) Will d) Would

35. We had a party last night ... spend all morning clearing up the mess.

a) I must have b) I've been to

c) I've had to d) I've must

V. Nouns and articles (*a/an* and *the*)

36. I need to buy ...

a) a bread b) a loaf bread

c) a loaf of bread d) breads

37. My father is not only the town mayor, he runs ... too.

a) a business b) a piece of business

c) business d) some business

38. The ... produced at our factory in Scotland.

a) good are b) good is

c) goods are d) goods is

39. I'm looking for ... to cut this string.

a) a pair scissors b) a scissor

c) a scissors d) some scissors

40. I was watching TV at home when suddenly ... rang.

a) a doorbell b) an doorbell

c) doorbell d) the doorbell

41. I've always liked ...

a) Chinese food b) food of China

c) some food of China d) the Chinese food

42. In England most children go ... at the age of five.

a) school b) to school

c) to some schools d) to the school

43. We haven't had a holiday for ... time.

a) a so long b) so a long

c) such a long d) such long

44. Our friends have a house in ...

a) a West Berlin b) the West Berlin

c) West Berlin d) West of Berlin

VI. The infinitive and the ing-form

45. The driver was arrested for failing ... an accident.

a) of report b) report

c) reporting d) to report

46. Someone suggested ... for a walk.

a) go b) going

c) of going d) to go

47. I didn't like it in the city at first. But now ... here.

a) I got used to living b) I'm used to living

c) I used to live d) I used to living

48. They raised the money simply ... for it. It was easy.

a) asking b) by asking

c) of asking d) with asking

49. As we walked past, we saw Nigel ... his car.

a) in washing b) to wash c) wash d) washing

50. The police want ... anything suspicious.

a) that we report b) us reporting

c) us to report d) we report

51. We weren't sure ... or just walk in.

a) should knock b) to knock

c) whether knock d) whether to knock

52. It was too cold ... outside.

a) for the guests eating b) for the guests to eat

c) that the guests should eat d) that the ;

53. Did you congratulate Tessa ... her exam?

a) of passing b) on passing

c) passing d) to pass

VII. The passive

54. We can't go along here because the road is ...

a) been repaired b) being repaired

c) repair d) repaired

55. The story I've just read ... Agatha Christie.

a) was written b) was written by

c) was written from d) wrote

56. Some film stars ... be difficult to work with.

a) are said b) are said to

c) say d) say to

57. I'm going to go out and ...

a) have cut my hair b) have my hair cut

c) let my hair cut d) my hair be cut

VIII. This, my, some, a lot of, all, etc

58. I don't want to buy any of these books. I've got ...

a) all b) all them

c) everything d) them all

59. It's so boring here. Nothing ever happens in ... place.

a) that b) these

c) this d) those

60. Is that my key, or is it ... ?

a) the yours b) the your's

c) your d) yours

61. Adrian takes no interest in clothes. He'll wear

- a) a thing b) anything
- c) something d) thing

62. There's ... use in complaining. They probably won't do anything about it.

- a) a few b) a little
- c) few d) little

IX. Prepositions

63. The village is ... Sheffield. It's only six miles away.

- a) along b) by
- c) near d) next

64. You can see the details ... the computer screen.

- a) at b) by
- c) in d) on

65. I've got a meeting ... Thursday afternoon.

- a) at b) in
- c) on d) to

66. We've lived in this flat ... five years.

- a) ago b) already
- c) for d) since

67. This car is ... if you're interested in buying it.

- a) for sale b) in sale
- c) on sale d) to sell

68. Polly wants to cycle round the world. She's really keen ... the idea.

- a) about b) for
- c) on d) with

X. Pronouns

69 Let's stop and have a coffee ... a cafe over there, look.

- a) Is b) It's
- c) There d) There's

70. Everyone in the group shook hands with

- a) each other b) one other
- c) one the other d) themselves

71. The washing-machine has broken down again. I think we should get

- a) a new b) a new one
- c) new d) new one

72. All the guests were dancing ... having a good time.

- a) All were b) Every was
- c) Everyone was d) Someone were

XI. Adjectives and adverbs

73. The house was ... building.

- a) a nice old stone b) a nice stone old
- c) a stone old nice d) an old nice stone

74. The government is doing nothing to help ...

- a) poor b) the poor
- c) the poors d) the poor ones

75. The young man seems very ...

- a) sensible b) sensibly
- c) sensibly d) sensibly

76. I ... missed the bus. I was only just in time to catch it.

- a) mostly b) near
- c) nearest d) nearly

77. This detailed map is ... the atlas.

- a) more useful as b) more useful than
- c) usefuller as d) usefuller than

78. This place gets ... crowded with tourists every summer.

- a) always more b) crowded and more
- c) from more to more d) more and more

79. Yes, I have got the report ... it.

- a) I just am reading b) I'm just reading
- c) I'm reading just d) Just I'm reading

80. I've read this paragraph three times, and I ... understand it.

a) can't still b) can't yet

c) still can't d) yet can't

81. We're really sorry. We regret what happened ...

a) a bit b) much

c) very d) very much

XII. Verbs with prepositions and adverbs

82. Don't go too fast. I can't keep ... you.

a) on to b) on with

c) up to d) up with

83. I prefer dogs ... cats. I hate cats.

a) from b) over

c) than d) to

84. My father used the money he won to set ... his own company.

a) forward b) on

c) out d) up

XIII. Reported speech

85. The librarian asked us ... so much noise.

a) don't make b) not make

c) not making d) not to make

86. Someone ... the tickets are free.

a) said me b) said me that

c) told me d) told to me

87. Last week Justin said "I'll do it tomorrow. "He said he would do it

a) the following day b) the previous day

c) tomorrow d) yesterday

88. I don't know why Nancy didn't go to the meeting. She said she definitely going.

a) be b) is

c) was d) would

XIV. Relative clauses

89. What's the name of the man ... gave us a lift?

a) he b) what

c) which d) who

90. What was that notice ... ?

- a) at that you were looking b) you were looking at
c) you were looking at it d) which you are looking

91. Susan is the woman ... husband is in hospital.

- a) her b) hers the
c) whose d) whose the

92. York, ... last year, is a nice old city.

- a) I visited b) that I visited
c) which I visited d) whom I visited

93. The accident was seen by some people ... at a bus stop

- a) waited b) waiting
c) were waiting d) who waiting

XV. Conditionals and *wish*

94. If only people ... keep sending me bills!

- a) don't b) shouldn't
c) weren't d) wouldn't

95. If ... my passport, I'll be in trouble.

- a) I lose b) I'll lose
c) I lost d) I would lose

96. I haven't got a ticket. If ... one, I could get in.

- a) I'd have b) I had
c) I have d) I've got

97. If the bus to the airport hadn't been so late, we ... the plane.

- a) caught b) had caught
c) would catch d) would have caught

XVI. Linking words

99. Ivan put the electric fire on ... warm.

- a) for getting b) in order get
c) so he gets d) to get

100. She just had to take the dog out ... of the awful weather.

- | | |
|----------------|-------------|
| a) although | b) despite |
| c) even though | d) in spite |

UNIT 1

WHY I STUDY LAW

Society can't do without law and lawyers.

Law is a vital part of our environment, it applies to all of us all the time, governs everything we do, and helps make society what it is.

Law may be used in many senses: we may speak of the laws of physics, mathematics, etc. When we speak of the law of a state, we use the term 'law' in a special sense, and in that sense law may be defined as a rule of human conduct, imposed upon and enforced among the members of a given group or society.

Conflicts and problems are inevitable: in families, schools, offices, factories and neighborhoods, they are the natural outcome of group living. I want to do one thing, you want to do another, and we can't do both. Law is a mechanism for resolving and preventing conflicts. It uses reasonable argument instead of force for solving problems.

Men resort to various kinds of rules to guide their lives: rules or laws are drawn up to ensure that members of society may live and work together in an orderly and peaceful manner.

Now that Ukraine has become an independent state, we are confronted with the challenging task of building up a democratic, law-based state, the state where all are equal before the law where the rule of law is recognized and effective.

According to Article 3 of the Constitution of Ukraine which was adopted on 28 June 1996, 'The human being, his or her life and health, honor and dignity, inviolability and security are recognized in Ukraine as the highest social value. Human rights and freedoms and their guarantees determine the essence and orientation of the activity of the State... To affirm and ensure human rights and freedoms is the main duty of the State.'

The profession of a lawyer has become a symbol of maturing democracy as lawyers serve the people and protect the people, their human rights and fundamental freedoms.

I have chosen the profession of a lawyer because I am eager to serve the people and defend their rights. No matter where I work after the graduation, whether I become a prosecutor, an investigator, an advocate or a judge, I am quite sure that I will become quite knowledgeable in the sphere of law. I might specialize in administering justice, strengthening legality, organized crime combating, crime prevention and combating drug trafficking. I am also interested in legal regulation of administrative, financial and economic relations. However, in every sphere of law it is extremely important to uphold main principles of justice administration, always be impartial, objective and fair.

Activity 1.

Memorize the following words and word combinations.

<u>society</u>	<u>суспільство</u>
<u>law</u>	<u>закон, право</u>
<u>lawyer</u>	<u>юрист, правник</u>
<u>environment</u>	<u>оточення</u>
<u>inevitable conflicts</u>	<u>неминучі конфлікти</u>
<u>natural outcome</u>	<u>природний результат</u>
<u>to prevent conflicts</u>	<u>запобігати конфліктам</u>
<u>to resolve conflicts</u>	<u>вирішувати конфлікти</u>
<u>to enforce law</u>	<u>забезпечувати дотримання законів</u>
<u>instead of force</u>	<u>замість сили</u>
<u>reasonable argument</u>	<u>розумний аргумент</u>
<u>independent state</u>	<u>незалежна держава</u>
<u>law-based state</u>	<u>правова держава</u>
<u>equal before the law</u>	<u>рівні перед законом</u>
<u>to ensure human rights</u>	<u>забезпечувати права людини</u>
<u>the highest social value</u>	<u>найвища соціальна цінність</u>
<u>Prosecutor</u>	<u>прокурор</u>
<u>Investigator</u>	<u>слідчий</u>
<u>Advocate</u>	<u>адвокат</u>
<u>Judge</u>	<u>суддя</u>
<u>to administer justice</u>	<u>здійснювати правосуддя</u>
<u>administration of justice</u>	<u>здійснення правосуддя</u>
<u>to strengthen legality</u>	<u>зміцнювати законність</u>
<u>organised crime combating</u>	<u>боротьба з організованою злочинністю</u>
<u>legal regulation</u>	<u>правове регулювання</u>
<u>crime prevention</u>	<u>запобігання злочинності</u>
<u>to prevent crime</u>	<u>запобігати злочинності</u>
<u>combating drug trafficking</u>	<u>боротьба з розповсюдженням наркотиків</u>
<u>to combat drug trafficking</u>	<u>боротися з наркоторгівлею</u>
<u>Impartial</u>	<u>безсторонній</u>
<u>Objective</u>	<u>об'єктивний</u>
<u>Fair</u>	<u>чесний, справедливий</u>
<u>to take a full course of law</u>	<u>слухати повний курс права</u>
<u>Theory of State and Law</u>	<u>теорія держави і права</u>
<u>History of State and Law of Ukraine</u>	<u>історія держави і права України</u>
<u>History of State and Law of Foreign Countries</u>	<u>історія держави і права зарубіжних країн</u>
<u>Criminal Law and Procedure</u>	<u>кримінальне право і процес</u>
<u>to enter law faculty</u>	<u>вступити на юридичний факультет</u>
<u>Curriculum</u>	<u>навчальний план</u>
<u>Law Enforcement Bodies</u>	<u>правоохоронні органи</u>

<u>Roman Law</u>	<u>римське право</u>
<u>Civil Law</u>	<u>цивільне право</u>
<u>Administrative Law</u>	<u>адміністративне право</u>
<u>Civil Procedure</u>	<u>цивільний процес</u>
<u>Financial Law</u>	<u>фінансове право</u>
<u>Labour Law</u>	<u>трудове право</u>
<u>constitutional protection</u>	<u>конституційний захист прав</u>
<u>of human rights</u>	<u>людини</u>
<u>to submit a year paper</u>	<u>подавати курсову роботу</u>
<u>research into some legal issues</u>	<u>дослідження деяких правових проблем</u>
<u>to do without law</u>	<u>обійтися без права</u>
<u>to nurture the maturing of democracy</u>	<u>плекати формування демократії</u>
<u>fragile</u>	<u>тендітний</u>
<u>destruction</u>	<u>руйнування</u>
<u>to abuse</u>	<u>зловживати</u>
<u>welfare state</u>	<u>держава загального достатку</u>
<u>totalitarian state</u>	<u>тоталітарна держава</u>
<u>to exercise powers</u>	<u>здійснювати повноваження</u>
<u>executive power</u>	<u>виконавча влада</u>

Activity 2.

Role play the conversation:

- **When did you leave school?**
- Several months ago. And I've become a first-year student of National University of Life And Enviromental Sciences of Ukraine. Now I am taking a full course of law. We study Theory of State and Law, History of State and Law of Ukraine and Foreign Countries as well as Logic and History of Ukraine.
- **Are you a full-time or a part-time student?**
- I am a full-time student. But my sister combines her work and studies at the University, she is a part-time student. I am going to specialise in Criminal Law and Procedure. I made up my mind to enter the law faculty a few years ago when I was still at school.
- **What do you know about the curriculum at the University?**
- Not much. But I do know that as soon as we are through with Roman Law, we are going to pass over to the study of Civil Law and Civil Procedure.
- I see. Frankly speaking, I take a special liking to Civil Law.
- **What other subjects are taught at the Law Faculty?**

- Logic, Law Enforcement Bodies, Roman Law, Criminal Law and Procedure, Civil Law, Administrative Law, Financial Law, Labour Law, History of Ukraine, Latin, English, etc. When I am in my fourth year, I am going to devote myself to the special study of the constitutional protection of human rights in Ukraine and justice administration in our country. Each year we are to submit a year paper which is supposed to be a research into some legal issues.
- **Why have you chosen law as your future profession?**
- It is well-known that society can't do without law and lawyers. They serve and protect the people, their rights and individual freedoms. They symbolise and nurture the maturing of democracy in our society. But democratic institutions are fragile flowers. They must be guarded and tended for as democracy carries within it the seeds of its own destruction by giving freedom to citizens which some will abuse. According to Lord Denning, one of the best-known and influential judges Britain has known, former Master of the Rolls, 'properly exercised, the new powers to the executive lead to the welfare state, but abused they lead to the totalitarian state.

Note: Master of the Rolls- the judge who is President of the t'i vil Division of the Court of Appeal in the UK. The office is an ancient one and was originally held by the keeper of the public records. Later the holder was a judge of the Court of Chancery and assistant to the Lord Chancellor. Since 1881 he has been the president of the Court of Appeal only, but retains important duties in relation to the public records. He also admits solicitors to practice.

Activity 3.

Express you agreement or disagreement with the statements in the text and dialogue above. Begin your arguments with the following expressions:

I fully agree with the previous speaker...

I can't agree with...

I disagree with...

In my opinion...

To my mind...

Activity 4.

Ask your partner to answer the following questions:

1. Why can't society do without law and lawyers?
2. How can law be defined?
3. Why are conflicts inevitable?

4. In what way can conflicts be resolved?
5. What task are we confronted with now?
6. What determines the essence and orientation of the activity of the State?
7. How can a law-based state be defined?
8. What branch of law are you interested in most of all?
9. What foreign languages do you study at the National University of Life And Enviromental Sciences of Ukraine?
10. Which languages are the official languages of the Council of Europe?
11. When did Ukraine gain independence?
12. When did Ukraine become a member-state of the Council of Europe?

Activity 5.

Translate the following questions into English and ask your partner to answer them:

1. Чому ви обрали професію юриста?
2. Коли ви вирішили стати юристом?
3. Коли ви вступили до Національного Аграрного університету?
4. Що ви знаєте про навчальний план юридичного факультету?
5. Які предмети вивчають студенти 1 курсу?
6. Коли ви будете вивчати кримінальне право та кримінальний процес?
7. Чому суспільство не може обійтися без права та правників?
8. Скільки іноземних мов ви вивчали у школі?
9. Якою іноземною мовою ваш друг може вільно говорити?

Activity 6.

Make up dialogues according to the model:

Dialogue 1.

- Do you speak French?
- No, I don't, but my sister does. She is very good at French. I think it is very important to know French as it is spoken in quite a lot of countries. Besides France it is spoken in Canada, Switzerland and... (Consult the table below). In addition, French is one of the two languages of the Council of Europe.

Dialogue 2.

- Do you speak German?
- Yes, but just a little bit. I'm afraid I'm not very fluent in German. But some of my friends are fluent German speakers.

- People in many countries speak German. As far as I know, German is spoken in... (Consult the table below).

Nations and Nationalities

<u>Country</u>	<u>Adjective</u>	<u>Person</u>	<u>Money</u>	<u>Language(s)</u>
Albania	Albanian	Lek	Albanian	
Australia	Australian	Austr. dollar	English	
Austria	Austrian	Euro	German	
Belgium	Belgian	Euro	Flemish/ Dutch/ French, German	
Brazil	Brazilian		real	
Bulgaria	Bulgarian		lev	
Canada	Canadian		Canadian	
			dollar	
Chile	Chilean		Chilean peso	
China	Chinese		yuan	
Croatia	Croatian	Croat	dinar	
Cyprus	Cypriot		Cyprus pound	
Czech	Czech		koruna	
Republic Denmark	Danish	Dane	Danish krone	
Egypt	Egyptian		Egyptian	
			pound	
Finland	Finnish	Finn	Marka	
France	French	French	euro	
Georgia	Georgian	wo(man)	lari	
Germany	German		euro	
Hungary	Hungarian		forint	
Iceland	Icelandic	Icelander	krona	
India	Indian		Indian rupee	
Iran	Iranian		Iranian rial	
Iraq	Iraqi		Iraqi dinar	
Ireland	Irish	Irish (wo)man	Irish pound	
Israel	Israeli		Israeli shekel	
Italy	Italian		euro	
Japan	Japanese		yen	
Latvia	Latvian		lat	
Lithuania	Lithuanian		lit	
Mexico	Mexican		Mexican peso	

Mongolia	Mongolian	Mongol	tugrik	
The Netherlands	Dutch	Dutch	euro	
New Zealand	New Zealand	(wo)man New Zelande	NZ dollar	
Norway	Norwegian		Norwegian	
Poland	Polish	Pole	krone zloty/euro	
Portugal	Portuguese		euro	
Romania	Romanian		leu (pi lei)	Romanian
Russia	Russian		rouble	Russian
the Slovak Republic			Slovak crown	Slovak
Slovenia	Slovene/ Slovenian		tolar	Slovene, Serbo-Croat
Spain	Spanish	Spaniard	euro	Spanish
Sweden	Swedish	Swede	Swedish krona	Swedish
Switzerland	Swiss		euro	German, French, Italian
Turkey	Turkish	Turk	Turkish lira	Turkish
Ukraine	Ukrainian		hryvnia	Ukrainian
The United Kingdom	British	Briton	pound sterling	English
The United States	American			English
Vietnam	Vietnamese			Vietnamese
Yemen	Yemeni			Arabic

Notes

For most countries, the adjective in column two is also used as a noun to refer to people from that country. You can use it to talk about a particular group of people: I was chatting to a couple of Australians on the train, or to all the people in general belonging to a country: Ukrainians gained their independence in 1991. Sometimes there is a special noun for people from a country (column three, person): ‘Have you ever met any Danes?’ ‘Yes, I shared a room with a Danish student once.’

Nouns ending in —ese, -ss or -ch do not change in the plural: Three Chinese and two Swiss came to the meeting. The Dutch are generous people. The English like to play football.

The United Kingdom is made up of Great Britain and Northern Ireland. Great Britain is made up of England, Scotland and Wales, so that Scottish and Welsh people are also British, but not English.

Activity 7.

Express your agreement or disagreement with the statements below. Use one of the patterns:

Yes, you are quite right.

No, you are wrong.

I am afraid you are mistaken. He does not study...

UNIT 2

NATIONAL UNIVERSITY OF LIFE AND ENVIROMENTAL SCIENCES OF UKRAINE

National University of Life And Enviromental Sciences of Ukraine is a higher educational institution which trains specialists for all branches of agriculture and undertakes research. It enjoys a special status among the institutions of higher learning in Ukraine. It is number one Agrarian University in Ukraine and a major centre of advanced learning and progressive thinking. It ranks high among the universities of the world.

National University of Life And Enviromental Sciences of Ukraine dates back to the end of the 19th century. The Agricultural Faculty at Kyiv Polytechnic Institute, founded in 1898, provided the foundation upon which Kyiv Agricultural Institute was built in 1923. In 1954 Agricultural and Forestry Institutes were united into the Ukrainian Agricultural Academy. In 1957 Kyiv Veterinary Institute joined the Ukrainian Agricultural Academy. In August 1992 on the basis of Ukrainian Agricultural Academy, Ukrainian State Agrarian University was established which gained the status of National University of Life And Enviromental Sciences of Ukraine in 1994.

Over 18 thousand students study at NULES and its regional higher educational institutions at such faculties as Agronomy, Agri-Chemistry and Soil Science, Plant Protection and Biotechnologies, Fruit and Vegetables Growing, Zooengineering, Water Bioresources and Aquiculture, Veterinary Medicine, Foodstuffs Quality and Safety, Faculty of Economics, Faculty of Law, Agrarian Management, Agriculture Mechanization, Agriculture Electrification and Automation, Construction and Design, Forestry, Horticulture, Parks and Landscape Architecture, Land Management, Pedagogics, etc.

Some of the students study full-time, others study by correspondence, i.e. they combine work and studies at the University.

NULES trains Junior specialists, Bachelors, Specialists and Masters. The academic curricula of training Junior specialists, Bachelors, Specialists and Masters on the basis of secondary schools have been elaborated.

Over 1,100 lecturers and scholars including 38 Academicians of the Ukrainian National Academy of Sciences, 195 professors, doctors of science, 650 associate professors, candidates of sciences and 230 post-graduates work at the University.

The rector of the University is Dmytro Melnychuk, Doctor of Biology, Professor, Academician of the National Academy of Sciences and the Ukrainian Academy of Agrarian Sciences, Honoured Worker of Science and Technology of Ukraine, Honorary Professor of Iowa University (USA), Berlin University (Germany) and Ghent University (Belgium). Dmytro Melnychuk is the President of Global Consortium of Higher Education and Research for Agriculture.

Faculty members, scholars and scientists of the National Agrarian University have made worthy contribution to the development of science in Ukraine. Among NULES graduates one can find a considerable number of state and political figures such as deputies of Verkhovna Rada Ivan Plusch, Oleksandr Moroz, and Valeriy Samoplavsky, Chairman of the State Committee for Land Resources, Anatoliy Danylenko, director of the Institute of Agrarian Economy of Agri-Industrial Complex P.T. Sabliuk, president of the Ukrainian Academy of Agrarian Sciences M.V. Zubetz and others. After Ukraine gained independence, the University was confronted with new objectives and requirements. It is striving to improve its system of training specialists since its graduates are to work in various sectors of the political, social and economic system of independent Ukraine. University graduates are expected to be highly qualified, patriotic and aware of the tasks facing the new Ukraine; they must be open to national ideals and feel responsible for what they are required to do; they are expected to be able to demonstrate a creative approach to solving urgent issues of today and tomorrow, and to think in terms of long-term and wide-ranging reforms. A lot of students are involved in research work; with students' research society and clubs functioning. NULES establishes and maintains creative relations with numerous foreign educational institutions.

The National University of Life And Environmental Sciences of Ukraine is located in the southern part of Kyiv in one of the most beautiful places — Holosiyiv park. Teaching personnel and students are provided with hostel accommodation. Around the campus there is a forest of about 2,500 acres with many picturesque lakes and recreation zones.

The doors of the NULES are open to anyone who is eager to devote himself or herself to enhancing the intellectual potential of Ukraine and to developing its science and economy.

Activity 1.

Memorise the following words and word combinations.

to undertake research	займатися науково-дослідною роботою
to enjoy a special status	мати особливий статус
to rank high	високо цінувати (ся), мати високий статус

progressive thinking	прогресивне мислення
Agri-Chemistry	агрохімія
Soil Science	ґрунтознавство
Plant Protection and Biotechnologies	захист рослин та біотехнології
Fruit and Vegetables Growing	плодоовочівництво
Water Bioresources and Aquiculture	водні біоресурси та аквакультура
Foodstuffs Quality and Safety	якість та безпека продуктів
Forestry	лісове господарство
1 horticulture	садівництво
1 an scape Architecture	ландшафтна архітектура
1 and Management	землепорядкування
Full-time students	студенти стаціонарної форми навчання
to study by correspondence	вчитися заочно
Bachelor of Law	бакалавр права
Master of Law	магістр права
to elaborate	розробити
State Committee for Land Resources	Державний комітет по земельних ресурсах
worthy contribution to the development of science	гідний внесок у розвиток науки
to gain independence	здобути незалежність
to improve the system of training specialists	удосконалювати систему підготовки спеціалістів
objective	мета
requirement	вимога, потреба
graduates	випускники
to be highly qualified	бути висококваліфікованим
to be aware of the tasks facing Ukraine	усвідомлювати завдання, що постають перед Україною
responsible for	відповідальний за
creative approach to	творчий підхід до
urgent issues of today	нагальні проблеми сьогодення
research work	наукова праця
Students' research society	студентське наукове товариство
to establish	встановлювати
to maintain	підтримувати
hostel	гуртожиток
to enhance the intellectual potential	підвищувати інтелектуальний потенціал

Activity 2.

Write an outline of your story about the University.

Activity 3.

Now write a summary of the text. Use the following key words:

train specialists, undertake research, enjoy a special status, rank high, make a worthy contribution, to be confronted with, highly qualified, open to national ideas, feel responsible for, demonstrate a creative approach, solve urgent issues of today and tomorrow, in terms of wide-ranging reforms.

Activity 4.

Translate the following questions into English and ask your partner to answer them:

1. Коли було засновано Аграрний університет?
2. Який статус має Аграрний університет?
3. Чи не могли б ви назвати імена видатних вчених — викладачів університету?
4. Чи знаєте ви імена видатних діячів науки і політики - випускників Аграрного університету?
5. Скільки факультетів є в університеті?
6. Скільки студентів навчається в університеті?
7. Які нові завдання постали перед університетом?
8. Де знаходиться університет?

Activity 5.

Read the questions and ask your partner to answer them

1. Where do you study?
2. What will you be after graduation?
3. What year are you in?
4. How many years does the course of studies last?
5. Are your studies free of charge?
6. Do you take many courses?
7. How many lectures and seminars do you have every day?
8. What special courses do you take ?

9. When do your classes begin?
10. When are your lectures over?
11. Do you live at home or in the hostel?

Proverbs and quotations to be discussed:

1. A bird in the hand worth two in the bush.
2. A burden of one's own choice is not felt.
3. A burnt child dreads the fire.
4. A man who dares to waste one hour of life has not discovered the value of life.
(Charles Darwin).

UNIT 3

Training Lawyers in Ukraine

Requirements to the contents, scope and level of the educational and professional training in Ukraine are determined by the Law of Ukraine «On Education» of 1991. The Law establishes a four level system of higher education and defines qualification requirements for junior specialists and bachelor degree holders (basic higher education), specialists and master degree holders (complete higher education). The system of education also includes postgraduate education (Candidate's or Doctor's Degree).

As the legal profession becomes very prestigious and much in demand, a large network of legal educational institutions and faculties has been established in Ukraine recently. The higher educational establishments (HEE) that train lawyers in Ukraine include: technicums, colleges, institutes, academies, universities and other establishments. HEE have four degrees of accreditation based on their status:

- the first degree - technicum or other HEE of the equal status; - the second degree - college or other HEE of the equal status; - the third and the fourth degrees (depending on the results of accreditation) - institute, academy, university and other HEE equal to them,

Legal education in Ukraine is centred in the state and private colleges and universities. The four year education gives a bachelor's degree; graduates after five year studies receive a certificate of a specialist. Everybody has a possibility to continue his/her education and scientific research at the master's and postgraduate courses.

Higher education graduates are awarded qualifications of the appropriate educational-proficiency levels and they are granted diplomas of the state format. The Diploma is a state-recognized document which serves as both an educational certificate and a professional licence. It confirms the attainment of the appropriate higher educational level and a certain professional qualification in some speciality. The Law of Ukraine «On Higher Education» (2002) establishes the following types of documents that confirm higher education qualifications:

Diplom Molodshoho Spetsialista (Diploma/ qualification of Junior Specialist),

Diplom Bakalavra (Diploma/ qualification of i Diplom Spetsialista (Diploma/ qualification of Specialist), Diplom Mahistra (Diploma/ qualification of Master). At the postgraduate level Ukraine has a two-degree system. The first qualification is the Candidate of Sciences (a scientific degree of Kandidat Nauk). It normally requires at least three years of postgraduate study (aspirantura) after the award of the Specialist or the Master diploma. For this qualification a thesis (dissertation) must be submitted and defended. The second qualification is the Doctor of Sciences (a scientific degree of Doktor Nauk), the highest scientific degree in Ukraine. This qualification requires some period of studies (doktorantura) following the award of Kandidat Nauk degree. The dissertation for this degree must make an original contribution to a certain field of science.

A public defence of the dissertation is held in the form of a public presentation and scientific debates.

Activity 1.

Memorise the following words and word combinations.

to meet community demands	задовольняти вимоги громадян
police\community liaison group	групи зв'язку поліції з громадкістю
priority issue	пріоритетна проблема
ethnic minorities	етнічні меншини
equal opportunities policy	політика рівних можливостей
to detain	затримувати
suspect	підозрюваний
accused	обвинувачуваний
free of charge	без оплати
to delay	затримувати
to exercise right	здійснювати права
to give evidence	давати свідчення
Warrant	ордер
to recruit	набирати
to appoint	призначати
to perform one's duties in one's spare time	виконувати обов'язки у свій вільний час

Activity 2.

Answer the following questions using the information from the text:

1. What does the Law of Ukraine «On Education» determine
2. What is a four level system of higher education in Ukraine?
3. What is postgraduate education
4. Why has a large network of legal educational institutions been established in Ukraine recently?
5. What are the types of Ukrainian higher educational institutions that train lawyers?
6. What degrees are given to students of HEEs after four and five years of education
7. What is the Diploma granted to higher education graduates?
8. What is the first qualification of the postgraduate level in Ukraine? What are the requirements to it?
9. What is the second qualification of the postgraduate level in Ukraine? What are the requirements to it?

Activity 3.

Define whether the statements are true or false according to the text.

1. The Law of Ukraine «On Education» establishes a four level system of higher education.
2. The five year education gives a bachelor's degree; graduates after four year studies receive a certificate of a specialist.
3. The first postgraduate qualification in Ukraine is a master's degree.
4. The dissertation for a scientific degree of the Doctor of Sciences (Doktor Nauk) must make an original contribution to a certain field of science.
5. The Candidate of Sciences (a scientific degree of Kandidat Nauk) is the highest scientific degree in Ukraine.
6. The Diploma must not be recognized by the state.

Activity 4.

Complete the following sentences consulting the text:

1. Requirements to the contents, scope and level of the educational and professional training in Ukraine are determined by
2. A large network of legal educational institutions has been established in Ukraine recently because....
3. The higher educational establishments (HEE) that train lawyers in Ukraine include:
4. Everybody has a possibility to continue his/her education and scientific research....

5. Higher education graduates are awarded qualifications of... and they are granted diplomas of....

6. A public defence of the dissertation is held in the form of....

Activity 5.

Complete the table:

Higher education Postgraduate education professional training, junior specialists, bachelor degreeholders, master degree holders, the Doctor of Sciences, a certificate of a specialist, scientific degree, to make a contribution, a four level system, scientific debates, basic higher education, complete higher education, a two-degree system, the Candidate of Sciences, a thesis, higher educational level, public defence.

Activity 6.

1) Give English equivalents: встановлювати кваліфікаційні вимоги, захищати дисертацію, готувати юристів, включати в себе, представляти на розсуд, проводити захист, робити внесок, вимагати, отримувати, підтверджувати.

2) Give Ukrainian equivalents: field of science, level, scientific degree, professional training, professional licence, higher education, qualification requirements, junior specialists, bachelor's degree, master's degree, legal profession, legal educational institutions, certificate of a specialist, scientific research, graduate, appropriate educational-proficiency level.

Activity 7.

Translate the sentences into English:

1. Вимоги до змісту, обсягу та рівня освітньої професійної підготовки в Україні визначені Законом України «Про освіту».

2. Чотирирічна освіта дає ступінь бакалавра; випускники вищих навчальних закладів після п'яти років навчання отримують диплом спеціаліста. Диплом — це визнаний державою документ, який служить і свідоцтвом про отримання освіти, і дозволом на здійснення професійної діяльності. Диплом підтверджує отримання відповідного рівня вищої освіти. Найвищий науковий ступінь в Україні — доктор наук. Вищі навчальні заклади в Україні, що готують юристів, включають технікуми, коледжі, інститути, академії, університети.

Activity 8.

1) Make up the sentences using the Present Simple Tense as in the model. Model: The Law of Ukraine «On Education» / to establish/a four level system of higher education. The Law of Ukraine (On Education» establishes a four level system of higher education.

1. The Diplomas the attainment of a certain professional qualification / to confirm.

2. The four year education/ does not a master's degrees to give.

3. to requires the qualification of the Candidate of Sciences/ does/ three years of postgraduate study?

4. Everybody/apossibility/to continues to have/his/her postgraduate education.

2) Make the sentences in the Present Simple Tense correct:

1. The system of education also include postgraduate education.

2. What these students know about this higher educational institution?

3. Does this qualification requires any special studies?

4. These students doesn't have a certificate of a specialist.

5. Do the Diploma serves as a professional licence?

Activity 9.

1. Some people believe that university students should be required to attend all the classes. Others believe that going to classes should be optional for students. Which point of view do you agree with? Give grounds to your answer.

2. Some students prefer to attend a small higher educational establishment. The others prefer to attend a big university. Discuss the advantages and disadvantages of each.

3. Discuss the following points: 1) A level of education defines future life of a person. 2) Building a future career starts: - at school; - at a higher educational establishment; - after graduation from an HEE, when a person begins practical professional activity. 68 3) Now, when you are a student, what are you ideas about postgraduate education - postgraduate education is compulsory for developing my future Career; - no postgraduate education, I'm tired of studying. In my opinion, it's better to work; - I'll try to combine postgraduate education and working; - your variant.

UNIT 4

LAW FACULTY

Students of the University were taught fundamentals of law long before the Law Faculty was founded. At that time legal scholars worked within the framework of the Department of Economics.

In 1996 at the Faculty of Agrarian Management the Department of Agrarian Law was founded. In 2000 the department was renamed and became the Department of Jurisprudence chaired by the founder of agrarian law school in Ukraine, Doctor of Law, Academician of the Academy of Law Science of Ukraine Vasyl Yanchuk.

Radical changes in the agrarian sector economy in recent years, implementation of land reform in Ukraine set new landmarks in the approach in legal provision of these global social and economic processes. It was life itself that raised the issue of training highly qualified lawyers for legal provision of agrarian production as well as for the sphere of land resources.

Therefore on 28 August 2001 Law Faculty of the National University of Life And Environmental Sciences of Ukraine was founded which became a structural unit of the Academic and Research Institute of Land Resources, Jurisprudence and Pedagogics. The dean of Law Faculty is Yara Olena, Candidate of Law.

The academic process at the faculty is directed at effective training and educating a professional lawyer who will be able to resolve issues of legal provision in various spheres of public activity focusing on agrarian, land and environmental law relations.

Successful implementation of the programme of training highly qualified specialists has become possible due to the enthusiastic work of the faculty members.

There are four departments at the Faculty of Law: the Department of Theory of State and Law; the Department of Agrarian, Land and Environmental Law; the Department of Constitutional, Administrative and Financial Law; The department of Civil and Economic Law. They are staffed by prominent scholars of Ukraine, which include academician of the Law Academy of Ukraine and International Informatization Academy Vasyl Yanchuk, professor, doctor of Law Sciences Victor Shkarupa, corresponding member of National Academy of Sciences of Ukraine, professor, doctor of Law Sciences Vitaliy Semchyk, academician of Higher School of Ukraine and International Personnel Academy Vasyl Shamrai, Doctor of Medicine, academician of International Personnel Academy Anatoliy Samokhin, 17 associate professors and 13 assistant professors. During the last four years faculty scholars prepared and published more than 30 textbooks, manuals and study guides. Scholars of the faculty play an active part in drafting laws and by-laws, and in summarizing judicial practice.

Law Faculty graduates work for state authorities, courts, prosecution offices, notary offices, law enforcement bodies, advocates' associations, banking institutions, prestigious law firms, international organizations, educational

institutions, etc. Professors, students and graduates continue their professional development in law schools of foreign countries, take postgraduate courses, participate in scientific conferences, seminars and workshops in Russia, the USA, the United Kingdom, Germany, France, Poland, the Netherlands, Hungary and other countries.

The faculty has a student body of 600.

Some of them are full-time students, others study by correspondence.

First-year students take a full course of the Theory of State and Law, they also study the judicial system of Ukraine as well as judicial systems of other countries. They take Latin and one of modern foreign languages: English, French, Spanish or German. The advanced level of foreign language studies is extremely beneficial for the student's future legal career, as lawyers with proper command of languages, legal terminology in particular, are in great demand nowadays. Our graduates who are fluent in foreign languages have been offered jobs in prestigious law firms, ministries and departments, some of them continue studies abroad working for Master's degrees.

Each year law students are to submit a year paper in one of the subjects they take a special liking to. When they are through with the Theory of State and Law, they are going to take a course of Roman Law. According to the curriculum they are to take Environmental Law and Criminal Procedure when they become third-year students. Labour Law and Land Law will be studied in two years.

Main Areas of Research of the Faculty

Property relations in the sphere of Agroindustrial Complex and settlement of disputes arising out of property relations in economic courts.

Land procedural relations in Ukraine

Administrative law relations in agriculture.

Legal status of agricultural specialists.

Legal principles of land sharing-out in Ukraine.

Other problem issues of law in the field of agriculture and land resources.

Law students also take an active part in research. Results of research are presented in monographs, brochures, articles in journals and reports at national and international scientific conferences.

Activity 1.

Memorize the following words and word combinations:

implementation of land reform	здійснення земельної реформи
agrarian sector economy	економіка аграрного сектору
legal provision	правове забезпечення
highly qualified lawyers	висококваліфіковані юристи
land resources	земельні ресурси

Academic and Research Institute of 1 and Resources	Навчально-науковий інститут земельних ресурсів
Jurisprudence	правознавство
to resolve issues	вирішувати проблеми
Agrarian Law	аграрне право
1 and Law	земельне право
Invironmental Law	екологічне право
Constitutional Law	конституційне право
Administrative Law	адміністративне право
financial Law	фінансове право
to draft laws and by-laws	складати проекти законів та нормативних актів
to summarize judicial practice	узагальнювати юридичну практику
court	суд
prosecution office	прокуратура
notary	нотаріус
law enforcement bodies	правоохоронні органи
advocates' association	спілка адвокатів
post-graduate course	аспірантура
judicial system of Ukraine	судоустрій України
command of English	володіння англійською мовою
legal terminology	правнича термінологія
to be in great demand	користуватись великим попитом
according to the curriculum	згідно з навчальним планом
Criminal Procedure	кримінальний процес
Labour Law	трудове право
property relations	майнові відносини
economic courts	господарські суди
Land procedural relations	земельно-процесуальні відносини
Administrative law relations	адміністративні правовідносини
legal status	правовий статус
legal principles	правові засади
and sharing-out	розпаювання земель

Activity 2.

Answer the following questions

1. When was the Law Faculty founded?
2. How many departments are there at the Law Faculty now? Could you please name them?
3. How many students study at the Law Faculty?
4. What core subjects do first-year students take?
5. How many students are there in your group?

6. What modern foreign languages do you study?
7. Are you fluent in English?
8. What jobs are students with good command of foreign languages offered?
9. In what year do students study environmental law?
10. In what fields is research of Law Faculty undertaken?

Activity 3.

Translate the following questions into English and ask your partner to answer it.

1. Коли було засновано юридичний факультет?
2. Скільки студентів навчається на юридичному факультеті?
3. Які предмети вивчають студенти юридичного факультету?
4. Яку роботу пропонують студентам, що вільно володіють іноземними мовами?
5. На якому курсі студенти вивчають земельне право?
6. В яких галузях проводиться науково-дослідницька робота на юридичному факультеті?

Activity 4.

A) Study the list of core (mandatory) courses that are taken at leading law schools of Ukraine. After you have learned them, role play a conversation with foreign students using questions in Activities 2 and 3

FOR example: What core subjects do first (second/third) year students take?

Core (mandatory) courses	основні (обов'язкові) курси
History of State and Law of Ukraine	історія держави і права України
History of State and Law of Foreign Countries	історія держави і права зарубіжних держав
Logic	логіка
History of Political and Legal Doctrines	історія політичних і правових вчень
Constitutional Law of Ukraine	конституційне право України
Constitutional Law of Foreign Countries	конституційне право зарубіжних держав
Administration of Justice	здійснення правосуддя
Law Enforcement Bodies	правоохоронні органи
Philosophy	філософія
Civil Law	цивільне право

Civil Procedure	цивільний процес
Criminal Law	кримінальне право
Criminal Procedure	кримінальний процес
Procurators' Supervision	прокурорський нагляд
Corrective Labour Law	виправно-трудове право
Land Law	земельне право
Fundamentals of Economic Theory	основи економічної теорії
Economic Law	господарське право
Advocacy	адвокатура
Sociology	соціологія
Arbitration	арбітраж
Environmental Law	екологічне право
Family Law	сімейне право
Roman Law	римське право
Financial Law	фінансове право
International Law	міжнародне право
Labour Law	трудове право
Forensic Medicine	судова медицина
Forensic Psychiatry	судова психіатрія
Private International Law	міжнародне приватне право
Social Welfare Law	право соціального забезпечення
Administrative Law	адміністративне право
Criminology	кримінологія
Legal Statistics	правова статистика
Criminalistics	криміналістика

B) Now study the list of optional (elective) courses at leading law schools of Ukraine. After you have learned them, role play a conversation with foreign students using questions in Activities 2 and 3.

For example: What optional courses are you going to take in the third nr? What courses are you interested most of all? What courses are you going to specialise?

Optional (elective) courses	факультативні курси (курси за вибором)
Peculiarities of Investigating Specific crimes	особливості розслідування конкретних злочинів
Interrogation	проведення допиту
Examination of the Scene of Crime	огляд місця злочину
Theory of Judicial Evidence	теорія судових доказів
Philosophy of Law	філософія права
Comparative Criminal Law	порівняльне кримінальне право

Agency in Civil Litigation	представництво у цивільному судочинстві
Execution of Court Rulings and Judgments	виконання судових ухвал та рішень
Procedural Documents in Civil Cases	процесуальні документи у цивільних справах
Procedural Documents in Criminal Cases	процесуальні документи у кримінальних справах
Administrative Responsibility	адміністративна відповідальність
Taxation of Natural Persons	оподаткування фізичних осіб
Taxation of Legal Entities	оподаткування юридичних осіб
Legal Status of Aliens	правовий статус іноземців
Theoretical Foundations for the Classification of Crimes	теоретичні основи класифікації злочинів
Imposition of Punishment and Exemption from Criminal Liability	призначення покарання і звільнення від кримінальної відповідальності
Crime Prevention	запобігання злочинам
Legal Regulation of Foreign Economic Relations	правове регулювання господарських відносин
Theory of a Law-Governed State	теорія правової держави
Human Rights Protection	захист прав людини
Torts	делікти
Law of Intellectual Property	право інтелектуальної власності
Indicial Precedent in Criminal Procedure	судовий прецедент у кримінальному процесі

Activity 5.

Translate the sentences paying attention to the construction there is (there are):

- 1 There is no more independence in politics than there is in jail. (Will Rogers).
- 2 There is no genius in life like the genius of energy and industry. (Donald Mitchell).
- 3 There is no love sincerer than the love of food. (Bernard Shaw).
- 4 There are two tragedies in life. One is not get your heart's desire. The other is to get it. (Bernard Shaw).
- 5 There is no such thing as a little country. The greatness of a people is no
- 6 More determined by their number than the greatness of a man is determined by his height. (Victor Hugo).
- 7 There is no greater sign of a general decay of virtue in a nation, than a want of zeal in its inhabitants for the good of their country. (Joseph Addison).
- 8 There are more ways to the wood than one.
- 9 There is no rose without a thorn.

- 10 There is no rule without an exception.
- 11 Excuse me, is there a hotel near here?
- 12 Are there any letters for me today?
- 13 Do you think there will be a lot of people at the party on Sunday?
- 14 Tomorrow it will be cold. There will be some rain in the afternoon.

UNIT 5

TRAINING LAWYERS IN THE UK AND IN THE USA

In the United States, the formal study of law is only available at the postgraduate level. To attend an American law school, a student must already hold an undergraduate degree. The most common law degrees offered by American law schools are the professional Juris Doctor (JD) degree and the master's degree in law (LLM).

The professional JD degree (requires three years of study) is meant for those who wish to practise law in the US. Therefore, the main concentration of the degree programme is on American law. The first year includes compulsory courses such as civil procedure, constitutional law, contracts, criminal law and procedure, legal method, legal writing, property law and torts (personal injury law). The first year may also include mock trials in which students argue cases against one another. During the second and third year, courses may include evidence, civil litigation, taxation, wills and trusts, administrative, corporate, commercial, family, environmental or international law.

LLM programs (typically one year at length) are intended for qualified lawyers who have several years of experience but wish to pursue further study. General LLM degree programmes can be individually adapted to suit a candidate's interests and normally require a thesis.

In order to practise law, one must first be admitted to the bar in an individual state. This entails passing the state bar exam and any other exams required by the state bar examiners. Generally, the state bar exam requires evidence of three qualities in exam candidates: sufficient general education at the undergraduate level; sufficient US legal education gained from a law school; and sufficient knowledge of local bar requirements.

In England and Wales there are two distinct branches under the legal system, that of solicitors and barristers.

Both solicitors and barristers must complete two clear stages of training, the academic and vocational stages. The academic stage is usually accomplished by obtaining a law degree, although graduates with degrees other than law can still enter the professions by taking the Graduate Diploma in Law which will take a further year of study. A qualifying law degree in the England and Wales (LLB) consists of seven modules drawn from the following subject areas: Public law (constitutional/administrative), European Union law, Procedural Law (including law of evidence), Criminal law, Law of Obligations (contract, restitution, and tort), Property law (real property), Trusts and Equity.

Once you have completed the academic stage, you must complete the second stage of vocational training.

For solicitors, the Law Society requires to take a Legal Practice Course. This is followed by obtaining a Training Contract from a firm of solicitors who agree to provide you with a further two years of training before you are finally admitted as a solicitor to the Law society.

Barristers are required to take the Bar Vocational Course, designed by the General Council of the Bar to provide students of the bar with the practical skills involved in court work. On successful completion of the Bar Exams the student can then be called to the Bar by their Inn of Court. All prospective barristers are required to join one of the four Inns of

Court, the tradition involves paying a membership fee and attending a required amount of sessions at their Inn.

Before a barrister can actually practice on their own, they must complete their 12 months pupillage' where they work with an experienced barrister to learn the practices that constitute a barrister's work.

Activity1.

Memorize the following words and word combinations:

executive power	виконавча влада
welfare state	держава загального достатку
research into some legal issues	дослідження деяких правових проблем
to exercise powers	здійснювати повноваження
to abuse	зловживати
constitutional protection	конституційний захист прав
of human rights	людини
to do without law	обійтися без права
to nurture the maturing of democracy	плекати формування демократії
to submit a year paper	подавати курсову роботу
destruction	руйнування
fragile	тендітний
totalitarian state	тоталітарна держава

Activity2.

Answer the following questions using the information from the text:

1. What law degrees are offered by American law schools?
2. What compulsory courses are included in the first year of the JD program What is a mock trial?
... Who are LLM programs intended for? . What does the state bar exam in the US require?
... What two stages of training are compulsory for both barristers and solicitors?
... What vocational training is required for solicitors?
... What is the purpose of the Bar Vocational Course?
... What traditions are followed when prospective barristers join the Inns of Court? How long does pupillage» take?
2. Find in the text words and expressions which mean:
3. ... a long piece of writing about a particular subject that you do as part of an advanced university degree such as PhD;
... relating to studies done at a university after completing a first degree;
... a type of lawyer in Britain who gives legal advice, prepares the necessary documents when property is bought or sold, and defends people, especially in the lower courts of law;
... a document showing that someone has successfully completed a course of study or passed an examination; a course of study at a university or college, or the qualification that is given to you when you have successfully completed the COLSC.

Activity 3.

Give the English equivalents for the following words and phrases:

Студент університету, який ще не отримав ступінь бакалавра; професійно орієнтований етап навчання; диплом (про закінчення вищого навчального закладу); майбутній соліситор; обов'язковий курс; практичні навички; готувати дисертацію; скласти іспит на право займатися адвокатською практикою; магістр юридичних наук; займатися адвокатською практикою; цивільний процес.

Activity 4.

Match the words for people in education with the correct definition.

- 1) cadet a) person, who trains sportsmen for contests or prepares private students for an exam
- 2) coach b) highest grade of a university teacher
- 3) dean c) the lowest teaching rank at university
- 4) instructor d) person in charge of a division of study
- 5) lecturer e) person who teaches you driving
- 6) trainee f) the head of some universities and schools
- 7) principal g) a person studying to become an officer in the army or a policeman
- 8) professor h) person undergoing some form of vocational training
- 9) student i) anyone devoted to the acquisition of knowledge, especially attending university

2. Study the following information and compare admissions criteria and financing law degrees in the US and Ukraine.

APPLYING TO US LAW.SCHOOLS:

Admission to US law schools is extremely competitive, especially for international applicants. Admissions criteria include:

- Undergraduate and postgraduate (if applicable) coursework
- Law School Admissions Test (LSAT) scores - for JD applicants
- 2-3 letters of recommendation
- Statement of purpose
- CV and/or writing sample for some schools - extracurricular activities and previous work experience will be taken into account during admissions
 - o Interview for some schools
 - o Financial arrangements (applicants may be asked to provide information on how they intend to fund their legal education).

In terms of previous coursework, JD programmes do not require that applicants take an undergraduate degree in a particular subject or to have completed specific courses. Instead, they emphasize the importance of a demanding and well-rounded education with experience in a variety of disciplines.

FINANCING A LAW DEGREE:

As the cost of higher education increases in the US, it is important for students to know what costs to expect and to develop a plan to cover these. Students should expect to pay application fees that range between \$50 and \$120 per application. Additionally, you may need to factor in the cost of sitting the LSAT exam (\$127 for JD applicants).

Tuition and fees rates can vary significantly from university to university, as there are no standard government set fees as in the USA. Rather, each university sets its own tuition and fees rates, Tuition for JD and LLM programmes can range from \$20,000 to \$45,000 per academic year. When considering funding for your degree, you should also consider living expenses (about 20, 000\$), books and personal costs.

Funding:

There is limited university funding available for law degrees; however, applicants should explore all options for university scholarships and fellowships and make sure they are considered for applicable awards. Applicants may also wish to investigate funding from external funding bodies.

Activity 5.

Every lawyer and law student has at least one funny story about law school. Love it or hate it, law school leaves indelible impressions on our psyches. Go through these two stories and write your own.

1) We were in first-year torts and discussing slander. The Professor stated that one of the elements of slander was that the defamatory statement must be heard by «one third person.) A student raised her hand and told the Professor she didn't understand. The

Professor went on to explain how if one third person didn't hear the statement it wasn't considered published and didn't fulfill the elements. The student, still obviously confused, asked: "But I still don't understand which 1/3 of the person has to hear it!" 2) Having gone straight from college to law school, I didn't even own a suit by the time first-year mock oral arguments came around. The weekend before I was scheduled, I hit Filenes and bought a brand new power suit. I looked pretty sharp, felt pretty good, and come oral argument time, I was ready to blow them away. As I put the suit on, I realized, in terror, that there in very obvious plain view was the shoplifting tag that the Filene's clerk had left on my jacket! Not having any time to stop at a store to get it removed before the argument, I just went to school, hoping no one would notice. Wouldn't you know, the first words out of my opponent's mouth were: «Your Honor, opposing counsel is a common criminal and shoplifter, how can you believe anything this woman says?» Needless to say, that comment broke the ice, and I was able to make my argument with a lot less tension.

Activity 6.

Read the text and insert the appropriate word

Here is an abstract from John Grisham's «Rainmaker», describing a bar exam. Read the text and fill in the blanks with words from the list below.

socializing
the bar exam
the competition
instruction
registered

flunk
profession
multiple-choice
exhausted
Semester

WE ARRIVE AT THE HOTEL MEZZANINE early Wednesday morning and are efficiently herded into a ballroom larger than a football field. We are..... and catalogued, the fees having long since been paid. There's a little nervous chatter, but not much We're all scared to death.

Of the two hundred or so people taking..... this outing, at least half finished at Memphis State last month. These are my friends and enemies.

I can feel here, very much like the first few weeks of law school when we were terribly concerned with each other's initial progress. I nod at a few acquaintances, silently hoping they..... the exam because they're silently hoping I collapse too. Such is the nature of the

Once we're all properly seated at folding tables spaced generously apart, we are given ten minutes' worth of..... Then the exams are passed out at exactly 8 A.M. The exam begins with a section called Multi-State, an endless series of tricky..... questions covering that body of law common to all states. It's absolutely impossible to tell how well I'm prepared.

The exam ends at 5 p.m. Friday, with a whimper. We're too..... to celebrate. They gather our papers for the last time, and tell us we can leave. There's talk of a cold drink somewhere, for old times' sake, and six of us meet at Yogi's for a few rounds.

We learned after the first in law school that it's best never to discuss exams. If notes are compared afterward, you become painfully aware of things you missed.

UNIT 6

LEGAL PROFESSION in Ukraine

One of the most popular professions among the young people of our country is the profession of a lawyer. It is very interesting and important.

Our country is creating a law-governed state, and lawyers play a very significant role in this process. They are necessary for regulating social relations in the state.

In Ukraine, training lawyers is the task of the law establishments such as Law Academies, Law Institutes, and law faculties of several higher institutions. Graduates of different law schools can work at the Bar, in the organs of the Prosecutor's Office, in different courts, in notary offices, in legal advice offices, in organs of tax inspection, militia, as well as in different firms, companies, banks, enterprises, etc. They can work as advocates, judges, notaries, investigators, prosecutors, legal advisors, inspectors, customs officers, traffic officers, and other workers of law enforcement agencies.

Legal profession combines legal practitioners and scholars, members of the judiciary, and the Bar, prosecutors, defense lawyers, notaries, jurists and counsels (legal advisors of private, public, state and municipal enterprises, establishments and organizations) etc.

The Academy of Legal Sciences was established in 1993. It is a national scientific organization, which carries out the fundamental researches and coordinates, organizes and fulfils works in the field of state and law. The academicians and known scientists are the members of the Academy. There are also some other professional unions of lawyers in Ukraine.

The Union of Lawyers of Ukraine carries out lawmaking, scientific, methodological, educational and informative activities with the aim of promoting lawyers of Ukraine in their professional and social interests, their public activities and participation in the state policy development.

The Ukrainian Bar Association unites lawyers from all spheres of legal profession with the aim of protecting their professional and other common interests, developing the legal profession, and creating a law-governed state in Ukraine.

The Union of Advocates of Ukraine is an independent and self-governed public all-Ukrainian organization. It is aimed at facilitating the role and authority of the Bar in our society and the state, the true independence and self-regulation of the Bar and developing the democratic state in Ukraine.

The Ukrainian Association of Prosecutors has a purpose to protect legal rights and interests of its members who worked/work in the Prosecutor's Office, and support the prosecutors' positive image in Ukraine and abroad, helping to fulfill their tasks.

The Ukrainian Notarial Chamber is a public organization which supports its members in their professional activities, makes efforts to improve notary system and participates in the law-making process.

The Ukrainian branch of the European Law Students' Association - ELSA Ukraine is comprised of students and recent graduates of the Ukrainian law education establishments who are interested in law and have demonstrated commitment to international issues.

Activity1.

Memorize the following words and word combinations:

binding	зобов'язуючий
enforceable	забезпечений правовою санкцією
mithority	влада
enforcement	здійснення (закону)
legislature	законодавчий орган
to plead	виступати в суді
court trial	судовий процес
Jury	присяжні засідателі, склад присяжних
sentence	судовий вирок
prosecution	державне обвинувачення
to certify	засвідчувати
immemorial	з незапам'ятних часів
honorable	почесний
authoritative	авторитетний
to nurture the maturing of democracy	плекати формування демократії
sufficient	достатній
personal qualities	особливі якості
intellectual qualities	розумові здібності
stable nervous system	стійка нервова система
readiness to speak	готовність розмовлять
power of concentration	вміння сконцентруватися
quickness of mind	кмітливість
good memory	гарна пам'ять
swift reaction	швидка реакція
self command	вміння володіти собою
to get on with people	знаходити спільну мову з людьми
to acquire information	здобувати інформацію
to analyze information	аналізувати інформацію
to interpret information	тлумачити інформацію
to make complex decision	приймати складні рішення
to interact	взаємодіяти
to be striving for money	прагнути грошей
benefit	користь, вигода
to require courage	потребувати мужності
belief	віра
noble	благородний
arbitrariness	свавілля
to render assistance	надавати допомогу
to resolve problems	вирішувати проблеми

Activity 2.

1) *Read the following statements and decide if they are true or false according to the text. Prove your answers with the information from the text.*

- 1) The profession of a lawyer is very popular in our country.
- 2) The lawyer can help in regulating social relations in the state.
- 3) Only one educational establishment trains lawyers in Ukraine.
- 4) Members of the judiciary don't belong to the legal profession.
- 5) The Academy of Legal Sciences was established in 2003.
- 6) The aim of the Ukrainian Bar Association is law enforcement.
- 7) The Union of Advocates of Ukraine is a state-governed public all Ukrainian organization.
- 8) The Ukrainian Notarial Chamber makes efforts to improve notary system.
- 9) ELSA is the Ukrainian branch of the European Law Students' Association.

2) *Read the text again and complete the table.*

ORGANIZATION FUNCTION AM

The Academy of Legal Sciences

The Union of Lawyers of Ukraine

The Ukrainian Bar Association

The Union of Advocates of Ukraine

The Ukrainian Association of Prosecutors

The Ukrainian Notarial Chamber

3. *Find in the text synonyms to the following words and use them in your own sentences:* Body, country, lawful, legislation, defence lawyer.

4. *Choose the right variant:*

1. Law faculties of higher institutions -

- a) enforce law
- b) regulate social relations in the state
- c) train lawyers

2. Legal profession doesn't comprise

- a) counsels
- b) notaries
- c) accountants

3. The Academy of Legal Sciences

- a) carries out the fundamental researches
- b) makes efforts to improve notary system
- c) creates a law-governed state

4. The purpose of protecting legal rights and interests of prosecutors is carried by

- a) The Ukrainian Notarial Chamber
- b) The Ukrainian Association of Prosecutors
- c) ELSA Ukraine

Activity 3.

Complete the sentences:

- 1) Organization, which has a purpose to protect legal rights and interests of its members who worked/work in the Prosecutor's Office, is called...
- 2) Students and recent graduates of the Ukrainian law education establishments, who are interested in law, may join...
- 3) The Union of Advocates of Ukraine is aimed at...
- 4) A national scientific organization, which carries out the fundamental researches and coordinates, organizes and fulfils works in the field of state and law, was established in...
- 5) A public organization which supports its members in their professional activities, makes efforts to improve notary system and participates in the law-making process, is...
- 6) Lawyers from all spheres of legal profession unite in...
- 7) The Union of Lawyers of Ukraine carries out the following activities:...

Activity 4.

Match the terms with their definitions and make up your own sentences with these words:

1. relations a) to become or to make sth better
2. faculty b) a department within a university
3. chamber c) free from and not controlled by another person, country, etc.
4. independent d) something that you are morally, legally or officially allowed to do or have
5. rights e) an organization that makes important decisions
6. to improve f) the way in which people behave toward each other

Activity 5.

Translate the following into English:

Яку роботу виконує юрист у сучасному світі? Прокурора, помічника прокурора, слідчого, судді, адвоката, оперативного співробітника МВС України, поліції, податкової міліції, митних органів, різних служб безпеки, а також співробітника управління в адміністрації області, міст і районів, начальника підприємств, установ та фірм. Значна кількість юристів займається політикою, дослідженнями і викладацькою діяльністю. Таким чином, професійні можливості юриста розповсюджуються на спеціалізовані установи, тобто судові, правоохоронні, правові та економічні структури.

Activity 6.

1. Explain the use of articles with the names of institutions and organizations mentioned in the text.
2. Give the names of 5 higher education institutions and explain the use of capital letters. If the institutions do not appear in proper names, do they require capitalization?

Activity 7.

1. Write down the plan of the text in the form of questions. Ask your partner to answer them.
2. Give some advice to your friend who is going to become a lawyer using the following plan: choice of specialization number of years of training income expectations responsibilities kinds of clients challenges and opportunities.

Being a lawyer is regarded as one of the best professions in many countries. Consider the areas of specialization, which you would choose, or have chosen, and why. Discuss your future career in pairs, giving reasons for your decisions.

Use some of the following expressions:

Yes, you are quite/absolutely right.

Yes, I quite agree with you. Well, I suppose you may/could be right.

I'm not sure you're right about... I'm afraid I can't agree with you.

Unit 7.

SPHERES OF LAW

Law is a system of rules and guidelines, usually enforced through a set of institutions. It shapes politics, economics and Society in numerous ways and serves as a social mediator of relations between people. The field of civil rights deals with the balance of governmental power and individual liberties. Contract law regulates everything from buying a bus ticket to trading on derivatives markets. Property law defines rights and obligations related to the transfer and title of personal and real property. Real estate law generally involves anything dealing with real property (land). These laws are designed to determine who owns land and the buildings on it, who has a right to possess and use land or buildings, the sale and purchase of real property, landlord and tenant issues, the development of real property, and compliance with local, state, or national regulations affecting the use of real property.

If the harm is criminalised in a statute, criminal law offers means by which the state can prosecute the perpetrator. So, it is a body of law that prohibits certain kinds of conduct and imposes sanctions for unlawful behaviour. Constitutional law provides a framework for the creation of law, the protection of human rights and the election of political representatives. Administrative law is used to review the decisions of government agencies, while international law governs affairs between sovereign states in activities ranging from trade to environmental regulation or military action. Employment law addresses the legal rights of workers and their employers. Issues might include disputes regarding wages, hours, child labor, workplace safety, discrimination based upon

race, gender, age, and disabilities; and trade unions.

Legal systems elaborate rights and responsibilities in a variety of ways. A general distinction can be made between civil law jurisdictions, which codify their laws, and common law systems, where case law is not consolidated into the code. In some countries, religion informs the law. Law provides a rich source of scholarly inquiry, into legal history, philosophy, economic analysis or sociology. Law also raises important and complex issues concerning equality, fairness and justice.

All legal systems deal with the same basic issues, but each country categorises and identifies its legal subjects in different ways. A common distinction is that between "public law" (a term related closely to the state, and including constitutional, administrative and criminal law), and "private law" (which covers contract, tort and property). In civil law systems, contract and tort fall under a general law of obligations, while trusts law is dealt with under statutory regimes or international conventions. International, constitutional and administrative law, criminal law, contract, tort, property law and trusts are regarded as the "traditional core subjects", although there are many further disciplines.

Activity1.

Memorize the following words and word combinations:

Advocacy	адвокатура
Administrative Law	адміністративне право
Arbitration	арбітраж
Corrective Labour Law	виправно-трудове право
Economic Law	господарське право
Environmental Law	екологічне право
Administration of Justice	здійснення правосуддя
Land Law	земельне право
History of State and Law of Foreign Countries	історія держави і права зарубіжних держав
History of State and Law of Ukraine	історія держави і права України
History of Political and Legal Doctrines	історія політичних і правових вчень
Constitutional Law of Foreign Countries	конституційне право зарубіжних держав
Constitutional Law of Ukraine	конституційне право України
Criminalistics	криміналістика
Criminal Law	кримінальне право
Criminal Procedure	кримінальний процес
Criminology	кримінологія
Logic	логіка
International Law	міжнародне право
Private International Law	міжнародне приватне право
Fundamentals of Economic Theory	основи економічної теорії
Core (mandatory) courses	основні (обов'язкові) курси

Social Welfare Law	право соціального забезпечення
Legal Statistics	правова статистика
Law Enforcement Bodies	правоохоронні органи
Procurators' Supervision	прокурорський нагляд
Roman Law	римське право
Family Law	сімейне право
Sociology	соціологія
Forensic Medicine	судова медицина
Forensic Psychiatry	судова психіатрія
Labour Law	трудове право
Philosophy	філософія
Financial Law	фінансове право
Civil Law	цивільне право
Civil Procedure	цивільний процес

Activity 2.

1. *Are the following statements true or false*

- 1) The text describes different law fields.
- 2) According to the text, law is generally enforced through a set of institutions.
- 3) The text characterizes means by which the state can prosecute the perpetrator.
- 4) Civil law system doesn't differ essentially from that of common law.
- 5) Common law systems usually codify their laws.
- 6) There are no countries where religion informs the law.
- 7) Law also raises significant and complicated problems concerning equality, fairness and justice.
- 8) Basic issues are about the same for each country.

2. *Complete the chart with the information from the text.*

SPHERE OF LAW CHARACTERISTICS

Contract law regulates everything from buying a bus ticket to trading on derivatives markets. Property law involves anything dealing with real property (land).

3. *In the text find the synonyms for the following words:*

course of action, put into effect, freedom, duties, to be intended, rulings, law, measures, offender, penalty, principle, concerning, develop, difference.

4. *Use the information in the text to explain the meaning of the following legal terms:* - law; - civil law jurisdiction; - common law system; - public law; - private law; - trusts law; - traditional core subjects.

Activity 2.

1. Do the General Law Quiz. Discuss the answers in groups of four.

- 1) What type of law system relies heavily on tradition and

precedent?

- A. Civil Law
- B. Common Law
- C. C Public Law
- D. D Private Law

2) Which of the following is the most appropriate explanation of Civil Law: Civil Law is about ...

- A. ensuring perpetrators of crimes are punished
- B. ensuring that the processes of government are in accordance with the principles of democracy
- C. settling disputes among individuals
- D. protecting the rights of the individual when they are accused a crime.

3) Which of the following is the most appropriate word used to indicate law that has come into existence through the decision of judges in previous court cases:

- A. Precedence
- B. Antecedence
- C. Preference
- D. Supposition

4) Which of the following is the best explanation of the term "Legislation"?

- A. Law made in the courts by the decision of judges
- B. Law made in parliament by the decision of judges
- C. Law made in courts by the decision of elected representatives of the people
- D. Law made in parliament by the decision of elected representatives of the people

5) Which of the following is not a legal term?

- A. civil tort
- B. criminal tort
- C. constitutional tort government tort
- D. personal tort
- E. public tort

6) In the United Kingdom, what kind of a lawyer wears a wig in court

- A. jury
- B. barrister
- C. defendant
- D. prosecutor

7) Which established set of laws are the laws of the United States fundamentally founded?

- A. General Civil Law
- B. English Common Law
- C. French Civil Law
- D. The Laws of the Founding Fathers

Activity 3.

In pairs, discuss the following questions.

- 1) Why do we have laws?
- 2) Where, when and why do you think laws first started?
- 3) Do you think all laws are good?
- 4) Would you like to be a lawmaker? What new laws would you like your country to introduce
- 5) Do you think the laws in your country are similar to those in other countries?
- 6) Are there any laws in your country that you think should be made tighter?
- 7) What's the craziest law you know of
- 8) What do you think of the idea of international laws that would replace all national laws?
- 9) What new laws do you think we'll have fifty years from now?
- 10) What law would you like to make for your English class?

Activity 4.

Read the text and fill in the gaps with the appropriate field of law.

Constitutional Law Civil Procedure Criminal Law Procedural Criminal Law Administrative Law Financial Law Civil Law Matrimonial Law Commercial Law Labor Law

The Main Areas of Ukrainian Legislation The Ukrainian legislative system is based on the systematically organized legal rules (norms) which are combined to constitute different legal areas - spheres of regulation.

In accordance with the system applied in Ukraine, large law areas are defined in the national legislation.

1. ... comprises the norms devoted to the political and state system, human rights, freedoms and duties of citizens, legal status of the Verkhovna Rada, the President, the Cabinet of Ministers, other central state bodies and local authorities, the Procuracy, the judiciary, territorial structure, state symbols etc. The main source of it is the Constitution.

2. ... combines the legal rules that deal with relations between the state bodies and persons, and administrative offenses as well. The main source of it law is the Code on Administrative Infractions. The newest invention is the system of the administrative courts, which are governed by rules set up in the Administrative Procedural Code of Ukraine.

3. ... includes the legal rules defining crimes, forms of guilt, punishment, discharge or mitigation. The Criminal Code of Ukraine came into force from September 1, 2001. The main change in the new Criminal Code is the replacement of the death penalty by perpetual imprisonment. It also envisages such new types of punishment such as public work, arrest, deprivation of liberty, and official restrictions for persons on military service. Economic crimes in Ukraine are defined in a separate chapter "Crimes in Economic Sphere" of the Criminal Code of Ukraine.

4. ... relates to the commencement of criminal proceedings, investigation, and court examination in criminal cases. The Criminal Procedural Code administers these procedures.

5.... includes the legal rules governing the procedure of the court consideration and solving the disputes and the enforcement of writs. This legal field is governed by the Civil

Procedural Code of Ukraine.

6.... regulates issues of the state budget, banking, tax system etc. and its object of regulation includes money, securities and other financial instruments.

Formation of the financial system of Ukraine is in a permanent progress. The Budget Code was passed at the Verkhovna Rada in 2001.

7.... comprises provisions governing the ownership and non-property, and intellectual property rights, contracts, torts, etc. The main act in this field of legislation is the newly adopted Civil Code. The other subjects of the new Civil Code are as follows: obligations, contract law, inheritance law, legal entities concept and other. The Code introduces new types of business contracts into the legal practice: factoring, franchising, and rent service or inherited contracts etc.

8. ... relates to the grounds of marriage, its solemnization and dissolution, personal ownership and non-property rights and duties of the spouses, relations between parents and children, adoption issues etc. Such rules are incorporated into the new Family Code adopted in 2002.

9. ... regulates contracts-based relations and deals with conflicts

between legal entities, individuals and/or a state. Economic Procedural Code envisages that commercial courts administer actions filed by the business participants regarding protection of their rights and interests.

10.... includes the legal rules combined in the Labor Code of 2001 that governs the matters of the labor contracts, working hours, holidays and rest days, safety at the Working place, wages, sickleave, social protection, the labor disputes resolution, as well as basics of trade union activity.

Activity 5.

1. Imagine that you are a lawyer. Write a brief note about what sphere of law you prefer to practice in, point out advantages and disadvantages of being a practitioner in this field.

2. Prepare a report on topic: «Important and complex legal issues raised in Ukraine during last year»).

Activity 6.

LAW QUIZ

Contract law.

If performance of a contract is impossible, what is the reason for contract ending

- a. agreement
- b. breach
- c. performance
- d. frustration.

Criminal law.

A Which of the following procedures does a defendant have a right to have counsel

present?

- a. analyzing of defendant's handwriting samples
- b. a line up after formal criminal proceedings have commenced
- c. witness viewing still pictures of suspect for identification purposes
- d. analyzing of defendant's fingerprints.

Employment law.

1. Which of the following is not valid reason to bring an unlawful discrimination case against your employer?

- a. gender or gender reassignment
- b. race
- c. religion
- d hair colour.

2. True or False: An employer can treat you less favourably because you work part time or because you work on a fixed time contract.

Administrative law.

True or False: Adjudication represents the judicial power of administrative agencies.

Constitutional law.

The President of the USA must be 35 years of age to hold office. Accordingly to the Constitution, how old must a State representative be?

- a. 35
- b. 25
- c. 27
- d. 21.

Activity 7.

Arrange the sentences in the correct order. Read the joke and discuss it with your fellow student.

"Nothing," replied the man. "I'm here to hook up your phone." Upon seeing a man enter the lobby of his office, he immediately picked up his phone and spoke into it, "Eight hundred thousand dollars? You're kidding me. You're going to have to do better than that. Our bottom line for settlement is a million. Don't waste my time with anything less."

Slamming down the phone, he then turned to the man who had just walked in, and said, "Now, what can I do for you?"

A young lawyer, in the process of opening a new private practice, was very anxious to impress potential clients.

UNIT 8.

LAW AND PEOPLE IN LEGAL PROFESSIOIN

Law (*plural laws*) *noun*

1. **binding or enforceable rule:** a rule of conduct or procedure recognized by a community as binding or enforceable by authority
2. **piece of legislation:** an act passed by a legislature or similar body
3. **legal system:** the body or system of rules recognized by a community that are enforceable by established process • You are forbidden by law to enter the premises.
4. **control or authority:** the control or authority resulting from the observance and enforcement of a community's system of rules • Nobody is above the law.
5. **branch of knowledge:** the branch of knowledge or study concerned with the rules of a community and their enforcement • went to school to study law
6. **area of law:** the body of law relating to a particular subject or area
7. **lawyers:** the legal profession
8. **legal action:** legal action or proceedings
9. **law enforcement agent or agency:** a person or organization responsible for enforcing the law, especially the police
10. **general rule or principle:** a general rule or principle that is thought to be true or held to be binding

Lawyer

somebody qualified to practice law: somebody who is professionally qualified to give legal advice to others and represent them in court

Advocate

1. **somebody giving support:** somebody who supports or speaks in favour of something

a tireless advocate of social reform

2. **a helper:** somebody who acts on behalf of another
3. **a legal representative:** somebody, for example, a lawyer, who pleads another's case in a legal forum

Judge

- **a senior official in a court of law:** a high-ranking court officer, formerly a lawyer, who supervises court trials, instructs juries, and pronounces sentences

Prosecutor

- **an initiator of legal proceedings:** somebody who initiates a court prosecution

Notary public

- **a certifier of legal documents:** somebody who is legally authorized to certify the authenticity of signatures and documents. Also called notary

Clerk

- **a lawyer who works for a judge:** a lawyer, typically one just recently graduated from law school who is employed to perform research, prepare draft opinions, and perform other such tasks for a sitting judge.

Harrister

1. **U.K. a lawyer in higher court:** a lawyer who is qualified to represent clients in higher law courts in England and Wales
2. **Canada, a lawyer in Canadian court:** a lawyer who represents clients in any law court in Canada

Solicitor

1. **a top legal officer:** the chief officer for legal matters in a city, town, or county, or in a government department
2. **somebody who solicits contributions:** somebody who solicits, especially somebody who asks for financial contributions
3. *U.K.* **a lawyer** who gives legal advice, draws up legal documents, and does preparatory work for barristers. A solicitor who holds an advocacy qualification may also represent clients in court.

Attorney at Law (US)

a court lawyer: a lawyer qualified to appear in court to represent somebody who is a party to a legal action.

Attorney General- генеральный прокурор

BEING A LAWYER

After graduating from the Law Faculty of the National University of Life And Environmental Sciences of Ukraine I am going to work as a lawyer.

From time immemorial, a lawyer has been an honorable and authoritative person. Society can't do without law and lawyers. They serve and protect the people, their rights and individual freedoms. They symbolise and nurture the maturing of democracy in our society. But democratic institutions are fragile flowers that must be guarded and tended for as democracy carries within it the seeds of its own destruction by giving freedom to citizens which some will abuse.

To become a lawyer is not an easy thing to do. Knowledge of law, however perfect, is not sufficient to make a lawyer. In addition to such knowledge, a lawyer must have a number of particular personal and intellectual qualities: stable nervous system, readiness to speak at all times, power of concentration, quickness of mind, a good memory, swift reaction plus a lot more. Self-command, a sense of responsibility and an ability to get on with people are among the features that make a good lawyer. Furthermore, a lawyer should have diplomatic skills. He should be able to acquire, analyze, and interpret information received from various sources, and to make complex decisions. This is an ability to "see the big picture", to plan ahead. Moreover, it is extremely important for a lawyer to possess human relations skills that help to understand other people and to interact effectively.

The fundamental responsibility of a lawyer is proper understanding of the law and the ability to apply it fairly.

The main goal of a lawyer should never be striving for money or material benefits, which this profession can offer. This profession requires courage, a strong belief in the chosen course on the part of a lawyer. The profession of a lawyer is a noble and important one. This work is especially hard at present when there is much arbitrariness in many spheres of our life.

However at the same time it is also a Very responsible job because lawyers are supposed to deal with lives and souls of people, to render them assistance in complicated situations, to relieve the burden off people's shoulders and to help them resolve all the problems.

Activity 1.

Memorize the following words and word combination

binding	зобов'язуючий
enforceable	забезпечений правовою санкцією
mithority	влада
enforcement	здійснення (закону)
legislature	законодавчий орган
to plead	виступати в суді
court trial	судовий процес
Jury	присяжні засідателі, склад присяжних
sentence	судовий вирок

prosecution	державне обвинувачення
to certify	засвідчувати
immemorial	з незапам'ятних часів
honorable	почесний
authoritative	авторитетний
to nurture the maturing of democracy	плекати формування демократії
sufficient	достатній
personal qualities	особливі якості
intellectual qualities	розумові здібності
stable nervous system	стійка нервова система
readiness to speak	готовність розмовлять
power of concentration	вміння сконцентруватися
quickness of mind	кмітливість
good memory	гарна пам'ять
swift reaction	швидка реакція
self command	вміння володіти собою
to get on with people	знаходити спільну мову з людьми
to acquire information	здобувати інформацію
to analyze information	аналізувати інформацію
to interpret information	тлумачити інформацію
to make complex decision	приймати складні рішення
to interact	взаємодіяти
to be striving for money	прагнути грошей
benefit	користь, вигода
to require courage	потребувати мужності
belief	віра
noble	благородний
arbitrariness	свавілья
to render assistance	надавати допомогу
to resolve problems	вирішувати проблеми

Activity 2.

Answer the questions:

1. Why have you chosen law as your future profession?
2. What is sufficient to make a lawyer?
3. What personal intellectual qualities must a lawyer possess?
4. Why is this work especially hard at present?
5. What are lawyers supposed to deal with?
6. What skills and abilities do you need for your future work?

Activity 3.

Find in the text English equivalents to the following:

- 1) бути достатнім;
- 2) особливі якості та розумові здібності;
- 3) стійка нервова система;
- 4) готовність розмовляти;
- 5) вміння сконцентруватися;
- 6) кмітливість;
- 7) швидка реакція;
- 8) вміння володіти собою;
- 9) почуття відповідальності;
- 10) вміння знаходити спільну мову з людьми;
- 11) вимагати мужності;
- 12) стійка віра в обраний шлях;
- 13) широкий світогляд;
- 14) отримати матеріальні блага

Activity 4.

Combine elements from A and B:

A	B
responsible	information
intellectual	situations
swift	flowers
diplomatic	qualities
proper	work
fragile	skills
interpret	understanding the law
complicated	reaction
indispensable	job

Activity 5.

Match the following Ukrainian expressions with their English equivalents and memorize them:

- | | |
|------------------------------------|---|
| 1) стійка нервова система | a) get on with people |
| 2) вміння сконцентруватися | b) a strong belief in the chosen course |
| 3) кмітливість | c) stable nervous system |
| 4) швидка реакція | d) a sense of responsibility |
| 5) вміння володіти собою | e) self-command |
| 6) почуття відповідальності | f) quickness of mind |
| 7) знаходити спільну мову з людьми | g) swift reaction |
| 8) стійка віра в обраний шлях | h) power of concentration |

Activity 6.

Translate into English:

ХТО ТАКИЙ ЮРИСТ?

Професія юриста дуже давня. Діяльність юриста вважалася цілкомовито необхідною в усі часи, але зараз її важливість значно зросла.

Стати юристом нелегко. Знання законів, якими б глибокими вони не були, недостатньо для того, щоб стати гарним юристом. Окрім знань, юрист повинен мати такі особисті та розумові якості, як стійка нервова система, вміння сконцентруватись, кмітливість, гарна пам'ять, швидка реакція і багато іншого. Почуття відповідальності, вміння володіти собою та знаходити спільну мову з людьми - це ті невід'ємні риси, що роблять юриста кваліфікованим. Юрист завжди повинен мати стійку віру в вибраний шлях та пам'ятати, що його завдання - допомагати людям. Головною метою юриста ніколи не повинні бути ні жага грошей, ні отримання матеріальної вигоди, яку може запропонувати ця професія.

Робота юриста - необхідна та одна з найблагородніших у світі.

Activity 7.

Retell the text 'Being a Lawyer'

Proverbs and quotations to be discussed:

1. Never too late to learn.
2. Many words hurt more than swords.
3. Do you love life? Then do not squander time, for that is the stuff life is made of. (Benjamin Franklin).
4. Brevity is great charm of eloquence. (Cicero).

UNIT 9

HISTORY UKRAINE

Ukrainians have lived on the territory of present-day Ukraine for millennia. The roots of the Ukrainian nation are found in Trypillian culture which developed in the Middle Dnipro region in the third millennium B. C., in the heritage of the Scythian tribes and Chemiakhiv culture. More than 1,100 years ago Kyivan Rus' - Ukraine, a powerful European medieval monarchy, was established on Ukrainian territory. Its lands extended to the north of Finland and the largest lakes of Karelia in the north, to the upper course of the Volga in the east, and to the Dniester and Western Bug rivers in the west. The cities of Premysyl, Sanok and Kholm in the present-day Poland were founded by Ukrainian princes. The rulers of Kyivan Rus' - Ukraine controlled the lands above the Dniester and the Carpathian mountains and ruled over the Crimean peninsula in the south.

As a borderland bridging the East and West, Ukraine was vulnerable to invaders from all sides. Its history abounds in tragic pages - those of Invasions, conquests, and plundering.

Kyivan Rus', the historical ancestor of Ukraine, was peopled by various Slavic tribes. Kyiv was the centre of the powerful princely state that dominated eastern Europe from the 10th through the 13th century. It was the centre of trade, Slavic culture, and Byzantine Christianity. Kyivan Rus' was in its heyday at that time. However, internal dissension weakened the state and it was plundered and ruined by the Tatar and Mongol invaders. A well-known Russian historian academician V. Kluchevsky wrote that "if Kyiv had not been ruined by the Tatars, it would have remained the capital of the great Ukrainian state, and the Russian city of Moscow would not have become the centre of the monarchy and later the centre of tsarist Russia. The official language would have been Ukrainian. Ukrainian writer Gogol would not have had to write in Russian and Pushkin would have written in Ukrainian."

Kozak period. Kozak comes from a Turkish word meaning a free man. The Kozaks set up democratic military communities and elected their leaders who were called Hetmans. From their island stronghold on the Dnipro the Kozaks attacked Turks and Tatars and struggled against the Polish and Russians. After a lengthy period of struggle for its independence from Lithuania and Poland, Ukraine re-appeared on the political map of Europe with the emergence of the military organisation of the Zaporizhian Kozak Sich whose armies led by Hetman Bohdan Khmelnytskyi waged victorious national liberation war of 1648-1654.

However, the brief period of the revival of Ukrainian statehood was followed by centuries of colonial oppression under the Russian Empire and Poland. After the disintegration of the Polish state in 1772, its western Ukrainian lands came under the Austrian rule.

As a result of the 1917 revolution in Russia, the Russian monarchy fell and the empire disintegrated. On January 22, 1918, the independent Ukrainian National Republic was proclaimed. But unfortunately it did not last long.

The 1930s were a tragic period in the history of Ukraine. The Soviet government of Stalin, Kaganovych, Molotov and Postyshev pursued a consistent policy aimed at

destroying the social foundations of Ukrainian national consciousness. The Ukrainian national intelligentsia was either exterminated or forced to move. As a result of the genocidal famine of 1932- 33 deliberately engineered by Soviet leaders almost eight million Ukrainians were starved to death. During the Second World War another 7.5 million lives were lost, including almost four million civilians killed and 2.2 million taken to Germany as labourers. Cities, towns and thousands of villages were devastated.

With the collapse of the Soviet Union Ukraine has become independent again. On July 16, 1990 the Verkhovna Rada of Ukraine adopted an important document - the Act declaring Ukraine's sovereignty. And on 24 August 1991 the Ukrainian Parliament proclaimed the independence of Ukraine which was approved by the nation-wide referendum of December 1, 1991.

Activity 1.

Memorise the following word combinations.

Trypillian culture	Трипільська культура
B.C. Before Christ	до нашої ери
Scythian tribes	Скіфські племена
medieval monarchy	середньовічна монархія
to rule	правити
vulnerable	незахищена
to abound in	бути багатим на щось
invaders	загарбники
invasion	вторгнення
conquest	підкорення, завоювання
to plunder	грабувати
ancestor	пращур
powerful princely state	могутня княжа держава
to emerge	з'явитися
to dominate	домінувати
internal dissension	внутрішні чвари
heyday	розквіт
to weaken	ослабити
To wage national liberation war	вести національно-визвольну війну
disintegration	розпад
To be proclaimed	бути проголошеною
to pursue a consistent policy	проводити послідовну політику
national consciousness	національна свідомість
To exterminate	винищити

famine	ГОЛОД
In be- starved to death	помирати від голоду
to devastate	спустошувати, розоряти
collapse	падіння
to proclaim sovereignty	проголосити суверенітет
to proclaim independence	проголосити незалежність
to be approved	затверджувати

Activity 2.

Answer the following questions:

1. How long have Ukrainians lived on the territory of present-day Ukraine?
2. When was Kyivan Rus, the historical ancestor of Ukraine, established?
3. When was Kyivan Rus in its heyday?
4. What weakened this powerful state?
5. Why was Ukraine vulnerable to invaders from all sides?
6. What did a well-known Russian historian academician V. Kluchevsky write?
7. When did the national liberation war led by Hetman Bohdan Khmelnytsky start?
8. When was the independent Ukrainian republic proclaimed?
9. How many Ukrainians were starved to death as a result of the genocidal famine of 1932-33 deliberately engineered by Soviet leaders?
10. When did Ukraine become independent again?

Proverbs and quotations to be discussed:

1. Never put off till tomorrow what you can do today.
2. New brooms sweep clean.
3. History is little more than the register of crimes, follies and misfortunes of mankind (Edward Gibbon).
4. He is the happiest, be he king or peasant, who finds peace in his home (Goethe).

UNIT 10.

THE COSTITUTION OF UKRAINE

The Verkhovna Rada of Ukraine, on behalf of the Ukrainian people — citizens of Ukraine of all nationalities,
expressing the sovereign will of the people,
based on the centuries-old history of Ukrainian state-building and on the right to self-determination realised by the Ukrainian nation, all the Ukrainian people,
providing for the guarantee of human rights and freedoms and of the worthy conditions of human life,
caring for the strengthening of civil harmony on Ukrainian soil,
striving to develop and strengthen a democratic, social, law-based state,
aware of our responsibility before God, our own conscience, past, present and future generations,
guided by the Act of Declaration of the Independence of Ukraine of 24 August 1991, approved by the national vote of 1 December 1991,
adopts this Constitution — the Fundamental Law of Ukraine.

Chapter I

General Principles

Article 1

Ukraine is a sovereign and independent, democratic, social, law-based state.

Article 2

The sovereignty of Ukraine extends throughout its entire territory.

Ukraine is a unitary state.

The territory of Ukraine within its present border is indivisible and inviolable.

Article 3

The human being, his or her life and health, honour and dignity, Inviolability and security are recognised in Ukraine as the highest social value.

Human rights and freedoms and their guarantees determine the essence in ill orientation of the activity of the State. The State is answerable to the Individual for its activity. To affirm and ensure human rights and freedoms is the. main duty of the State.

Article 4

There is single citizenship in Ukraine. The grounds for the acquisition and termination of Ukrainian citizenship are determined by law.

Article 5

Ukraine is a republic.

The people are the bearers of sovereignty and the only source of power in Ukraine. The people exercise power directly and through bodies of state power and bodies of local self-government.

The right to determine and change the constitutional order in Ukraine belongs exclusively to the people and shall not be usurped by the State, its bodies or officials.

No one shall usurp state power.

Article 6

State power in Ukraine is exercised on the principles of its division into legislative, executive and judicial power.

Bodies of legislative, executive and judicial power exercise their authority within the limits established by this Constitution and in accordance with the laws of Ukraine.

Article 7

In Ukraine, local self-government is recognized and guaranteed.

Article 8

In Ukraine, the principle of the rule of law recognised and effective.

The Constitution of Ukraine has the highest legal force. Laws and other normative legal acts are adopted on the basis of the Constitution of Ukraine and shall conform to it.

The norms of the Constitution of Ukraine are norms of direct effect. Appeals to the court in defence of the constitutional rights and freedoms of the individual and citizen directly on the grounds of the Constitution of Ukraine are guaranteed.

Article 9

International treaties that are in force, agreed to be binding by the Verkhovna Rada of Ukraine, are part of the national legislation of Ukraine.

The conclusion of international treaties that contravene the Constitution of Ukraine is possible only after introducing relevant amendments to the Constitution of Ukraine.

Article 10

The state language of Ukraine is the Ukrainian language.

The State ensures the comprehensive development and functioning of the Ukrainian language in all spheres of social life throughout the entire territory of Ukraine.

In Ukraine, the free development, use and protection of Russian, and other languages of national minorities of Ukraine, is guaranteed.

The State promotes the learning of languages of international communication.

The use of languages in Ukraine is guaranteed by the Constitution of Ukraine and is determined by law.

Article 11

The State promotes the consolidation and development of the Ukrainian nation, of its historical consciousness, traditions and culture, and also the development of the ethnic,

cultural, linguistic and religious identity of all indigenous peoples and national minorities of Ukraine.

Article 12

Ukraine provides for the satisfaction of national and cultural, and linguistic needs of Ukrainians residing beyond the borders of the State.

Article 13

The land, its mineral wealth, atmosphere, water and other natural resources within the territory of Ukraine, the natural resources of its continental shelf, and the exclusive (maritime) economic zone, are objects of the right of property of the Ukrainian people. Ownership rights on behalf of the Ukrainian people are exercised by bodies of state power and bodies of local self-government within the limits determined by this Constitution.

Every citizen has the right to utilise the natural objects of the people's right of property in accordance with the law.

Property entails responsibility. Property shall not be used to the detriment of the person and society.

The State ensures the protection of the rights of all subjects of the right of property and economic management, and the social orientation of the economy. All subjects of the right of property are equal before the law.

Article 14

Land is the fundamental national wealth that is under special state protection.

The right of property to land is guaranteed. This right is acquired and utilised by citizens, legal persons and the State, exclusively in accordance with the law.

Article 15

Social life in Ukraine is based on the principles of political, economic and ideological diversity.

No ideology shall be recognised by the State as mandatory.

Censorship is prohibited.

The State guarantees freedom of political activity not prohibited by the Constitution and the laws of Ukraine.

To ensure ecological safety and to maintain the ecological balance on the territory of Ukraine, to overcome the consequences of the Chornobyl catastrophe — a catastrophe of global scale, and to preserve the gene pool of the Ukrainian people, is the duty of the State.

Article 17

To protect the sovereignty and territorial indivisibility of Ukraine, and to ensure its economic and informational security are the most important functions of the State and a matter of concern for all the Ukrainian people.

The defence of Ukraine and the protection of its sovereignty, territorial indivisibility and inviolability, are entrusted to the Armed Forces of Ukraine.

Ensuring state security and protecting the state border of Ukraine are entrusted to the respective military formations and law enforcement bodies of the State, whose organisation and operational procedure are determined by law.

The Armed Forces of Ukraine and other military formations shall not be used by anyone to restrict the rights and freedoms of citizens or with the intent to overthrow the constitutional order, subvert the bodies of power or obstruct their activity.

The State ensures the social protection of citizens of Ukraine who serve in the Armed Forces of Ukraine and in other military formations as well as of members of their families.

The creation and operation of any armed formations not envisaged by law are prohibited on the territory of Ukraine.

The location of foreign military bases shall not be permitted on the territory of Ukraine.

Article 18

The foreign political activity of Ukraine is aimed at ensuring its national interests and security by maintaining peaceful and mutually beneficial co-operation with members of the international community, according to generally acknowledged principles and norms of international law.

Article 19

The legal order in Ukraine is based on the principles according to which no one shall be forced to do what is not envisaged by legislation.

Bodies of state power and bodies of local self-government and their officials are obliged to act only on the grounds, within the limits of authority, and in the manner envisaged by the Constitution and the laws of Ukraine.

Article 20

The state symbols of Ukraine are the State Flag of Ukraine, the State < out of Arms of Ukraine and the State Anthem of Ukraine.

The State Flag of Ukraine is a banner of two equally-sized horizontal bunds of blue and yellow.

The Great State Coat of Arms of Ukraine shall be established with the consideration of the Small State Coat of Arms of Ukraine and the Coat of Aims of the Zaporozhian Host, by the law adopted by no less than two-thirds of the constitutional composition of the Verkhovna Rada of Ukraine.

The main element of the Great State Coat of Arms of Ukraine is the Emblem of the Royal State of Volodymyr the Great (the Small State Coat of Amis of Ukraine).

The State Anthem of Ukraine is the national anthem set to the music of M Verbytskyi, with words that are confirmed by the law adopted by no less I him two-thirds of the constitutional composition of the Verkhovna Rada of Ukraine.

The description of the state symbols of Ukraine and the procedure for their use shall be established by the law adopted by no less than two-thirds of the constitutional composition of the Verkhovna Rada of Ukraine.

The capital of Ukraine is the City of Kyiv.

Activity 1.

Memorise the following words and words combinations.

on behalf of the Ukrainian people	від імені українського народу
the right to self determination	право на самовизначення
human rights and freedoms	свободи та права людини
the strengthening of civil harmony	зміцнення громадянської злагоди
law-based state	правова держава
future generations	прийдешні покоління
unitary state	унітарна держава
indivisible and inviolable	цілісний та недоторканий
the highest social value	найвища соціальна цінність
to affirm and insure human rights	затверджувати та забезпечувати права та свободи людини
single citizenship	єдине громадянство
exercise power	здійснювати владу
to determine	визначати
to usurp state power	узурпувати державну владу
division into legislative, executive and judicial power	поділ на законодавчу, виконавчу та судову владу
answerable to the individual	відповідальна перед особою
the highest legal force	найвища юридична сила
to insure the comprehensive development and functioning of the Ukrainian language	забезпечувати всебічний розвиток і функціонування української мови
throughout its entire territory	по всій її території
to promote the learning of languages of international communication	сприяти вивченню мов міжнародного спілкування
ethnic, cultural, linguistic and religious identity	етнічна, культурна, мовна та релігійна самобутність
indigenous peoples	корінні народи
national minorities	національні меншини
ownership rights	права власника
detriment	школа
to insure protection	забезпечувати захист

to insure ecological safety	забезпечувати екологічну безпеку
to maintain the ecological balance	підтримувати екологічну рівновату
to overcome the consequences	подолати наслідки
to preserve the gene pool	зберегти генофонд

Activity 2.

Leart the summary based on the Constitution of Ukraine

On 28 June 1996, the Verkhovna Rada of Ukraine, on behalf of the I M i tiiian people, adopted the Constitution of Ukraine.

The Constitution consists of the Preamble and 15 chapters. The institution enshrined the fundamental rights and freedoms of Ukrainian people. Chapter one sets out general principles. According to Article 1 Ukraine is sovereign and independent, democratic, social and law-governed state.

The sovereignty of Ukraine extends throughout its entire territory.

The human being, his or her life and health, honour and dignity are iceognized in Ukraine as the highest social value. Human rights and freedoms and their guarantees determine the essence and orientation of the activity of the state. The State is answerable to the individual for its activity.

The people are the bearers of sovereignty and the only source of power Ukraine. They exercise power directly and through bodies of state power mul local self-government. The right to determine and change the institutional order in Ukraine belongs exclusively to the people and shall not be usurped by the State, its bodies or officials.

State power in Ukraine is exercised on the principles of its division into legislative, executive and judicial power. The principle of the rule of law is i ecognized and effective in Ukraine.

The Constitution of Ukraine has the highest legal force. All laws and other normative legal acts are adopted on the basis of the Constitution and .hall conform to it.

International treaties ratified by the Verkhovna Rada are part of the national legislation. The conclusion of international treaties that contravene the institution is possible only after introducing relevant amendments to the institution.

The state language in Ukraine is the Ukrainian language. The State promotes the consolidation and development of the Ukrainian nation, of its historical consciousness, traditions and culture, and also the development of the ethnic, cultural, linguistic and religious identity of all indigenous peoples and national minorities of Ukraine.

According to Article 16, it is the duty of the State to ensure ecologic safety, to overcome the consequences of the Chornobyl catastrophe and to preserve the gene pool of the Ukrainian people.

One of the most important functions of the State is to protect the sovereignty and to ensure state security.

The State symbols of Ukraine are the State Flag, the State Coat of Arms and the State Anthem of Ukraine.

Activity 3.

Ask your classmate to answer the following questions:

1. When was the Constitution of Ukraine adopted?
2. How many chapters does it comprise?
3. What does chapter one deal with?
4. Who is the State answerable to?
5. Who does the right to determine and change the constitutional order in Ukraine belong to?
6. When did the Constitution of Ukraine enter into force?

Activity 4.

Translate the following questions into English and ask your classmates to answer them:

1. Хто визнається найвищою соціальною цінністю в Україні?
2. Про що йдеться у першому розділі Конституції?
3. Коли Конституція України набрала чинності?
4. Чи визнається та чи діє принцип верховенства права в Україні?
5. Чи може бути підписаний і ратифікований міжнародний договір, що суперечить Конституції?
7. Кому належить право змінювати конституційний лад в Україні?
8. На яких засадах здійснюється державна влада в Україні?
9. Держава сприяє консолідації та розвитку української нації, чи не так?

Proverbs and quotations to be discussed:

1. Between two evils, choose neither; between two goods, choose both. (Tryon Edwards).
2. When you have to make a choice and don't make it, that in itself is a choice (William James).
3. Life often presents us with a choice of evils rather than of goods (Charles Caleb Colton).
4. He who makes no mistakes, makes nothing.

UNIT 11.

THE CONSTITUTION OF THE UNITED STATES

The Constitution of the United States sets forth the nation's fundamental law. It establishes the form of the national government and the rights and liberties of the American people. It also lists the aims of the government and methods of achieving them. The Constitution was written to organize a strong government for the American states. Previously the nation's leaders had established a national government under the Articles. But the Articles granted independence to each state. They lacked the authority to make the states work together to solve national problems.

After the states won independence in the Revolutionary War (1775- 1783), they faced the problems of creating peacetime government. The states failed to enforce law and order, collect taxes, pay a large public debt, and regulate trade among themselves. They also had to deal with Indian tribes and negotiate with other governments. Leading statesmen, such as George Washington and Alexander Hamilton began to discuss the creation of a strong national government under a new constitution. In 1787 the national convention met in Philadelphia to revise the Articles of Confederation. But the majority of the delegates at the convention decided to write a new plan of government - the Constitution of the United States. The Constitution established not merely a league of states but a government that exercised its authority directly over all citizens. The Constitution also defined clearly the structure of the national government. In addition, it established protection for the rights of the states and of every individual.

The Constitution consists of a preamble, seven articles and 26 amendments. It sets up a federal system by dividing powers between the national and state governments. It also establishes a balanced national government by dividing authority among three independent branches - the executive, the legislative and the judicial. The legislative branch makes the law, the executive branch enforces the law and the judicial branch explains the law. The executive branch of the national government is represented by Congress and the judicial branch by the Supreme Court. The separation of powers between the three branches was designed to provide checks and balances, so that no branch would become too powerful. Federal powers listed in the Constitution include the right to collect taxes, declare war and regulate trade. In addition to these delegated, or expressed powers (those listed in the Constitution), the national government has implied powers (those reasonably suggested by the Constitution). The implied powers enable the government to respond to the changing needs of the nation. For example, Congress had no delegated power to print paper money. But such power is implied in the delegated powers of borrowing and coining money.

There are some powers that the Constitution does not give to the national government or forbid to the states. These reserved powers belong to the people or to the states. State powers include the right to legislate on divorce, marriage and public schools. Powers reserved for the people include the right to own property and to be tried by a jury. In some cases, the national and state governments have concurrent powers - that is, both levels of government may act. The national government has supreme authority in case of a conflict.

The Supreme Court has the final authority to interpret the Constitution. It can set aside any law- federal, state or local - that conflicts with any part of the Constitution. Through the years, the Constitution has expanded and developed to meet the changing needs of the United States.

Amendments are additions to the Constitution. Amendments may be proposed by two-thirds of each house of Congress or by a national convention called by Congress. An amendment becomes part of the Constitution after being ratified by the legislatures of three-fourths of the states or by conventions in three-fourths of the states. Congress decides which form of ratification should be used and how much time the states have to consider each amendment.

Activity 1.

Memorize the following words and word combinations:

to set forth	закріпити
to define the rights and liberties	визначати права і свободи
methods of achieving the aim	методи досягнення мети
under the Articles of Confederation	згідно з Угодою про Конфедерацію
to grant independence	надати незалежність
they lacked the authority	їм бракувало повноважень
to solve problems	вирішувати проблеми
to win independence	вибороти незалежність
to enforce law and order	забезпечувати дотримання правопорядку
to collect taxes	збирати податки
to negotiate with	домовлятися (з кимсь)

Activity 2.

Answer the following questions:

1. When was the US Constitution adopted?
2. How many articles does the Constitution consist of?
3. In what way does the Constitution establish a balanced national government?
4. What are the three independent branches of state power?
5. What does the legislative branch do?
6. Who is the executive branch represented by?
7. What powers are reserved for the states?

8. In what cases do federal and state governments have concurrent powers?
9. What is the task of the Supreme Court of the United States?
10. Who may propose an amendment to the Constitution?
11. When does an amendment become part of the Constitution?
12. How many amendments were ratified and became part of the Constitution?

Proverbs and quotations to be discussed:

1. Everyone thinks of changing the world, but no one thinks of changing himself (Leo Tolstoi).
2. He that once deceives is ever suspected.
3. Repentance is good but innocence is better.

UNIT 12.

LEGAL PROFESSION IN BRITAIN

Solicitors

Although the United Kingdom shares one government, it has several legal systems. Both Northern Ireland and Scotland have separate laws, institutions and legal professions. Within England and Wales the legal profession is divided into two main branches: solicitors and barristers, solicitors are members of an independent legal profession. There are over 150,000 practising solicitors in England and Wales, all of whom have met high standards of education and training, and must abide by strict codes of conduct laid down by their professional body, the Law Society.

The role of solicitors is to provide legal services, including representation and pleading in court, to the general public, business, other professions and foreign clients. Almost 90% of solicitors work in private practice, either as sole practitioners or in a partnership. Sole practitioners are solicitors who own and manage their own firms. To become a sole practitioner a solicitor must have been qualified for three years. There are almost 10,000 solicitors' firms in England and Wales, operating from about 1,000 offices across the country. In addition some firms have offices abroad, particularly in other parts of Europe, the United States, the Middle East and East, where they advise clients on English and international law. Most firms have four or fewer partners, but there is a growing trend towards larger firms as law becomes increasingly complex and specialised. Firms with 20 partners or more are becoming common and the largest firms have more than 100 partners.

About 10% of solicitors are employed either by local or central government, or by companies in commerce and industry, who have their own departments. A further 1,200 solicitors are employed full-time by the Crown Prosecution Service, a government agency which prosecutes in criminal cases on behalf of the police.

While a single firm might offer a full range of services, individual solicitors and firms are specialising in areas of law in which they are experts, this is particularly true of firms dealing with business clients, more often found in the major cities: they specialise in banking law, entertainment law, corporate and commercial law, construction, trusts, environmental law, Insurance, intellectual property, tax, competition, shipping and arbitration.

Barristers

There are over 8,000 practising barristers in England and Wales. Although most advocacy is undertaken by solicitors, barristers are often instructed to conduct a case because of their expertise and experience in pleading before the courts. Recent legislation has removed the monopoly which allowed only barristers to appear as advocates in higher courts, and solicitors are now acquiring rights of audience in the higher as well as the lower courts.

Practising barristers are all self-employed, although they share offices which are called 'chambers'. Due to the nature of barristers' work, the chambers are only to be found near major courts. In general, a barrister has no direct contact with the client, only through

the instructing solicitor. The solicitor will choose the barrister best suited to the needs of the client. To instruct a barrister, the barrister's clerk should be contacted, who acts as manager for a set of chambers.

Many barristers, especially Queen's Counsel, have wide experience of conducting commercial arbitrations.

Judges

By contrast with many other European countries, the judiciary in England and Wales is not a separate career. Judges are appointed from both branches of the legal profession. They serve in the House of Lords (which is the final appellate court), the Court of Appeal, the High Court and Crown Court or as Circuit or District Judges. The Circuit Judges sit either in Crown Courts to try criminal cases or in County Courts to try civil cases. District Judges sit in County Courts. There are also part-time Judges, who serve in the Crown Court, County Court or on various tribunals, for instance those dealing with unfair dismissal from employment.

In fact, most cases are dealt with not by judges but by lay people, who are appointed to various tribunals because of their special knowledge, experience and good standing. For instance, the majority of criminal cases are judged by Justices of the Peace in Magistrates' Courts. They are not legally qualified or paid, but are respected members of the community who sit as magistrates part-time.

All members of the judiciary are appointed by the Lord Chancellor who is a member of the Government and also the Speaker of the House of Lords. The Lord Chancellor holds a function similar to that of a Minister of Justice, although some matters concerning the administration of justice are the responsibility of the Home Secretary.

Once appointed, Judges are completely independent of both the legislature and the executive, and so are free to administer justice without fear of political interference.

Activity1.

In the text above, find answers to the following questions:

1. How many solicitors practise in England and Wales?
2. What requirements must a solicitor have met to become a sole practitioner?
3. What monopoly has recent legislation removed?
4. The Law Society is the professional society of solicitors, isn't it?
5. Why are the barristers' chambers to be found near to the major courts?
6. What cases do County courts deal with?
7. Which court is the final appellate court in England?

Activity 2.

Some of the following statements are true, others are false. Mark true statements with +, false ones with -

1. All members of judiciary are appointed by the Minister of Justice.
2. Justices of the Peace in Magistrates' Courts are not legally qualified.
3. About 10% of solicitors are self-employed.
4. All barristers in England and Wales must abide by strict codes of conduct laid down by their professional body, the Law Society.

5. In England most cases are dealt with not by judges but by lay people.
6. All magistrates sit part-time.

Activity 3.

Give a summary of the text using the following key words:

share one government, separate legal systems, meet high standards of education and training, abide by strict codes of conduct, provide legal services, including representation and pleading in court, sole practitioners, in a partnership, solicitors who own and manage their own firms, to be employed either by local or central government, or by companies in commerce and industry, who have their own legal departments, to be employed full-time by the Crown Prosecution Service, entertainment law, corporate and commercial law, construction, trusts, environmental law, insurance, intellectual property, tax, competition, shipping and arbitration, because of their expertise and experience in pleading before the courts, remove the monopoly, acquire rights of audience in the higher courts, self-employed, lay people, tribunals, unfair dismissal from employment, experience and good standing.

Questions to discuss:

- 1 Win destroys men, but luxury destroys mankind, at once corrupts the body and the mind. (John Crowne).
- 2 Brevity is a great charm of eloquence. (Cicero).
- 3 Not he who has much is rich, but he who gives much (Erich Fromm).

UNIT 13.

The British Police

Most countries have a national police force which is controlled by the central government. Britain has no national police force, although the police policy is governed by the central governments Home Office.

There are 52 police forces in Britain organized on a local basis: 43 in England and Wales, 8 in Scotland and 1 in Northern Ireland. The Metropolitan Police Service and the City of London Police Force are responsible for policing London.

In addition, the British Transport Police are responsible for policing the railway network; the Ministry of Defense Police are responsible chiefly for the policing of military establishments in Great Britain; and the United Kingdom Atomic Energy Authority Constabulary is responsible for policing nuclear establishments and for escorting nuclear material between establishments.

At the end of 1994 police strength in Britain was about 150.000, of which the Metropolitan Police numbered over 28,000. The establishment of the Royal Ulster Constabulary was around 8,500. Police strength in Scotland was about 14,300.

Each force has volunteer special constables, members of the public, who perform police duties in their spare time, without pay, working in support of regular officers. The special constabulary symbolizes the links that exist between police forces and the communities they serve. The Government is aiming to recruit a further 10,000 special constables, so increasing the overall number by 50 per cent. Police forces are maintained in England and Wales by local police authorities. The Home Secretary is responsible for London's Metropolitan Police Service.

Provincial forces are headed by chief constables. They are generally answerable to the police authorities for their force's competence, efficiency and conduct. The police authorities appoint the chief constable and assistant chief constable. They also fix the maximum strength of the force, and provide buildings and equipment.

Activity 1.

Memorize the following words and word combinations:

Home Office	міністерство внутрішніх справ
Home Secretary	міністр внутрішніх справ
to police	підтримувати порядок, нести службу
to be responsible (for)	бути відповідальним (за)
to be answerable (to)	бути відповідальним (перед)
to escort	конвоювати, супроводжувати
police strength	чисельність, кількісний склад поліції
volunteer constables	констеблі – добровільці
to recruit	набирати
to appoint	призначати

to perform one's duties in one's spare time	виконувати обов'язки у свій вільний час
Metropolitan Police Force	столична поліція
to improve the management of the police	удосконалювати управління поліцією
to devolve power	передавати владу
detection rate for violent crimes	відсоток розкритих насильницьких злочинів
to respond promptly	негайно реагувати
to publish annual reports	публікувати річні звіти
commitment	зобов'язання

Activity 2.

Find the parts of the text containing information

- a) about the principles of the organization of the British police force;
- b) about unpaid constables.

Activity 3.

Delete the unessential information in each paragraph, write a summary of the text.

Activity 4.

Find the most important information in each of the paragraphs.

UNIT 14.

On the Job

The heart of policing is the work done by police constables who are in constant touch with the public. They patrol streets on foot, sometimes on bicycles or in cars, give advice and deal with disturbances. They also work at the local police stations, handling enquiries and dealing with arrested people. Some specialise, for example, as dog handlers or mounted police. Every force has its criminal investigation department staffed by special detectives. There is also a traffic division which operates road patrol units charged with enforcing traffic law and helping motorists in difficulties.

At the heart of most police stations is the control room equipped with high-tech computer and radio equipment. The control room monitors and coordinates most of the day-to-day work of the police officer on the beat and provides operational back-up. The central communications room keeps the police officer in touch with other officers and with the station by a personal or car radio. Information from the police computer network is also relayed.

London's Metropolitan Police Service has a central command complex responsible for providing support to areas and divisions during the initial stages of any major incidents or public disorder. Incidents involving the use of firearms and high-speed vehicle pursuits also require the coordination provided by the central command complex. One part of the complex is responsible for the day-to-day control of traffic within the Metropolitan Police District; it has access to computer systems which monitor traffic flow and control automatic traffic signals at many road junctions.

Activity 1.

Memorize the following words and word combinations:

to police	підтримувати порядок, нести службу
to be responsible (for)	бути відповідальним (за)
to be answerable (to)	бути відповідальним (перед)
to escort	конвоювати, супроводжувати
police strength	чисельність, кількісний склад поліції
volunteer constables	констеблі – добровільці
to recruit	Набирати
to appoint	Призначати
to perform one's duties in one's spare time	виконувати обов'язки у свій вільний час
Metropolitan Police Force	столична поліція
to improve the management of the police	удосконалювати управління поліцією
to devolve power	передавати владу
detection rate for violent crimes	відсоток розкритих насильницьких злочинів
to respond promptly	негайно реагувати
to publish annual reports	публікувати річні звіти
commitment	зобов'язання
to meet community demands	задовольняти вимоги громадян
police\community liaison group	групи зв'язку поліції з громадськістю
priority issue	пріоритетна проблема
ethnic minorities	етнічні меншини
equal opportunities policy	політика рівних можливостей
to detain	Затримувати
suspect	Підозрюваний
accused	Обвинувачуваний
free of charge	без оплати

Activity 2.

Give an outline of the text

Activity 3.

In each of the paragraphs above find the most important facts about the work of the police. Delete the unessential information.

Activity 4.

Summarise the main points of the text.

UNIT 15.

UKRAINIAN PARLIAMENT

The sole body of legislative power in Ukraine shall be the parliament – the Verkhovna Rada of Ukraine.

The constitutional membership of the Verkhovna Rada of Ukraine shall comprise 450 people's deputies of Ukraine elected on the basis of universal, equal and direct suffrage by secret ballot for the term of five years.

A citizen of Ukraine having attained to the age of twenty-one as of the day of elections, having the right to vote, and having resided in the territory of Ukraine for the past five years, may be elected people's deputy of Ukraine.

A citizen who has a criminal record of committing an intentional crime shall not be elected to the Verkhovna Rada of Ukraine if the record has not been nullified in compliance with a procedure established by law.

The powers of the people's deputies of Ukraine shall be determined by the Constitution and the laws of Ukraine.

Regular elections to the Verkhovna Rada of Ukraine shall be held on the last Sunday of October of the fifth year of the term of the Verkhovna Rada of Ukraine.

Early elections to the Verkhovna Rada of Ukraine shall be appointed by the President of Ukraine and shall be held within sixty day period from the day of publication of the decision on the early termination of the powers of the Verkhovna Rada of Ukraine.

The procedure for electing the people's deputies of Ukraine shall be established by law. The people's deputies of Ukraine shall exercise their powers on a permanent basis. The people's deputies of Ukraine shall not have another representative mandate

Requirements concerning the incompatibility of the mandate of the deputy with other types of activities shall be established by law.

Prior to assuming office, people's deputies of Ukraine shall take the following oath before the Verkhovna Rada of Ukraine:

“I swear allegiance to Ukraine. I commit myself with all my deeds to protect the sovereignty and independence of Ukraine, to provide for the good of the Motherland and for the welfare of the Ukrainian people.

“I swear to abide by the Constitution of Ukraine and the laws of Ukraine, to discharge my duties in the interests of all fellow-citizens.”

The oath shall be read by the oldest people's deputy of Ukraine before the opening of the first session of the newly elected Verkhovna Rada of Ukraine, upon which the deputies shall affirm the oath with their signatures below the text of the oath.

A refusal to take the oath shall result in the loss of the deputy's mandate.

The powers of people's deputies of Ukraine shall commence immediately upon taking of the oath.

The people's deputies of Ukraine shall be guaranteed immunity of a deputy.

The people's deputies of Ukraine shall not be held legally liable for the results of voting or for statements made in the parliament and in its bodies, save as the liability for an insult or defamation.

The people's deputies of Ukraine shall not be held criminally liable, detained or arrested without the consent of the Verkhovna Rada of Ukraine.

The powers of the people's deputies of Ukraine shall terminate simultaneously with the termination of the powers of the Verkhovna Rada of Ukraine.

The powers of a people's deputy of Ukraine shall be subject to early termination in the event of:

- 1) resignation by virtue of a personal statement;
- 2) guilty verdict against him/her entering into legal force;
- 3) court declaring them legally incapable or missing;
- 4) termination of his citizenship or his departure from Ukraine for permanent residence abroad;
- 5) his/her death.

The decision about the pre-term termination of authority of a People's Deputy of Ukraine is adopted by the majority of the constitutional composition of the Verkhovna Rada of Ukraine.

In the event a requirement concerning incompatibility of the mandate of the deputy with other types of activity is not fulfilled, the authority of the People's Deputy of Ukraine terminates prior to the expiration of the term on the basis of the law pursuant to a court decision.

The Verkhovna Rada of Ukraine works in sessions.

The Verkhovna Rada of Ukraine is competent on the condition that no less than two-thirds of its constitutional composition has been elected.

The Verkhovna Rada of Ukraine assembles for its first session no later than thirtieth day after the official announcement of the election results. The meeting of the Verkhovna Rada of Ukraine is opened by the eldest People's Deputy of Ukraine.

Regular sessions of the Verkhovna Rada of Ukraine commence on the first Tuesday of February and on the first Tuesday of September each year.

Special sessions of the Verkhovna Rada of Ukraine, with the stipulation of their agenda, are convoked by the Chairman of the Verkhovna Rada of Ukraine, on the demand of no fewer People's Deputies of Ukraine than one-

third of the constitutional composition of the Verkhovna Rada of Ukraine, or at the demand of the President of Ukraine.

In the event of the introduction of martial law or of a state of emergency in Ukraine, the Verkhovna Rada of Ukraine assembles within a period of two days without convocation.

In the event that the term of authority of the Verkhovna Rada of Ukraine expires while martial law or a state of emergency is in effect, its authority is extended until the day of the first meeting of the first session of the Verkhovna Rada of Ukraine, elected after the cancellation of martial law or of a state of emergency.

Meetings of the Verkhovna Rada of Ukraine are conducted openly. A closed meeting is conducted on the decision of the majority of the constitutional composition of the Verkhovna Rada of Ukraine.

Decisions of the Verkhovna Rada of Ukraine are adopted exclusively at its plenary meetings by voting.

Voting at the meetings of the Verkhovna Rada of Ukraine is performed by its People's Deputy of Ukraine in person.

The authority of the Verkhovna Rada of Ukraine comprises:

- 1) introducing amendments to the Constitution of Ukraine within the limits and by the procedure envisaged by Chapter XIII of this Constitution;
- 2) designating an All-Ukrainian referendum on issues determined by Article 73 of this Constitution;
- 3) adopting laws;
- 4) approving the State Budget of Ukraine and introducing amendments to it; controlling the implementation of the State Budget of Ukraine and adopting decisions in regard to the report on its implementation;
- 5) determining the principles of domestic and foreign policy;
- 6) approving national programmes of economic, scientific and technical, social, national and cultural development, and the protection of the environment;
- 7) designating elections of the President of Ukraine within the terms envisaged by this Constitution;
- 8) hearing annual and special messages of the President of Ukraine on the domestic and foreign situation of Ukraine;
- 9) declaring war upon the submission of the President of Ukraine and concluding peace, approving the decision of the President of Ukraine on the use of the Armed Forces of Ukraine and other military formations in the event of armed aggression against Ukraine;
- 10) removing the President of Ukraine from office in accordance with the special procedure (impeachment) established by Article 111 of this Constitution;
- 11) considering and adopting the decision in regard to the approval of the Programme of Activity of the Cabinet of Ministers of Ukraine;
- 12) giving consent to the appointment of the Prime Minister of Ukraine by the President of Ukraine;
- 13) exercising control over the activity of the Cabinet of Ministers of Ukraine in accordance with this Constitution;
- 14) confirming decisions on granting loans and economic aid by Ukraine to foreign states and international organisations and also decisions on Ukraine receiving loans not envisaged by the State Budget of Ukraine from foreign states, banks and international financial organisations, exercising control over their use;
- 15) appointing or electing to office, dismissing from office, granting consent to the appointment to and the dismissal from office of persons in cases envisaged by this Constitution;
- 16) appointing to office and dismissing from office the Chairman and other members of the Chamber of Accounting;
- 17) appointing to office and dismissing from office the Authorised Human Rights Representative of the Verkhovna Rada of Ukraine; hearing his or her annual reports on the situation of the observance and protection of rights and freedoms in Ukraine;
- 18) appointing to office and dismissing from office the Chairman of the National Bank of Ukraine on the submission of the President of Ukraine;

- 19) appointing and dismissing one-half of the composition of the fhtliin il of the National Bank of Ukraine;
- 20) appointing one-half of the composition of the National Council of HLi.il lie on Television and Radio Broadcasting;
- 21) appointing to office and terminating the authority of the members of (Vnlrul Electoral Commission on the submission of the President of l lit mint;
- 22) confirming the general structure and numerical strength, and defining III»* him lions of the Armed Forces of Ukraine, the Security Service of Ukraine Mini oilier military formations created in accordance with the laws of Ukraine, HIIII ill o the Ministry of Internal Affairs of Ukraine;
- 23) approving decisions on providing military assistance to other states, dll weiuling units of the Armed Forces of Ukraine to another state, or on Hilmltmg units of armed forces of other states on to the territory of Ukraine;
- 24) granting consent for the appointment to office and the dismissal |l • HI i office by the President of Ukraine of the Chairman of the Antimonopoly ('nmmlttee of Ukraine, the Chairman of the State Property Fund of Ukraine Mini the Chairman of the State Committee on Television and Radio Hi I mdeusting of Ukraine;
- 25) granting consent for the appointment to office by the President of I Ik i nine of the Procurator General of Ukraine; declaring no confidence in the I'lov urator General of Ukraine that has the result of his or her resignation in mi office;
- 26) appointing one-third of the composition of the Constitutional Court nl I lkraine;
- 27) electing judges for permanent terms;
- 28) terminating prior to the expiration of the term of authority of the Verkhovna Rada of the Autonomous Republic of Crimea, based on the olijinion of the Constitutional Court of Ukraine that the Constitution of I Ik mine or the laws of Ukraine have been violated by the Verkhovna Rada of ilu- Autonomous Republic of Crimea; designating special elections to the Verkhovna Rada of the Autonomous Republic of Crimea;
- 29) establishing and abolishing districts, establishing and altering the boundaries of districts and cities, assigning inhabited localities to the category of cities, naming and renaming inhabited localities and districts;
- 30) designating regular and special elections to bodies of local self- government;
- 31) confirming, within two days from the moment of the address by the President of Ukraine, decrees on the introduction of martial law or of a state of emergency in Ukraine or in its particular areas, on total or partial mobilisation, and on the announcement of particular areas as zones of an ecological emergency situation;
- 32) granting consent to the binding character of international treaties of Ukraine within the term established by law, and denouncing international treaties of Ukraine;
- 33) exercising parliamentary control within the limits determined by this Constitution;
- 34) adopting decisions on forwarding an inquiry to the President of Ukraine on the demand of a People's Deputy of Ukraine, a group of People's Deputies or a Committee of the Verkhovna Rada of Ukraine, previously supported by no less than one-third of the constitutional composition of the Verkhovna Rada of Ukraine;

35) appointing to office and dismissing from office the Head of Staff of the Verkhovna Rada of Ukraine; approving the budget of the Verkhovna Rada of Ukraine and the structure of its staff;

36) confirming the list of objects of the right of state property that are not subject to privatisation; determining the legal principles for the expropriation of objects of the right of private property. The Verkhovna Rada of Ukraine exercises other powers ascribed to its competence in accordance with the Constitution of Ukraine.

At a session of the Verkhovna Rada of Ukraine, a People's Deputy of Ukraine has the right to present an inquiry to the bodies of the Verkhovna Rada of Ukraine, the Cabinet of Ministers of Ukraine, chief officers of other bodies of state power and bodies of local self-government, and also to the chief executives of enterprises, institutions and organisations located on the territory of Ukraine, irrespective of their subordination and forms of ownership.

Chief officers of bodies of state power and bodies of local self-government, chief executives of enterprises, institutions and organisations are obliged to notify a People's Deputy of Ukraine of the results of the notification of his or her inquiry.

The Verkhovna Rada of Ukraine, on the proposal of no fewer People's Deputies of Ukraine than one-third of its constitutional composition, may the issue of responsibility of the Cabinet of Ministers of Ukraine and adopt its resolution of no confidence in the Cabinet of Ministers of Ukraine by (two-thirds) majority of the constitutional composition of the Verkhovna Rada of Ukraine.

The issue of responsibility of the Cabinet of Ministers of Ukraine shall be considered by the Verkhovna Rada of Ukraine more than once during each regular session, and also within one year after the approval of the Programme of Activity of the Cabinet of Ministers of Ukraine.

The Verkhovna Rada of Ukraine confirms the list of Committees of the Verkhovna Rada of Ukraine, and elects Chairmen to these Committees. The Verkhovna Rada of Ukraine, within the limits of its authority, may establish temporary special commissions for the preparation and the preliminary consideration of issues.

To investigate issues of public interest, the Verkhovna Rada of Ukraine establishes temporary investigatory commissions, if no less than one-third of its constitutional composition of the Verkhovna Rada of Ukraine has voted in favour thereof.

The conclusions and proposals of temporary investigatory commissions are not decisive for investigation and court.

The organization and operational procedure of Committees of the Verkhovna Rada of Ukraine, and also its temporary special and temporary Investigatory commissions, are established by law. The authority of the Verkhovna Rada of Ukraine is terminated on the day of the opening of the first meeting of the Verkhovna Rada of Ukraine of a new convocation.

The President of Ukraine may terminate the authority of the Verkhovna Rada of Ukraine prior to the expiration of term, if within thirty days of a single regular session the plenary meetings fail to commence.

The authority of the Verkhovna Rada of Ukraine, that is elected at special elections conducted after the pre-term termination by the President of Ukraine of authority of the

Verkhovna Rada of Ukraine of the previous convocation, shall not be terminated within one year from the day of its election.

The authority of the Verkhovna Rada of Ukraine shall not be terminated prior to the expiration of term within the last six months of the term of authority of the President of Ukraine.

The Verkhovna Rada of Ukraine adopts laws, resolutions and other acts by the majority of its constitutional composition, except in cases envisaged by this Constitution.

The following are determined exclusively by the laws of Ukraine:

- 1) human and citizens' rights and freedoms, the guarantees of these rights and freedoms; the main duties of the citizen;
- 2) citizenship, the legal personality of citizens, the status of foreigners and stateless persons;
- 3) the rights of indigenous peoples and national minorities;
- 4) the procedure for the use of languages;
- 5) the principles of the use of natural resources, the exclusive (maritime) economic zone and the continental shelf, the exploration of outer space, the organisation and operation of power supply systems, transportation and communications;
- 6) the fundamentals of social protection, the forms and types of pension provision; the principles of the regulation of labour and employment, marriage, family, the protection of childhood, motherhood and fatherhood; upbringing, education, culture and health care; ecological safety;
- 7) the legal regime of property;
- 8) the legal principles and guarantees of entrepreneurship; the rules of competition and the norms of antimonopoly regulation;
- 9) the principles of foreign relations, foreign economic activity and customs;
- 10) the principles of the regulation of demographic and migration processes;
- 11) the principles of the establishment and activity of political parties, literary associations of citizens, and the mass media;
- 12) the organisation and activity of bodies of executive power, the fundamentals of civil service, the organisation of state statistics and Informatics;
- 13) the territorial structure of Ukraine;
- 14) the judicial system, judicial proceedings, the status of judges, the principles of judicial expertise, the organisation and operation of the judiciary, the bodies of inquiry and investigation, the notary, the bodies and institutions for the execution of punishments; the fundamentals of the organisation and activity of the advocacy;
- 15) the principles of local self-government;
- 16) the status of the capital of Ukraine; the special status of other cities;
- 17) the fundamentals of national security, the organisation of the Armed Forces of Ukraine and ensuring public order;
- 18) the legal regime of the state border;
- 19) the legal regime of martial law and a state of emergency, zones of an exceptional emergency situation;
- 20) the organisation and procedure for conducting elections and referendums;

21) the organisation and operational procedure of the Verkhovna Rada of Ukraine, the Ustatus of People's Deputies of Ukraine;

22) the principles of civil legal liability; acts that are crimes, tui mini strati ve or disciplinary offences, and liability for them.

The following are established exclusively by the laws of Ukraine:

1) the State Budget of Ukraine and the budgetary system of Ukraine; the system of taxation, taxes and levies; the principles of the formation and operation of financial, monetary, credit and investment markets; the status of if national currency and also the status of foreign currencies on the territory on Ukraine; the procedure for the formation and payment of state domestic hi ul foreign debt; the procedure for the issuance and circulation of state securities, their types and forms;

2) the procedure for deploying units of the Armed Forces of Ukraine to other states; the procedure for admitting and the terms for stationing units of armed forces of other states on the territory of Ukraine;

3) units of weight, measure and time; the procedure lor csiuhlishing state standards;

4) the procedure for the use and protection of state symbols;

5) state awards;

6) military ranks, diplomatic and other special ranks;

7) state holidays;

8) the procedure for the establishment and functioning of free and other special zones that have an economic and migration regime different from the general regime.

Amnesty is declared by the law of Ukraine.

The right of legislative initiative in the Verkhovna Rada of Ukraine belongs to the President of Ukraine, the People's Deputies of Ukraine, the Cabinet of Ministers of Ukraine and the National Bank of Ukraine.

Draft laws defined by the President of Ukraine as not postponable, are considered out of turn by the Verkhovna Rada of Ukraine. The Chairman of the Verkhovna Rada of Ukraine signs a law and forwards it without delay to the President of Ukraine. Within fifteen days of the receipt of a law, the President of Ukraine signs it, accepting it for execution, and officially promulgates it, or returns it to the Verkhovna Rada of Ukraine with substantiated and formulated proposals for repeat consideration.

In the event that the President of Ukraine has not returned a law for repeat consideration within the established term, the law is deemed to be approved by the President of Ukraine and shall be signed and officially promulgated. If a law, during its repeat consideration, is again adopted by the Verkhovna Rada of Ukraine by no less than two-thirds of its constitutional composition, the President of Ukraine is obliged to sign and to officially promulgate it within ten days.

A law enters into force in ten days from the day of its official promulgation, unless otherwise envisaged by the law itself, but not prior to the day of its publication.

Activity 1.

Study the following words and phrases:

on the basis of universal, equal and direct	на основі загального, рівного і прямого
---	---

suffrage, by secret ballot	виборчого права шляхом таємного голосування
to attain the age of twenty-one on the day of elections	досягнути двадцяти одного року на день виборів
to reside on the territory of Ukraine for the past five years	проживати на території України протягом останніх п'яти років
to have a criminal record for i ommitting an intentional crime	мати судимість за вчинення умисного злочину
unless the record is cancelled and erased by the procedure established IJV law	якщо ця судимість не погашена і не знята у встановленому законом порядку
to exercise authority on a permanent basis	здійснювати повноваження на постійній основі
ineompatibility of the mandate of the deputy with other types of activity	несумісність депутатського мандата і іншими видами діяльності
to assume office	вступати на посаду
to take the following oath	складати таку присягу
to swear allegiance to Ukraine	присягатися на вірність Україні
welfare of the Ukrainian people	добробут українського народу
to abide by the Constitution	додержуватися Конституції
to affirm the oath with their signatures	скріплювати присягу своїми підписами
to commence from the moment of the taking of the oath	починатися з моменту складення присяги
to be not legally liable for the results of voting	не нести юридичної відповідальності за результати голосування
with the exception of liability for insult or defamation	за винятком відповідальності за образу чи наклеп
without the consent of the Verkhovna Rada of Ukraine	без згоди Верховної Ради України
termination of authority	припинення повноважень
to enter into legal force	набрати законної сили
majority of the constitutional composition	більшість конституційного складу
in the event of martial law or of a state of emergency	у разі введення воєнного чи надзвичайного стану
to comprise	включати,
to introduce amendments to the Constitution	вносити зміни до Конституції
to adopt laws	приймати закони
to approve the State Budget	затверджувати державний бюджет
to designate elections	призначати вибори
to give consent to the appointment	надавати згоду на призначення
to exercise control	здійснювати контроль
to envisage	передбачати

to grant loans and economic aid	надавати позики та економічну допомогу
to investigate issues of public interest	розслідувати питання, що становлять суспільний інтерес
temporary investigatory commission	тимчасова слідча комісія
to appoint or elect to office	призначати або обирати на посаду
to dismiss from office	звільняти з посади
to grant consent	надавати згоду
terminating prior to the expiration of the term of authority	дострокове припинення повноважень
to establish	утворювати
to abolish	ліквідувати
to alter	змінювати
temporary investigatory commissions	тимчасові спеціальні комісії
indigenous peoples	корінні народи
national minorities	національні меншини
legal regime of property	правовий режим власності
bodies of inquiry and investigation	органи дізнання і слідства
irrespective of subordination and forms of ownership	незалежно від підпорядкування та форм власності
issuance and circulation of state securities	випуск та обіг державних цінних паперів
law enters into force in ten days from the day of its official promulgation	закон набирає чинності через десять днів з дня його офіційного оприлюднення
unless otherwise envisaged by the law	якщо інше не передбачено законом

Activity 2.

Answer the following questions:

- 1 What is the legislative body in Ukraine?
- 2 Of how many People's Deputies does the Verkhovna Rada consist?
- 3 Who can be elected a deputy of the Verkhovna Rada of Ukraine?
- 4 When do regular elections to the Verkhovna Rada of Ukraine take place?
- 5 What oath do People's Deputies take?
- 6 When does the authority of People's Deputies commence?
- 7 What work do the committees of the Verkhovna Rada of Ukraine perform?
- 8 Does the authority of People's Deputies of Ukraine terminate simultaneously with the termination of the Verkhovna Rada of Ukraine?
- 9 Who is the first meeting of the Verkhovna Rada of Ukraine opened by?
- 10 Are meetings of the Verkhovna Rada of Ukraine conducted openly?
- 11 How are the decisions of the Verkhovna Rada adopted?
- 12 What does the authority of the Verkhovna Rada comprise?
- 13 Does the Verkhovna Rada of Ukraine appoint the Prime Minister?
- 14 When does the Verkhovna Rada of Ukraine establish temporary investigatory commissions?

- 15 How does the Verkhovna Rada of Ukraine adopt laws, resolutions and other acts?
16 What is the constitutional majority of the Verkhovna Rada of Ukraine.

Activity 3.

Translate into English:

- Народним депутатом України може бути громадянин України, який на день виборів досяг двадцяти одного року, має право голосу і проживає в Україні протягом останніх п'яти років.
- Не може бути обраним до Верховної Ради України громадянин який має судимість за вчинення умисного злочину, якщо ця судимість не погашена і не знята у встановленому законом порядку.
- Порядок проведення виборів народних депутатів України встановлюється законом.
- Народні депутати України здійснюють свої повноваження на постійній основі. Народні депутати України не можуть мати іншого представницького мандата чи бути на державній службі.
- Народним депутатам України гарантується депутатська недоторканість.
- До повноважень Верховної Ради України належить:
 - внесення змін до Конституції України;
 - прийняття законів;
 - визначення засад внутрішньої і зовнішньої політики;
 - затвердження загальнодержавних програм економічного, науково-технічного, соціального, національно-культурного розвитку, охорони довкілля;
 - оголошення за подання Президента України стану війни та ухвалення миру;
 - надання згоди на призначення Президентом України Прем'єр-міністра України;
 - здійснення контролю за діяльністю Кабінету Міністрів України;
 - призначення на посаду та звільнення з посади Голови Національного банку України за поданням Президента України;
 - Надання згоди на призначення Президентом України на посаду Генерального прокурора України;
 - призначення третини складу Конституційного Суду України;
 - обрання суддів безстроково.

Activity 4.

Summarise the text about the Ukrainian Parliament.

Proverbs and quotations to be discussed.

1. Everyone thinks of changing the world, but no one thinks of changing himself (Leo Tolstoi).
2. Age does not depend upon years, but upon temperament and health. Some men are born old, and some never grow so.
3. Every cloud has a silver lining.

UNIT 16.

BRITISH PARLIAMENT AND PARLIAMENTARY ELECTIONS

Elections to the House of Commons, known as parliamentary elections, form the basis of Britain's democratic system. Unlike heads of Government in some countries, the Prime Minister is not directly elected by voters, although he or she is an elected Member of Parliament - an MP. Instead, the Prime Minister depends on the support of a majority of elected representatives in the House of Commons. These MPs back the Government because they are members of the party which the Prime Minister leads.

Unlike most other countries, Britain does not have a written constitution set out in a single document. Instead, the constitution, which has evolved over many centuries, is made up of Acts of Parliament, common law and conventions. The constitution can be altered by Act of Parliament, or by a formal agreement to change a convention. It can thus adapt readily to suit changing circumstances.

Parliament is the legislature and the supreme authority. It consists of three elements - the Monarchy, the House of Lords and the House of Commons.

The House of Commons consists of 659 MPs, who are directly elected by voters in each of Britain's parliamentary constituencies.

The House of Lords consists of hereditary peers and peeresses - men and women who hold titles of nobility which can be passed on to their sons and, in some cases, daughters; life peers and peeresses - distinguished individuals who are given peerages and who hold their titles only during their lifetimes; and two archbishops and 24 senior bishops of the Church of England.

Parliament has the following functions:

- passing, or abolishing, laws;
- voting for taxation, in order to provide the means for carrying on the work of government; and
- debating government policy and administration and any other major issues.

The House of Lords cannot normally prevent proposed legislation from becoming law if the House of Commons insists on it, and it has little influence over legislation involving taxation or expenditure.

Government ministers are answerable to Parliament for the activities of their departments and for the general conduct of national policies. They take part in debates in Parliament and can be questioned by MPs.

For over 150 years Britain's system of parliamentary democracy has been based on organised political parties competing to form governments. Most candidates in elections and almost all winning candidates belong to one or other of the main political parties. The leader of the party which wins most seats at a general election is by convention invited by the Monarch to form a government. He or she becomes Prime Minister and chooses the ministers who will together form the Government.

All British citizens may vote provided they are aged 18 years or over and are not legally barred from voting. Subject to the same conditions, citizens of other Commonwealth countries and the Irish Republic who are resident in Britain may also vote

at parliamentary elections. All voters must be registered as resident in a constituency on a specified date.

The following people are not entitled to vote:

- peers, and peeresses in their own right, who are members of the House of Lords;
- foreign nationals, other than citizens of the Irish Republic resident in Britain;
- people kept in hospital under mental health legislation;
- people serving prison sentences; and
- people convicted within the previous five years of corrupt or illegal election practices.

An electoral register for each constituency is prepared annually. Registration officers arrange either to send forms to, or for their representatives to call on, every household in the constituency. Householders must give details of all occupants who are eligible to vote; failure to do so may lead to the individuals concerned being fined.

The information is used to compile provisional electoral lists, which are displayed in public places in order to give people the opportunity to check that their names are included or to object to inclusions. People who disagree with the final decision of the registration officer may appeal to the courts.

Voters who are likely to be away from home at the time of an election - for example, on holiday or business - or who are unable to vote in person at the polling station, may apply for a postal or a proxy vote. The latter is a vote cast by a person authorised to vote on behalf of another. Postal ballot papers can be sent only to addresses in Britain.

Any person aged 21 or over who is a British citizen, or citizen of another Commonwealth country or the Irish Republic, may stand for election to Parliament, providing they are not disqualified. Those disqualified include:

- people who are bankrupt;
- people sentenced to more than one year's imprisonment;

clergy of the Church of England, Church of Scotland, Church of Ireland and the Roman Catholic Church; members of the House of Lords; and a range of public servants and officials, specified by law. They include judges, civil servants, some local government officers, full-time members of the armed forces and police officers, and British members of the armed forces of any country or territory outside the Commonwealth. Candidates must be nominated on official nomination papers, giving their full name and addresses. A political or personal description of up to six words may be included. The nomination paper must be signed by ten electors, including a proposer and a seconder. At the same time a sum of 500 pounds must be deposited on behalf of each candidate: candidates who receive less than 5 per cent of the votes cast in the election lose this deposit.

Candidates normally belong to one of the main political parties. However, smaller political parties or groups also put forward candidates, and individuals without party support also stand.

All the main political parties produce a wide range of publicity material. The publication of such material dramatically increases during election campaigns, although publicity directed at the election of individual candidates is subject to expenditure limits.

The national headquarters of political parties are responsible for preparing party election broadcasts for television and radio. They are also responsible for arranging advertising for the party as a whole. The parties also arrange for posters to appear in prominent places and for advertisements to appear in newspapers. The main form of publicity at constituency level is each candidate's election address, which can be sent free to any household in the constituency. These typically include a photograph of the candidate, some biographical details, and a message to the electors setting out reasons for voting for the candidate and the party he or she represents. The posters are usually in the party colours blue for the Conservative Party, red for the Labour Party and orange or gold for the Liberal Democrats. They bear the candidate's name and may show the party's symbol.

POLLING DAY

Polling for parliamentary elections takes place on Thursdays. The hours of voting are 07.00 to 22.00; no break is allowed. Before each polling station opens, the presiding officer shows the ballot boxes to those at the polling station to prove that they are empty. The boxes are then locked. To ensure that the ballot is secret, the only people allowed to remain in the polling station are the election officials, the police and the candidates and their appointed helpers.

Voters have their names checked against the election register before they are given ballot papers. The paper lists the names of the candidates in alphabetical order, with a brief description of the candidates or their political parties. Voting takes place in booths, which are screened to maintain secrecy. Voters mark their ballot papers with a cross in the box opposite the name of the candidate of their choice and then fold the paper to conceal the vote, before placing it in the ballot box. Voters who spoil their ballot papers by mistake can vote using a fresh ballot paper once the first ballot paper is cancelled. There are also special procedures to enable those who are unable to read, or are physically incapacitated, to vote.

At the end of polling the ballot boxes are sealed to prevent further votes from being added. They are then delivered to the returning officer for the constituency, together with a statement accounting for the number of ballot papers given to the presiding officer (the ballot paper account).

The votes must be counted as soon as possible after the end of polling. Candidates and their agents have the right to be present; candidate's counting agents watch the counting of the votes and check for errors. Before the ballot boxes are opened the seals are checked. The number of papers in the box is then counted and checked against the ballot paper account. After this, papers are sorted according to the candidates for whom they are marked. Doubtful papers are put aside and the returning officer decides whether they are valid. If the result is close, candidates or their agents may seek a recount; the decision is made by the returning officer. If the number of votes is equal, the winner is decided by drawing lots.

The results of the poll are declared within five or six hours of the close of poll. Electors or candidates who wish to challenge the conduct or result of an election must do so by presenting an election petition which sets out the grounds of the complaint. The

petition is considered, in public, by two judges. The election of a successful candidate can be declared void.

By-elections take place when parliamentary seats fall vacant between general elections, following death or resignation of an MP, or his or her elevation to the House of Lords. The timing of the by-election is normally decided by the party to which the former MP belonged. By-elections are regarded as test of national opinion and receive extensive coverage in the press and on radio and television. The results are much discussed by senior politicians and political commentators, who use the voting figures to argue about the likely result of the next general election and the popularity of the parties' policy.

Activity 1.

Study the following words and phrases and translate the text

House of Commons	палата громад
unlike heads of Governments	на відміну від глав урядів
to depend on the support of a	залежати від підтримки
majority in the House of Commons	більшості в палаті громад
to back the Government	підтримувати уряд
to single document	єдиний документ
to evolve over many centuries	розвиватися упродовж багатьох століть
to suit changing circumstances	задовольняти вимоги, що змінюються
legislature and the supreme authority	законодавчий орган і найвищі повноваження
constituency	виборчий округ
hereditary peers	пери, титули яких передаються у спадок
to hold titles of nobility	мати титули перів, баронів
to pass on to their sons and, in some cases, daughters	передавати своїм синам, а у деяких випадках і донькам
life peers	пери, що мають цей титул довічно (не передається у спадок)
distinguished citizens	видатні громадяни
to pass or abolish laws	приймати або скасовувати закони
in order to provide the means	для того, щоб забезпечити кошти
to debate government policy	обговорювати політику уряду
major issues	основні проблеми
to prevent proposed legislation from becoming law	перешкоджати, щоб запропоноване законодавство стало законом
to insist on	наполягати на
legislation involving taxation or expenditure	законодавство, пов'язане з оподаткуванням чи витратами
to be answerable to Parliament	бути відповідальним перед Парламентом
provided they not legally barred from	за умови, що законом їм не заборонено

voting	брати участь у виборах
to serve prison sentences	відбувати тюремне ув'язнення
to convict of corrupt election practices	визнати винним у корупційній виборчій практиці
within the previous five years	упродовж попередніх п'яти років
to sentence to more than one year's imprisonment	призначити покарання до одного року ув'язнення
civil servants	державні службовці
commonwealth	співдружність
seconder	той, що підтримує
on behalf of each candidate	від імені кожного кандидата
to be subject to expenditure limits	витрати підлягають обмеженню
headquarters of political parties	штаби політичних партій
polling day	день голосування
polling station	виборча дільниця
appointed helpers	призначені помічники
election register	виборчий список
ballot paper	бюлетень
brief description	короткий опис
to screen to maintain secrecy	закривати ширмою, аби дотриматись таємниці голосування
to conceal	приховувати
to spoil ballot papers by mistake	помилково зіпсувати бюлетені
ballot paper account	підрахунок бюлетенів
valid ballot papers	дійсні бюлетені
by drawing lots	жеребкуванням
to challenge the conduct or result of ini election	оскаржувати проведення чи результати виборів
to declare void	оголосити недійсними
to set out the grounds of the complaint	викласти підстави скарги
by-elections	додаткові вибори
death or resignation of an MP	смерть або відставка члена парламенту
extensive coverage	широке висвітлення

Activity 2.

Answer the following questions.

- 1 What is the legislative body in Britain?
- 2 What three elements does the supreme authority in Britain consist of?
- 3 Is the Prime Minister elected by the voters in Britain?
- 4 Who is the Prime Minister in Britain now?

- 5 Of how many MPs does the House of Commons consist? Are they directly elected by voters?
- 6 What main functions does the Parliament have?
- 7 Who are government ministers answerable to?
- 8 How many constituencies are there in Great Britain?
- 9 Who is legally barred from voting?
- 10 Who is eligible to vote?
- 11 Citizens of what age may be nominated for the Parliament?
- 12 Can a judge be elected to the Parliament?

Activity 3.

Complete the sentences consulting the text above

- 1 Parliament consists of three elements -
- 2 Government ministers are answerable to
- 3 Any person aged 21 or over who is a British citizen, or citizen of another Commonwealth country or the Irish Republic, may stand for ..
- 4 Candidates normally belong to
- 5 The hours of voting are
- 6 Voting takes place in
- 7 The results of the poll are declared within

Activity 4.

Give a summary of the text. Compare elections in the UK and elections in Ukraine. Proverbs and quotations to be discussed.

1. He that once deceives is ever suspected.
2. Repentance is good but innocence is better.

UNIT 17.

THE CONGRESS OF THE UNITED STATES

The Constitution was written in 1787 by the delegates of the states who met in Philadelphia. It was officially adopted by thirteen states by 1790. The Constitution sets the basic forms of government: three separate branches, and each of them has powers over the others. The powers given to each are carefully balanced by the powers of the other two. Each branch serves as a check on the others. This is to prevent any branch from gaining too much power or from abusing its powers.

Because the drafters of the Constitution saw that the future might bring a need for changes they provided for a method of its amending. Over the years 26 amendments have been added. The first 10 amendments to the Constitution are called the Bill of Rights. They were added in 1791 and are considered to be the fundamental rights of any US citizen. They are natural inalienable rights of every American. Among these rights are freedom of speech, press, the right of peaceful assembly, religion. Other rights guarded citizens against unreasonable searches, arrests and seizures of property, which led to establishing the system of justice. According to Amendment VI “the accused shall enjoy the right to a speedy and public trial by an impartial jury and to be informed of the nature of the cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favour and to have the assistance of counsel for his defence.”

The Constitution consists of the Preamble and 7 Articles. Article 1 deals with legislative power which is vested in the Congress of the United States. The Congress consists of the Senate and the House of Representatives. According to Article 2 the executive power shall be vested in the President of the United States. Article 3 deals with judicial power.

Legislative power is vested in the Congress which is made up of the Senate and the House of Representatives. There are 100 Senators, two from each state. One third of the Senators are elected every two years for six-year terms of office. A Senator must have attained 30 years of age and must have been an American citizen for at least seven years.

The House has 435 members, who are elected every two years. The number of representatives from each state is based upon its population. So California, the state with the largest population, has 52 Representatives, while Delaware has only two.

Congress makes all laws, and each house of Congress has the power to introduce legislation. Each can also vote against the bill passed by the other. A bill becomes law if both houses agree.

Congress decides upon taxes and how money is spent. In addition, it regulates commerce among the states and with foreign countries. It also sets rules for the naturalization of foreign citizens.

Activity 1.

Study the following words and phrases and translate the text.

three separate branches	три окремі гілки
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to balance by the powers of the other two	урівноважуватися повноваженнями інших двох
to serve as a check on the others	служувати стримуванням для інших
to prevent any branch from gaining too much power	не допускати, аби будь-яка з гілок набрала надто багато повноважень
to abuse power	зловживати владою
drafters of the Constitution	укладачі Конституції
to provide for a method of amending the Constitution	передбачити спосіб внесення змін до Конституції
amendment	поправка
Bill of Rights	Біль про права
fundamental rights	основні права
natural inalienable rights	природні невідчужувані права
to guard citizens against unreasonable searches	охороняти громадян від необґрунтованих обшуків
seizure of property	арешт майна
right to a speedy and public trial	право на швидкий та відкритий судовий розгляд
impartial jury	безсторонній суд присяжних
counsel for defense	адвокат захисту, захисник
legislative power is vested in the Congress	Конгрес наділений законодавчою владою
to attain 30 years of age	досягти 30 років
to regulate commerce among the states and with foreign countries	регулювати торгівлю між штатами та з іноземними державами

Activity 2.

Answer the following questions.

- 1 What method of amending the Constitution did its drafters provide for?
- 2 How many amendments were adopted?
- 3 What power is vested in the Congress?
- 4 What Houses does the Congress consist of?
- 5 Who is eligible to become a Senator of the United States?
- 6 How many Senators are elected from each state?
- 7 What is the number of representatives from each state based upon?
- 8 How many representatives are elected from California?
- 9 Which state has the smallest population?
- 10 Which of the Houses has the power to introduce legislation?

Activity 3.

Give a summary of the text.

Proverbs and quotations to be discussed.

- 1 If someone deceives you once, shame on him. If someone deceives you twice, shame on you.
- 2 Every cloud has a silver lining

UNIT 18. CHECKS AND BALANCES

American concern for justice is written into the basic law of the land, the United States Constitution, which establishes the framework for the li ili'i nl government and guarantees rights, freedom and justice to all.

The Constitution, written in 1787, established a government of three branches. One of these is the judicial branch, and the Supreme Court of the United States is the most powerful part of it.

The other two branches of the government are the legislative, which consists of the Congress of elected representatives of the people, and the executive, headed by the president. The people who designed this government and wrote the Constitution distributed power among the three hunches so that no person or group of people in the government could exercise enough power to control the others. The procedure for naming to the Supreme Court is one example of how this distribution of powers, called "checks and balances, works.

The chief justice and the associate justices are named by the president. This authority represents great power, considering the major ' I feet court decisions have on the legal system and on society in general.

The drafters of the Constitution tried to make certain, however, that presidents would name only qualified justices and also that they could not icmove justices with whose decisions they disagreed. This ensures the independence of the judicial branch. For that reason, no one can become a member of the court unless the upper house of the Congress - the United Slules Senate - approves. The Senate does not approve an appointment until its members are satisfied that the candidate is qualified. Once approved, a justice cannot be removed by either the president or the Congress without very good reason, nor can the salary of the justices be reduced. The chief justice and associate justices, therefore, serve on the court for life and need not - and should not - take into consideration political issues or the opinions of officials in the other branches of government when making legal decisions.

Activity 1.

Answer the following questions:

1. What does the United States Constitution establish?
2. Does the US Constitution guarantee rights, freedom and justice to all?
3. When was it written?

Activity 2.

Find in the text English equivalents to the following:

1. прагнення американців до справедливості;
2. визначати основні принципи федерального керівництва;
3. гарантувати всім громадянам свободу, права і справедливість;

4. судова влада;
5. законодавча влада;
6. виконавча влада;
7. розподілити повноваження між трьома гілками влади;
8. система «стримувань та противаг»;
9. Верховний суддя та члени Верховного суду;
10. верхня палата Конгресу — Сенат Сполучених Штатів;
11. зменшити оклад судді;
12. враховувати політичні погляди представників інших гілок влади.

Activity 3.

In each paragraph of the text above find the most important information. Write an outline plan of the text.

Activity 4.

Find in the text words of the same root and make up your own sentences with them:
Justify, establishment, power, legislator, represent, distributor, decide, agreement.

Activity 5.

Make up your own dialogues about the role of the American Constitution using the information above.

Proverbs and quotations to be discussed:

1. Reaches do not profit in the day of wrath, but righteousness delivers from death.
2. The more laws, the more offenders.
3. Society prepares the crime, the criminal commits it (Henry Thomas Buckle).

UNIT 19.

EXECUTIVE POWER IN UKRAINE

The Cabinet of Ministers of Ukraine is the highest body in the system of bodies of executive power.

The Cabinet of Ministers of Ukraine is responsible to the President of Ukraine and is under the control of and accountable to the Verkhovna Rada of Ukraine within the limits envisaged in Articles 85 and 87 of the Constitution of Ukraine.

The Cabinet of Ministers of Ukraine is guided in its activity by the Constitution and the laws of Ukraine and by the acts of the President of Ukraine.

The Cabinet of Ministers of Ukraine is composed of the Prime Minister of Ukraine, the First Vice Prime Minister, three Vice Prime Ministers and the Ministers.

The Prime Minister of Ukraine is appointed by the President of Ukraine with the consent of more than one-half of the constitutional composition of the Verkhovna Rada of Ukraine.

The personal composition of the Cabinet of Ministers of Ukraine is appointed by the President of Ukraine on the submission of the Prime Minister of Ukraine.

The Prime Minister of Ukraine manages the work of the Cabinet of Ministers of Ukraine and directs it for the implementation of the Programme of Activity of the Cabinet of Ministers of Ukraine adopted by the Verkhovna Rada of Ukraine.

The Prime Minister of Ukraine forwards a submission to the President of Ukraine on the establishment, reorganisation and liquidation of ministries and other central bodies of executive power, within the funds envisaged by the State Budget of Ukraine for the maintenance of these bodies.

The Cabinet of Ministers of Ukraine tenders its resignation to the newly-elected President of Ukraine.

The Prime Minister of Ukraine, other members of the Cabinet of Ministers of Ukraine, have the right to announce their resignation to the President of Ukraine.

The resignation of the Prime Minister of Ukraine results in the resignation of the entire Cabinet of Ministers of Ukraine.

The adoption of a resolution of no confidence in the Cabinet of Ministers of Ukraine by the Verkhovna Rada of Ukraine results in the resignation of the Cabinet of Ministers of Ukraine.

The Cabinet of Ministers, whose resignation is accepted by the President of Ukraine, continues to exercise its powers by commission of the President, until a newly-formed Cabinet of Ministers of Ukraine commences its operation, but no longer than for sixty days.

The Prime Minister of Ukraine is obliged to submit a statement of resignation of the Cabinet of Ministers of Ukraine to the President of Ukraine following a decision by the President of Ukraine or in connection with the adoption of the resolution of no confidence by the Verkhovna Rada of Ukraine.

The Cabinet of Ministers of Ukraine:

1) ensures the state sovereignty and economic independence of Ukraine, the implementation of domestic and foreign policy of the State, the execution of the Constitution and the laws of Ukraine, and the acts of the President of Ukraine;

2) takes measures to ensure human and citizens' rights and freedoms;

3) ensures the implementation of financial, pricing, investment and taxation policy; the policy in the spheres of labour and employment of the population, social security, education, science and culture, environmental protection, ecological safety and the utilisation of nature;

4) elaborates and implements national programmes of economic, scientific and technical, and social and cultural development of Ukraine;

5) ensures equal conditions of development of all forms of ownership; administers the management of objects of state property in accordance with the law;

6) elaborates the draft law on the State Budget of Ukraine and ensures the implementation of the State Budget of Ukraine approved by the Verkhovna Rada of Ukraine, and submits a report on its implementation to the Verkhovna Rada of Ukraine;

7) takes measures to ensure the defence capability and national security of Ukraine, public order and to combat crime;

8) organises and ensures the implementation of the foreign economic activity of Ukraine, and the operation of customs;

9) directs and co-ordinates the operation of ministries and other bodies of executive power;

10) performs other functions determined by the Constitution and the laws of Ukraine, and the acts of the President of Ukraine.

The Cabinet of Ministers of Ukraine, within the limits of its competence, issues resolutions and orders that are mandatory for execution.

Acts of the Cabinet of Ministers of Ukraine are signed by the Prime Minister of Ukraine.

Normative legal acts of the Cabinet of Ministers of Ukraine, ministries and other central bodies of executive power, are subject to registration through the procedure established by law.

The executive power in oblasts, districts, and in the Cities of Kyiv and Sevastopol is exercised by local state administrations.

Particular aspects of the exercise of executive power in the Cities of Kyiv and Sevastopol are determined by special laws of Ukraine.

The composition of local state administrations is formed by heads of local state administrations.

Heads of local state administrations are appointed to office and dismissed from office by the President of Ukraine upon the submission of the Cabinet of Ministers of Ukraine.

In the exercise of their duties, the heads of local state administrations are responsible to the President of Ukraine and to the Cabinet of Ministers of Ukraine, and are accountable to and under the control of bodies of executive power of a higher level.

Local state administrations are accountable to and under the control of councils in the part of the authority delegated to them by the respective district or oblast councils.

Local state administrations are accountable to and under the control of the bodies of executive power of a higher level.

Decisions of the heads of local state administrations that contravene the Constitution and the laws of Ukraine, other acts of legislation of Ukraine, may be revoked by the President of Ukraine or by the head of the local state administration of a higher level, in accordance with the law.

An oblast or district council may express no confidence in the head of the respective local state administration, on which grounds the President of Ukraine adopts a decision and provides a substantiated reply.

If two-thirds of the deputies of the composition of the respective council express no confidence in the head of a district or oblast state administration, the President of Ukraine adopts a decision on the resignation of the head of the local state administration.

Local state administrations on their respective territory ensure:

- 1) the execution of the Constitution and the laws of Ukraine, acts of the President of Ukraine, acts of the Cabinet of Ministers of Ukraine and other bodies of executive power;
- 2) legality and legal order; the observance of laws and freedoms of citizens;
- 3) the implementation of national and regional programmes for socio-economic and cultural development, programmes for environmental protection, and also — in places of compact residence of indigenous peoples and national minorities — programmes for their national and cultural development;
- 4) the preparation and implementation of respective oblast and district budgets;
- 5) the report on the implementation of respective budgets and programmes;
- 6) interaction with bodies of local self-government;
- 7) the realisation of other powers vested by the state and also delegated by the respective councils.

Members of the Cabinet of Ministers of Ukraine and chief officers of central and local bodies of executive power do not have the right to combine their official activity with other work, except teaching, scholarly and creative activity outside of working hours, or to be members of an administrative body or board of supervisors of an enterprise that is aimed at making profit.

The organisation, authority and operational procedure of the Cabinet of Ministers of Ukraine, and other central and local bodies of executive power, are determined by the Constitution and the laws of Ukraine.

Activity 1.

Study the following words and phrases.

responsible to	відповідальний перед
under the control of and iii countable to	підконтрольний та підзвітний
within the limits envisaged in Article 85	у межах, передбачених статтею 85
to be guided in its activity by the Constitution	керуватися у своїй діяльності Конституцією
with the consent of more than one- half of the constitutional composition	за згодою більше ніж половини конституційної більшості
to contravene the Constitution	суперечити Конституції
on the submission of the Prime Minister	за поданням Прем'єр Міністра
to tender resignation	складати повноваження
to ensure state sovereignty and economic independence	забезпечувати державний суверенітет і економічну самостійність
to revoke a decision	скасовувати рішення
to take measures	вживати заходів
to ensure human rights	забезпечувати права людини
implement financial, pricing, investment and taxation policy	проводити фінансову, цінову, інвестиційну та податкову політику
to appoint to office	призначати на посаду
to dismiss from office	звільняти з посади
indigenous peoples	корінні народи
national minorities	національні меншини
to be subject to registration through the procedure established by law	підлягати реєстрації в порядку, встановленому законом
mandatory for execution	обов'язковий для виконання
aimed at making profit	що має на меті одержання прибутку

Activity 2.

Answer the following questions.

1. Who is the Cabinet of Ministers responsible to?
2. What is the Cabinet of Ministers of Ukraine guided by in its activity?
3. Who is the Prime Minister appointed by?
4. Whose consent is required for the appointment of the Prime Minister?
5. On whose submission does the President of Ukraine appoint the personal composition of the Cabinet of Ministers?
6. What article defines the tasks of the Cabinet of Ministers?
8. What are the tasks of the Cabinet of Ministers?
9. Who are local state administrations accountable to?
10. What do local state administrations ensure?
11. Do Members of the Cabinet of Ministers have the right to combine their official activity with other work?
12. How many Ministries are there in Ukraine? Could you enumerate them? (Consult Appendix 5 on page 212)

13. How many state committees are there in Ukraine ? (Consult Appendix 5).
14. How many agencies, departments and committees are there?

Activity 3.

Write a summary of the text about the Cabinet of Ministers as the highest body of executive power in Ukraine.

Proverbs and quotations to be discussed.

1. You shall judge of a man by his foes as well as by his friends. (Joseph Conrad).
2. So many countries, so many customs.
3. Justice is the ligament which holds civilized nations together (Daniel Webster).

UNIT 20.

JUSTICE IN UKRAINE

Chapter VIII of the Constitution of Ukraine

Article 124

Justice in Ukraine is administered exclusively by the courts. The delegation of the functions of the courts, and also the appropriation of these functions by other bodies or officials, shall not be permitted.

The jurisdiction of the courts extends to all legal relations that arise in the State.

Judicial proceedings are performed by the Constitutional Court of Ukraine and courts of general jurisdiction.

The people directly participate in the administration of justice through people's assessors and jurors.

Judicial decisions are adopted by the courts in the name of Ukraine and are mandatory for execution throughout the entire territory of Ukraine.

Article 125

In Ukraine, the system of courts of general jurisdiction is formed in accordance with the territorial principle and the principle of specialization.

The Supreme Court of Ukraine is the highest judicial body in the system of courts of general jurisdiction.

The respective high courts are the highest judicial bodies of specialized courts.

Courts of appeal and local courts operate in accordance with the law.

The creation of extraordinary and special courts shall not be permitted.

Article 126

The independence and immunity of judges are guaranteed by the Constitution and the laws of Ukraine.

Influencing judges in any manner is prohibited.

A judge shall not be detained or arrested without the consent of the Verkhovna Rada of Ukraine, until a verdict of guilty is rendered by a court.

Judges hold office for permanent terms, except judges of the Constitutional Court of Ukraine, and judges appointed to the office of judge for the first time.

A judge is dismissed from office by the body that elected or appointed him or her in the event of:

the expiration of the term for which he or she was elected or appointed;

the judge's attainment of the age of sixty-five;

the impossibility to exercise his or her authority for reasons of health;

the violation by the judge of requirements concerning incompatibility;

the breach of oath by the judge;

the entry into legal force of a verdict of guilty against him or her;

the termination of his or her citizenship;

the declaration that he or she is missing, or the pronouncement that he or she is dead:

the submission by the judge of a statement of resignation or of voluntary dismissal from office.

The authority of the judge terminates in the event of his or her death.

The State ensures the personal security of judges and their families.

Article 127

Justice is administered by professional judges and, in cases determined by law, people's assessors and jurors.

Professional judges shall not belong to political parties and trade unions, take part in any political activity, hold a representative mandate, occupy any other paid positions, perform other remunerated work except scholarly, teaching and creative activity.

A citizen of Ukraine, not younger than the age of twenty-five, who has a higher legal education and has work experience in the sphere of law for no less than three years, has resided in Ukraine for no less than ten years and has command of the state language, may be recommended for the office of judge by the Qualification Commission of Judges.

Persons with professional training in issues of jurisdiction of specialized courts may be judges of these courts. These judges administer justice only as members of a panel of judges.

Additional requirements for certain categories of judges in terms of experience, age and their professional level are established by law.

Protection of the professional interests of judges is exercised by the procedure established by law

Article 128

The first appointment of a professional judge to office for a five-year term is made by the President of Ukraine. All other judges, except the judges of the Constitutional Court of Ukraine, are elected by the Verkhovna Rada of Ukraine for permanent terms by the procedure established by law.

The Chairman of the Supreme Court of Ukraine is elected to office and dismissed from office by the Plenary Assembly of the Supreme Court of Ukraine by secret ballot, by the procedure established by law.

Article 129

In the administration of justice, judges are independent and subject only to the law.

Judicial proceedings are conducted by a single judge, by a panel of judges, or by a court of the jury.

The main principles of judicial proceedings are: legality;

equality before the law and the court of all participants in a trial; ensuring that the guilt is proved;

adversarial procedure and freedom of the parties to present their evidence to the court and to prove the weight of evidence before the court; prosecution by the procurator in court on behalf of the State; ensuring the right of an accused person to a defence; openness of a trial and its complete recording by technical means, ensuring complaint of a court decision by appeal and cassation, except in cases established by law;

the mandatory nature of court decisions.

The law may also determine other principles of judicial proceedings in courts of specific judicial jurisdiction.

Persons guilty of contempt of court or of showing disrespect toward the judge are brought to legal liability.

Article 130

The State ensures funding and proper conditions for the operation of courts and the activity of judges. Expenditures for the maintenance of courts are allocated separately in the State Budget of Ukraine.

Judges' self-management operates to resolve issues of the internal affairs of courts.

Article 131

The High Council of Justice operates in Ukraine, whose competence comprises:
forwarding submissions on the appointment of judges to office or on their dismissal from office;

adopting decisions in regard to the violation by judges and procurators of the requirements concerning incompatibility;

exercising disciplinary procedure in regard to judges of the Supreme Court of Ukraine and judges of high specialized courts, and the consideration of complaints regarding decisions on bringing to disciplinary liability judges of courts of appeal and local courts, and also procurators.

The High Council of Justice consists of twenty members. The Verkhovna Rada of Ukraine, the President of Ukraine, the Congress of Judges of Ukraine, the Congress of Advocates of Ukraine, and the Congress of Representatives of Higher Legal Educational Establishments and Scientific Institutions, each appoint three members to the High Council of Justice, and the All-Ukrainian Conference of Employees of the Procuracy — two members of the High Council of Justice.

The Chairman of the Supreme Court of Ukraine, the Minister of Justice of Ukraine and the Procurator General of Ukraine are ex officio members of the High Council of Justice.

Activity 1.

Memorize the following words and word combinations. Use them in sentences of your own.

to administer justice	здійснювати правосуддя
appropriation	привласнення
to extend to all legal relations that arise in the state	поширюватися на всі правові відносини що виникають у державі
judicial proceedings	судочинство
courts of general jurisdiction	суди загальної юрисдикції
people's assessor	народний засідатель
judicial decisions	судові рішення
mandatory for execution throughout entire territory of Ukraine	обов'язкові для виконання по всій території України
independence and immunity	незалежність та недоторканість
to hold office	обіймати посаду
to appoint to the office of a judge	призначати на посаду судді

to dismiss from office	звільнювати з посади
expiration of the term	закінчення строку
judge's attainment of the age of 65	досягнення суддею 65 років
incompatibility	несумісність
breach of the oath	порушення присяги
to submit a statement of resignation	подати заяву про відставку
to insure the personal security	забезпечувати особисту безпеку
trade unions	профспілки
remunerated work	оплачувана робота
work experience in the field of law	стаж роботи в галузі права
to have command of the state language	володіння державною мовою

Activity 2.

Match the following Ukrainian expressions with their English equivalents:

- | | |
|---|---|
| 1. гласність судового процесу | a) ensuring challenging a court decision by appeal and cassation |
| 2. забезпечення апеляційного та касаційного оскарження суду | b) legality |
| 3. законність | c) equality of all participants in a trial before the law and the court |
| 4. підтримання державного обвинувачення в суді прокурором | d) openness of a trial |
| 5. забезпечення доведеності вини | e) ensuring that the guilt is proved |
| 6. рівність усіх учасників судового процесу перед законом і судом | f) prosecution by the procurator in court on behalf of the State |
| 7. забезпечення обвинуваченому права на захист | g) ensuring the right of the accused to a defence |
| 8. іменем України. | h) in the name of Ukraine |

Activity 3.

Find in the text English equivalents to the following:

- 1) правосуддя в Україні
- 2) делегування функцій судів
- 3) юрисдикція судів
- 4) суди загальної юрисдикції
- 5) брати участь у здійсненні правосуддя через народних засідателів і присяжних
- 6) судові рішення
- 7) бути обов'язковими до виконання на всій території України
- 8) система судів загальної юрисдикції в Україні
- 9) будуватися за принципами територіальності і спеціалізації
- 10) найвищий судовий орган у системі судів загальної юрисдикції
- 11) Верховний Суд України, апеляційні та місцеві суди
- 12) обов'язковість рішень суду.

Activity 4.

Fill in the blanks with the missing words:

1. Justice in Ukraine is ... exclusively by the courts.
2. The jurisdiction of the courts extends to ... that arise in the Stair
3. Judicial proceedings are ... by the Constitutional Court of Ukraine and courts of... jurisdiction.
4. The people directly participate in the administration of justice through...and
5. ... are adopted by the courts in the name of Ukraine and are mandatory for execution throughout the entire territory of Ukraine.
6. The Supreme Court of Ukraine is ... in the system of courts of general jurisdiction.
7. The respective high courts are the highest judicial bodies of... courts.

Activity 5.

Find Articles which contain answers to the following questions. Begin your answer with «According to Article ...»

1. Who is justice administered by in Ukraine?
2. What relations does the jurisdiction of the courts extend to?
3. To what way do people participate in the administration of justice?
4. What is the highest body in the system of courts of general jurisdiction?
5. What legal instruments guarantee judges' independence and immunity?
6. In what cases can a judge be dismissed from office?
6. Who may be recommended for the office of a judge?
7. Who makes the first appointment of a professional judge to office and for what term?
8. What are the main principles of judicial proceedings?
9. How many members does the High Council of Justice consist of?

Activity 6.

Translate the questions into English and answer them:

1. Як здійснюється правосуддя в Україні?
2. Чи допускається делегування функцій судів, а також привласнення цих функцій іншими органами чи посадовими особами?
3. Хто безпосередньо бере участь у здійсненні правосуддя через народних засідателів і присяжних?
4. За якими принципами будується система судів загальної юрисдикції в Україні?
5. Який найвищий судовий орган у системі судів загальної юрисдикції?
6. Якими принципами мають керуватися судді при здійсненні правосуддя?

Activity 7.

Find the most important information in each of the articles.

Activity 8.

Speak on the topic “Justice in Ukraine”

Proverbs and quotations

1. Every land has its own law.
2. Ignorance of the law not exempt from legal liability.

UNIT 21. COURTS IN THE USA

There are fifty-two separate court systems in the United States. Each state, as well as the District of Columbia, has its own fully developed, independent system of courts and there is a separate federal court system. Unlike federal courts, they are not superior to the state courts; they are an independent, coordinate system authorized by the United States Constitution, Art. III, §2 to handle matters of particular federal interest. The presence of two parallel court systems often raises questions concerning the relationship of the state and federal systems, presenting important issues of federalism. The United States Supreme Court, composed of nine justices, sits as the final and controlling voice over all these systems.

Although a few states, such as Nebraska, have a two-tiered system, most states, as well as the federal courts, are based on a three-tiered model. That means that for any litigant there will be the opportunity to plead his case before a trial court and then, should he lose, there are two levels of appeal in which he ultimately may succeed. For example, in the federal system the trial court is the United States District Court, of which there is at least one in every state. Many larger states are divided into two, three or even four judicial districts, depending on population, geography and caseload. There are ninety-one districts in the United States and each district court has one judge, or more commonly two or more. After an adverse judgment in the district court, a litigant may appeal to the United States Court of Appeals for the circuit in which the district court is located. There are eleven numbered intermediate appellate courts in the federal system, each including anywhere from three to ten states and territories. Additionally, there is a Court of Appeals for the District of Columbia, hearing appeals from the federal district court there, and one for the Federal Circuit, taking appeals from various specialized federal tribunals, such as the Claims Court. Each court of appeal*, has four or more judges who sit in panels of three to review district court decisions, as well as some decisions of administrative agencies. A losing litigant in the court of appeals may, in some cases, be able to obtain review by the United States Supreme Court. Cases in the state courts similarly may proceed through a trial court, a state appellate court, and then the state supreme court. If a federal constitutional question is involved the decision of the state supreme court may be reviewed by the United States Supreme Court. Since 1988, review by the Supreme Court in civil cases is discretionary; virtually all civil appeals as of right to the highest court have been abolished.

Three-tiered systems vary on the role which the highest court plays. The approaches taken reflect differing philosophies with regard to what the highest court should do. For example, in California only criminal cases in which capital punishment has been imposed are appealable as of right to the state court. Similarly, in the federal courts, except in a few very limited circumstances, appeals to the United States Supreme Court are initiated by writ of certiorari. The Court decides for itself what are the most important questions that deserve its attention and will refuse to review decisions raising issues that it feels are not as crucial. In this way it leaves the administration of law by the lower courts on an ad hoc basis. At the other end of the spectrum, such as in New York, appeals to the

state's inferior courts are as of right in a great many cases provided for by statute. The primary function of the highest court in New York appears to be to assure that cases are correctly decided. It is necessary to check carefully the statutes of the system in which you are appearing to determine the specific rules regarding review by those appellate courts.

Activity 1.

Translate the text.

superior (to)	вищий
coordinate system authorized by the Constitution	узгоджена система, санкціонована Конституцією
in certain matters of particular local interest	вирішувати справи, що становлять особливий федеральний інтерес
in some questions	порушувати питання
Important issues of federalism	важливі проблеми федералізму
Two-tiered system	двоступенева система
A few states	декілька штатів
litigant	сторона у спорі, позивач
to plead his case before a trial court	виступати у своїй справі у суді першої інстанції
to lose the case	програти справу
ultimately succeed	зрештою досягти успіху
two levels of appeal	два рівні оскарження
judicial district	судовий округ
to depend on population and its load	залежати від кількості населення та навантаження
discretionary	дискреційний (на розсуд суду)
to impose capital punishment	призначати нищу міру покарання (смертну кару)
adverse judgment	несприятливо для сторони рішення
writ of certiorari	наказ про витребування справи (з нижчого до вищого суду)
Federal Circuit	федеральний округ
state supreme court	Верховний суд штату
panels of three judges	колегія у складі трьох суддів
virtually all civil appeals as of right have been abolished	фактично усі апеляції в цивільних справах по праву скасовано
appealable as of right to the state supreme court	може бути оскаржено по праву до верховного суду
crucial issue	надзвичайно важлива проблема
on an <i>ad hoc</i> basis	час від часу (якщо це необхідно)
in a great many cases provided for by statute	у багатьох випадках, передбачених законом
to determine the specific rules	визначати конкретні правила

to assure that cases are correctly decided	переконатися, що справи вирішуються правильно
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Activity 2.

Answer the following questions. In some cases you have been given the prompt. Use it in your answer.

1. How many separate court systems are there in the United States? (fifty states + District of Columbia + federal system of courts)
2. How many states are there in the United States?
3. What do you know about the District of Columbia?
4. What cases do federal courts deal with? (handle matters of particular federal interest).
5. How many levels of appeal are there in most states for a litigant who lost his case in a trial court?
6. How many judicial districts are there in each state?
7. What does the number of judicial districts depend on?
8. How many judicial districts are there in the United States?
9. Are appeals to the state's highest court provided for by the statute?
10. In what cases is review by the Supreme Court discretionary?

Activity 3.

Write a summary of the text and present it in class.

UNIT 22.

CONSTITUTIONAL LAW: OUTLINE OF HISTORY AND DEVELOPMENT

We may begin by asking the question: «What is constitutional law and what part does it play in our constitution?). One motive for seeking a definition of constitutional law is simply to settle conventional questions of usage within the legal system for purposes of exposition: to mark, for example, the boundaries of constitutional law and administrative law, or public law and private law. Another point of asking this question is to establish the existence of clear distinction between rules of strict law and rules established by political practice or constitutional convention.

So, constitutional law is the law which establishes, empowers and regulates institutions of government. Simple as it may seem, there is a complication because constitution has three meanings. First, it means all the laws regulating government. From this first meaning comes a second meaning where constitution refers to a system of government. Finally, constitution is used in a narrow sense to mean a document or statute, called «Constitution» containing basic constitutional rules.

The concept of constitution was first outlined in Aristotle's classification of governments identified with constitution. He believed that the best form of constitution is the combination of monarchy, aristocracy and democracy so that citizens could realize their rights and carry out the duties for the benefit of the whole society.

The modern ideological roots of the idea of constitutional law are connected with the names of Thomas Hobbes, John Locke and other scholars who claimed the concept of concentration of powers and separation of powers and developed the notion of social contract. According to the above-mentioned notion, people in society willingly give up absolute freedom for sake of security and prevention of rule of «the law of the jungle (the principle that only the strongest will survive).

The works of these philosophers influenced upon the authors of the US Constitution and the French Declaration of the Rights of Man and the Citizen.

As the constitution is the framework for government then constitutional law is the study of foundational laws of nation states. Constitutions may limit or define the authority and procedure of political bodies to provide for enforcement of new laws and regulations.

Constitutional law is the body of law governing the implementation and interpretation of the constitution. It defines the range and application of the terms of the Constitution and covers fundamental aspects of the application of government authority in the nation states. It is a field of law that is both complex and broad. Some constitutional lawyers maintain that the Constitution purposely remains vague and subject to interpretation so that it may be adopted to the circumstances of a changing society. Other constitutional scholars however, maintain that the provisions of the Constitution should be strictly construed and their provisions applied in a very literal manner.

Constitution is usually understood as the main formal document of the state but, of course, dealing with constitutional law the constitutional lawyer must not only consider constitutional history and political practice but also conventions of various kinds that are closely linked with the constitution itself.

Activity 1.

Memorise the following words and words combinations

answerable to the individual	відповідальна перед особою
detriment	школа
division into legislative, executive and judicial power	поділ на законодавчу, виконавчу та судову владу
ethnic, cultural, linguistic and religious identity	етнічна, культурна, мовна та релігійна самобутність
exercise power	здійснювати владу
future generations	прийдешні покоління
human rights and freedoms	свободи та права людини
indigenous peoples	корінні народи
indivisible and inviolable	цілісний та недоторканий
law-based state	правова держава
national minorities	національні меншини
on behalf of the Ukrainian people	від імені українського народу
ownership rights	права власника
single citizenship	єдине громадянство
the highest legal force	найвища юридична сила
the highest social value	найвища соціальна цінність
the right to self determination	право на самовизначення
the strengthening of civil harmony	зміцнення громадянської злагоди
throughout its entire territory	по всій її території
to affirm and insure human rights	затверджувати та забезпечувати права та свободи людини
to determine	визначати
to insure ecological safety	забезпечувати екологічну безпеку
to insure protection	забезпечувати захист
to insure the comprehensive development and functioning of the Ukrainian language	забезпечувати всебічний розвиток і функціонування української мови
to maintain the ecological balance	підтримувати екологічну рівновагу
to overcome the consequences	подолати наслідки
to preserve the gene pool	зберегти генофонд
to promote the learning of languages of international communication	сприяти вивченню мов міжнародного спілкування
to usurp state power	узурпувати державну владу
unitary state	унітарна держава

Activity 2.

COMPREHENSION

1. Make up the plan of the text to outline the general ideas.
2. Answer the questions to check your level of understanding the text:
 - a. What are the motives for seeking the definition of constitutional law?
 - b. What form of government was the best possible, according to Aristotle?
 - c. Whose works should we keep in mind speaking about development of constitutional law?
 - d. Why is this field of law broad and complex
 - e. What two points of view of the constitution are mentioned in the text?
 - f. Why does a constitutional lawyer have to take into consideration the existing conventions and extralegal rules?

Activity 3.

Translate into Ukrainian:

the boundaries of constitutional law;
distinction between rules;
political practice;
classification of forms of governments;
the notion of social contract;
the law of the jungle;
foundational laws of nation states;
enforcement of new laws and regulations;
application of the terms;
subject to interpretation;
the main formal document of the state.

Activity 4.

Referring to the text define the meaning of the word combinations: Legal provision

Legal system

1. Choose the word on the right that is associated with the word on the left:
Definition - term, exposition, custom
Constitution - work, document, tradition
Democracy - convention, custom, government
Provision — article, subject, influence Enforcement - authority, court, regulation
Scholar - school, scientist, circumstances

Activity 5.

Decide on the right answer choosing among the following words and putting them in the appropriate form: to constitute, constitution, constitutional, unconstitutional, constitutionally, constitutionality

The federation was ... in 1949.

The UK is a... monarchy.

The right to speak freely is written in the ... of the USA.

A decision on the proposal's... still has to be made.
... oppressions were the reason for the international conflict.
He was ... incapable of dealing with this matter.

Activity 6.

Read and comment upon the definition of the constitution given below:

Constitution is the fundamental, underlying document which establishes the government of a nation or state. The U.S. Constitution, originally adopted in convention on September 17, 1787, ratified by the states in 1788, and thereafter amended 27 times, is the prime example of such a document. It is the basis for all decisions by the U.S. Supreme Court (and federal and state courts) on constitutionality.

In 1803 the power of the Supreme Court to strike down federal statutes was firmly established. The Supreme Court is the final arbiter of constitutional interpretation. The "equal rights" provision of the 14th Amendment established that the rights in the first ten amendments ("Bill of Rights") applied to state governments.

Unfortunately, state constitutions have gathered tremendous amounts of baggage of detail by amendment over the years, and it is more difficult to "fine tune" state constitutions by further amendment than it is to enact statutes (pass new laws). However, state courts are bound by their state's constitution on fundamental issues. The so-called English constitution is an unwritten body of legal customs and rights developed by practice and court decisions from the 11th to the 18th Century.

Activity 7.

Put in the missing prepositions:

1. These provisions of the Constitution are not subject... amendment.
2. The main sources ... English constitutional law are statutes and judicial precedents.
3. According... the Constitution, the Prime Minister carries ... the domestic policy of the state.
4. The procedure... conducting elections of the President of Ukraine is established...law.
5. The Verkhovna Rada of Ukraine assembles ... its first session no later than ... the thirtieth day... the official announcement... the election results.
6. Read, translate, memorize these matching combinations and use them in examples of your own:

Constitutionally

Constitutional

Constitution

acceptable eligible proper improper

abuse

act

right

bound of the country of the court

7. Fill in the blanks using the prompts given below: (has been suggested, can be used, defines, may influence)

The influence of constitutional differences upon the role of the judiciary in the application of law is the question of utter importance as it..., for example, the extent to which adjudication embodies policy as well as the permissible techniques which ... in the interpretation of statutes.

Two constitutional factors the notion ... of the judicial role and judicial interpretation. Firstly, the formal relationship between legislature and judiciary may be significantly different in different political systems.

Secondly, there may be structural differences in the modes of operation of legislatures.

It... that these factors lie behind the differences of approach in different governmental systems, the one favouring a conservative, literal, even Kwoodeny approach to the interpretation of statutes, the other inclining towards more liberal, flexible attitudes.

Activity 8.

Translate into English paying special attention to the terminology on the topic constitutional Law):

Конституційне право (державне право) — це галузь права. Конституційне право спирається на Конституцію як головний закон держави та основу поточного законодавства країни. Під Конституцією, що є головним джерелом системи права в державі, розуміється сукупність актів та конституційних звичаїв, які проголошують права та свободи людини і громадянина, визначають основи суспільного устрою, форму правління та територіального статусу, а також основи організації центральних та місцевих органів влади.

Конституційне право — це система правових норм, що закріплюють та регулюють групу суспільних відносин, а саме:

1. соціально-економічний, політичний та територіальний устрій держави;
2. забезпечення реалізації прав та свобод людини і громадянина;
3. систему державної влади;
4. систему внутрішнього самоврядування.

Activity 9.

1. Express your ideas as for Aristotle's belief of the best form of the constitution.
2. How does constitutional meaning shift with other changes in political structure?
3. How does constitutional meaning shift with changes in cultural norms? vg
4. How much weight should we give to the history of the Constitution?
5. In what ways are rights and freedoms of people embodied in constitutions?

UNIT 23.

HISTORY OF CONSTITUTION OF UKRAINE

The Constitution of Ukraine is the main formal document of our country. The adoption of a new constitution of Ukraine at the 5th session of the Verkhovna Rada of Ukraine on June 28, 1996 became an important event in the life of the people of Ukraine. The constitution is the fundamental law of the land: laws and other normative legal acts must conform to it. The right to amend the Constitution through a special legislative procedure is vested exclusively with the parliament. The only body that may determine whether legislation conforms to it is the Constitutional Court of Ukraine. The first Constitution of Ukraine was written by hetman Philip Orlyk in 1710. Being the first constitution in Europe it was notable for its profound democracy.

The experience of Ukrainian people's republic (1918) played a significant role in the constitutional process. Until June 8, 1995, Ukraine's supreme law was the Constitution of the Ukrainian SSR (adopted in 1978, with numerous later amendments). Present Constitution was adopted at a dramatic overnight parliamentary session of June 27-28, 1996. The Law No. 254/96-BP ratifying the Constitution was ceremonially signed and promulgated in mid-July 1996. However, according to a ruling of the Constitutional Court, current Constitution took force at the moment when the results of the parliamentary vote were announced, i.e., June 28, 1996.

On December 8, 2004, the parliament passed the Law No. 2222-IV amending the Constitution. The law was approved with a 90 percent majority (402 ayes, 21 nays and 19 abstentions while for passing it required 300 ayes) simultaneously with other legislative measures aimed at resolving the presidential election crisis.

Principles of democracy common to all mankind are embodied in the Constitution which guarantees the basic economic, social, cultural, public and political rights to the citizens of Ukraine. According to the Constitution Ukraine is a sovereign, democratic, social and juridical state. The form of state government is a republic. The head of the state is the President. The power belonging to the people of Ukraine is exercised through democratic elections by state government bodies and self-government institutions. All citizens have equal rights. People are proclaimed the greatest social value in Ukraine. These and other regulations are developed in the chapters of the Constitution.

The best national traditions are embodied in the fundamental law of Ukraine. The Constitution creates the legal bases of regulation of social relations.

Activity 1.

Memorise the following words and words combinations

verdict of 'guilty'	вердикт "винуватий"
to determine	визначати

to insure the comprehensive development and functioning of the Ukrainian language	забезпечувати всебічний розвиток і функціонування української мови
to insure ecological safety	забезпечувати екологічну безпеку
to insure protection	забезпечувати захист
statute	закон
to affirm and insure human rights	затверджувати та забезпечувати права та свободи людини
the strengthening of civil harmony	зміцнення громадянської злагоди
Chancery Division, Queen's Bench and Family Division	Канцлерський суд, суд Й Королівської лави та колегія у сімейних справах
the highest social value	найвища соціальна цінність
the highest legal force	найвища юридична сила
defendant	підсудний
throughout its entire territory	по всій її території
the right to self determination	право на самовизначення
to impose the punishment	призначати покарання
bankruptcy proceedings	провадження у справах про банкрутство
divorce proceedings	провадження щодо розлучення
equity	суд справедливості
County Courts	суди графства
murder, manslaughter and theft	умисне вбивство, неумисне вбивство та крадіжка

Activity 2.

Read the dates and make your comments referring to the text:

1996 1710 2004 1978 1918

Activity 3.

Give the Ukrainian equivalents to the basic terms:

The main formal document, the fundamental law of the land, special legislative procedure, regulation of social relations, majority

Reconstruct the sentences with these word combinations.

Activity 4.

Suggest the meaning of the following verbs:

Adopt, amend, promulgate, proclaim, exercise, vest, approve, develop, embody, announce.

Using the Passive Voice constructions make up sentences of your own with the given verbs.

Activity 5.

Complete the sentences and let your fellow student translate them into Ukrainian:

1. The Constitution establishes...
2. According to the Constitution, all mineral and natural resources in our country belong to...
3. The Constitution guarantees...
4. The Constitution specifies the powers of...
5. The highest body of legislative power is...
6. The Constitution was adopted...
7. Justice in Ukraine is exercised and administered by...
8. According to the Constitution, church and religious organizations are...

Activity 6.

Working pairs. Write notes in the chart and be ready to discuss the results in the group:

The System of Judicial Power in Ukraine

Name of a Court Competence

The Constitutional Court

The Supreme Court

Court of appeal

Local Court

Activity 7.

PRACTICE AND EXPERIENCE

1. Study the contents of the Constitution of the Russian Federation and the Constitution of Ukraine. Compare the structures and make notes paying special attention to similarities and differences of the layout of these documents.

The Constitution of the Russian Federation First Section Chapter 1

The Fundamentals of the Constitutional System (Art. 1-16) Chapter 2

Rights and Freedoms of Man and Citizen (Art. 17-64) Chapter 3

The Federal Structure (Art. 65-79) Chapter 4

The President of the Russian Federation (Art. 80-93) Chapter 5

The Federal Assembly (Art. 94-109) Chapter 6
The Government of the Russian Federation (Art. 110-117) Chapter 7
Judicial Power (Art. 118-129) Chapter 8
Local Self-Government (Art. 130-133) Chapter 9
Constitutional Amendments and Review of the Constitution (Art. 134-137)
Second section Concluding and Transitional Provisions
The Constitution of Ukraine Preamble Chapter I
General Principles Chapter II
Rights, Freedoms and Duties of Individuals and Citizens Chapter III
Elections; Referendum Chapter IV
. The Verkhovna Rada of Ukraine Chapter V
The President of Ukraine Chapter VI
The Cabinet of Ministers of Ukraine; Other Organs of Executive Authority Chapter VIII
Prosecutor's Office Chapter VIII
The System of Justice Chapter IX
Territorial Structure of Ukraine Chapter X
The Autonomous Republic of Crimea Chapter XI
Local Self-government Chapter XII
The Constitutional Court of Ukraine Chapter XIII
Amending the Constitution of Ukraine Chapter XIV
Final Provisions Chapter XV
Transitional Provisions

Activity 8.
OVER TO YOU

1. The suggested topic for further discussion: The smallest minority on earth is the individual. Those who deny individual rights cannot claim to be defenders of minority.

2. Find out from your partner Student A: - how the Constitution can be amended; - what principles are embodied in the Constitution; ' v - how the power is exercised

UNIT 24.

COURTS IN ENGLAND AND WALES

Every town has a Magistrates' Court, where minor cases are judged and more serious cases are examined briefly before being passed to higher court. Magistrates' courts are courts of summary jurisdiction. Cases are heard by three magistrates, called Justices of the Peace, who are specially trained members of the public advised by a legally qualified clerk. Young people under 17 are sent to special juvenile courts.

More serious criminal cases are referred to the Crown Court, which sit at a number of towns in England and Wales. Cases in Crown Courts are heard by a judge and a jury. At the end of a trial the jury decides whether the defendant is guilty or not guilty.

If the verdict is 'guilty' the judge imposes the punishment.

Minor civil cases, such as divorce and bankruptcy proceedings, are heard in County Courts. More serious cases are heard in the High Court of Justice. This is divided into the Chancery Division, the Queen's Bench and the Family Division. Cases are heard by one or more judges sitting together. Appeals against decision of the county Courts also go to the High Court.

Appeals from the Crown Court or the High Court go to the Court of Appeal. A few cases in which a question of law is in doubt are passed on to the House of Lords. Here the Lord Chancellor and Lords of Appeal, often called Law Lords, make a final decision.

Northern Ireland law is similar to that in England. For historical reasons, Scotland uses a system of law different from that in England and Wales. Scots law was greatly influenced by Roman law. When making decisions Scottish courts look for an appropriate general principle and apply it to a particular situation. English law relies more on case law, a collection of previous decisions called precedents. English courts look at precedents for the case being tried and make a similar judgment.

English common law developed in Norman times when judges travelled round the country. Another branch of law, equity, deals with cases involving rights and duties, e.g. in connection with contracts. These two branches were joined in 1873. A third branch of law, statute law, consists of laws made by Acts of Parliament. It describes general principles and is superior to case law. From 1536 Wales became subject to the same laws as England. Law in Northern Ireland is based on case law from England and Ireland, and on British and Irish statutes. By the time of the Act of Union between England and Scotland in 1707, both countries had well-established legal systems. The Act allowed both systems to continue and this resulted in the different legal practices still in use.

Civil law concerns disagreements between individuals over rights and responsibilities. Many civil cases relate to business contracts. The plaintiff brings an action against the defendant in the hope of winning damages or an injunction (a court order preventing the defendant from doing something that is causing harm). Taking a case to court is expensive, but people who do not have enough money may qualify for legal aid. Criminal law deals with offences that involve harm to a person resulting from somebody breaking the law. The most serious offences include murder, manslaughter and theft. Cases are brought against criminals by the state, in England and Wales through the Director of Public Prosecutions and in Scotland through procurators fiscal.

A basic principle of law in Britain is that anyone accused is innocent until proven guilty, so it is the burden of the prosecution to prove beyond reasonable doubt that the defendant has broken the law as stated in the liability. If this cannot be proved the accused person must be acquitted.

A person who needs legal advice, usually goes to see a solicitor. Solicitors may represent their clients in Magistrates' Court and, since 1994, in the higher courts. However, solicitors often use barristers to represent their clients in the higher courts. Barristers are lawyers who received special training at Inns of Courts and who have been called to the Bar. In court they wear a white curly wig and black robes. The most respected barristers hold the title QC (Queen's Counsel). Barristers are called advocates in Scotland, and a solicitor or barrister representing a client in the English or Welsh courts is now often referred to as an advocate.

Activity 1.

Study the following words and phrases.

minor offences	незначні правопорушення
to examine briefly before passing to higher courts	розглянути коротко перед переданням до вищих судів
summary jurisdiction	спрощена юрисдикція
Justices of the Peace	мирові судді
juvenile courts	суди для неповнолітніх
to refer to the Crown Court	передати до суду Корони
defendant	підсудний
verdict of 'guilty'	вердикт "винуватий"
to impose the punishment	призначати покарання
divorce proceedings	провадження щодо розлучення
bankruptcy proceedings	провадження у справах про банкрутство
County Courts	суди графства
Chancery Division, Queen's Bench and Family Division	Канцлерський суд, суд І Королівської лави та колегія у сімейних справах
equity	суд справедливості
statute	закон
murder, manslaughter and theft	умисне вбивство, неумисне вбивство та крадіжка
plaintiff	позивач
respondent, defendant	відповідач
innocent until proven guilty	невинуватий, доки вина не доведена
burden of the prosecution to prove beyond reasonable doubt	тягар обвинувачення щодо доведення вини поза межами розумного сумніву

to bring an action	подавати позов
common law	загальне право
a collection of previous decisions called precedents	зібрання попередніх рішень, що називаються прецедентами
to cause harm (damage)	спричиняти шкоду
to acquit	виправдати
to convict	засудити
accused	обвинувачений
to charge	пред'являти обвинувачення
Inns of Court	корпорації баристерів, що мають виключне право прийому до адвокатури
to be called to the Bar	бути прийнятим до колегії адвокатів-баристерів
Welsh courts	уельські суди

Activity 2.

Answer the following questions.

1. Which courts in England and Wales deal with minor cases?
2. Which courts are more serious criminal cases dealt with?
3. Who sits in Magistrates' courts?
4. Are Justices of the Peace professional judges?
5. In what courts are cases heard by a judge and a jury?
6. What court deals with divorce and bankruptcy proceedings?
7. Where do appeals from the Crown Court or the High Court go to?
8. What is the difference between the law system of England and Wales and that of Scotland?
9. What is the basic principle of law in England and Wales?
10. What is the burden of the prosecution?
11. What happens if the prosecution cannot prove beyond reasonable doubt that the defendant has broken the law?

Activity 3.

Summarise the text. Before that write its outline plan.

Activity 4.

Half play a dialogue discussing the following sayings.

- A lean agreement is better than a fat judgment.
- From a foolish judge a quick sentence.
- Haste makes waste.

UNIT 25. COURTS IN UKRAINE

Activity 1.

Skim through the text in order to understand its contents.

According to Article 18 of the Law of Ukraine “On Judicial System” the system of courts of general jurisdiction is based on territorial principles and principles of specialization.

The system of courts of general jurisdiction includes:

- 1) local courts;
- 2) courts of appeal; Court Appeals of Ukraine;
- 3) higher specialised courts;
- 5) the Supreme Court of Ukraine.

The highest body in the system of courts of general jurisdiction is the Supreme Court of Ukraine.

Military courts belong to general courts and administer justice in the Armed Forces of Ukraine.

Specialised courts are economic, administrative courts and other courts defined as specialised courts.

In courts of different judicial jurisdictions judges may specialise in particular categories of cases.

Local district courts are district, district in cities, city and city district and also military courts of garrisons..

Local economic courts are economic courts of the Autonomous Republic of Crimea, oblasts, cities of Kyiv and Sevastopol. Local administrative courts are circuit courts that are established in circuits in accordance with the Decree of the President of Ukraine.

Local court is a court of first instance and examines cases within its competence: civil, administrative and criminal cases and also cases of administrative offences.

Local economic courts hear cases arising from economic law relations.

Local administrative courts deal with administrative cases related to legal relations in the sphere of state administration (cases of administrative jurisdiction).

Within the system of general jurisdiction general and specialised courts are functioning in Ukraine.

General courts of appeal are courts of appeal of oblasts, courts of appeal of cities of Kyiv and Sevastopol, Court of Appeals of the Autonomous

Republic of Crimea, military courts of appeal of regions and court of appeal of the Armed Forces and the Navy and also Court of Appeals of Ukraine.

Specialised courts of appeal are economic courts of appeal and administrative courts of appeal.

General appeal courts set up judicial chambers in civil cases and in criminal cases.

Court of Appeals of Ukraine comprises judicial chamber in criminal cases and military judicial chamber.

Courts of appeal deal with cases pursuant to the appellate procedure and hear cases specified by law as courts of first instance.

The Supreme Court of Ukraine is the highest court within the system of courts of general jurisdiction, which administers justice and ensures uniform application of legislation by all courts of general jurisdiction.

The Supreme Court of Ukraine

1) re-examines cases in view of exceptional circumstances pursuant to the procedure envisaged by procedural law, re-examines cases pursuant to cassation procedure in cases established by law and examines other cases related to exceptional circumstances;

2) provides interpretation for courts with regard to issues of application of legislation on the basis of generalisation of judicial practice and analysis of court statistics, applies to the Constitutional Court of Ukraine in the event that courts of general jurisdiction doubt about conformity of laws with the Constitution, other legal acts about official interpretation of the Constitution of Ukraine;

3) within the limits of its authority resolves issues that arise from international treaties of Ukraine, represents courts of general jurisdiction in relations with courts of other states.

The Supreme Court of Ukraine is composed of:

- 1) Judicial Chamber in Civil Cases;
- 2) Judicial Chamber in Criminal Cases;
- 3) Judicial Chamber in Economic Cases;
- 4) Judicial Chamber in Administrative Cases.

The Supreme Court of Ukraine comprises Military Division.

Activity 2.

Study the following words and phrases:

higher specialised courts	вищі спеціалізовані суди
Law of Ukraine "On Judicial System"	Закон України "Про судоустрій"
military courts belong to general courts	військові суди належать до загальних судів
administer justice in the Armed Forces of Ukraine	здійснювати правосуддя у збройних силах України
economic courts	господарські суди
administrative courts	адміністративні суди
Specialise in particular categories of cases	спеціалізуватися у конкретних категоріях справ
court of first instance	суд першої інстанції
examine cases within their competence	розглядати справи в межах своєї компетенції
Cases of administrative offences	справи щодо адміністративних порушень
cases arising from economic law relations	справи, що виникають із господарських правових відносин

judicial chamber in criminal cases	судова палата у кримінальних справах
ensure uniform application of legislation	забезпечувати однакове застосування законодавства
cases of administrative jurisdiction	справи адміністративної юрисдикції
re-examine cases in view of exceptional circumstances pursuant to the procedure established by law	переглядати справи у зв'язку з винятковими обставинами у порядку, встановленому процесуальним законом
provide interpretation for courts with regard to issues of application of legislation	надавати судам тлумачення з питань застосування законодавства
on the basis of generalisation of judicial practice	на підставі узагальнення судової практики
conformity of laws with the Constitution	відповідність законів Конституції
official interpretation	офіційне тлумачення
within the limits of its authority	у межах своїх повноважень

Activity 3.

Answer the following questions

1. What principles is the judicial system of Ukraine based on?
2. What courts does the system of courts of general jurisdiction include?
3. What court is the highest in the system of courts of general jurisdiction?
4. What courts are defined as specialised courts?
5. Do judges specialise in particular categories of cases in courts of general jurisdiction?
6. Where are local economic courts situated?
7. How many local economic courts are there in Ukraine?
8. What specialised courts of appeal are there in Ukraine?
9. What cases do local district courts deal with?
10. Which court re-examines cases in view of exceptional circumstances?

Activity 4.

Summarise the text about court system in Ukraine using answers from Activity 3.

Activity 5.

Role play a dialogue using the following sayings. Do you agree with them?

- Go to law for a sheep and lose your cow.
- Lawsuits consume time, and money, and rest, and friends.
- The purpose of the law is to prevent the strong from always having their way.

UNIT 26.
LAND CODE OF UKRAINE
amended as of 1 September 2005.

Activity 1.

Skim through the articles of the Land Code of Ukraine.

Chapter I. Major Provisions

Article 1 Land is the fundamental national wealth

1. Land is the fundamental national wealth that is under special protection of the State.
2. The right of ownership of land is guaranteed.
2. The use of ownership of land shall not inflict damage on citizens' rights and freedoms, interests of society, shall not deteriorate ecological situation and natural qualities of land.

Article 2. Land Relations

1. Land relations are public relations with regard to the owning, use and disposing of land.
2. Subjects of land relations are citizens, legal entities, bodies of local self- government and bodies of state power.
3. Objects of land relations are lands within the territory of Ukraine, land parcels and rights thereto, including land shares.

Article 3. Regulation of Land Relations

1. Land relations are regulated by the Constitution of Ukraine, this Code as well as by nonnative legal acts adopted in accordance with them.
2. Lands relations that arise in using mineral wealth, forests, water and also flora and fauna, atmosphere air are regulated by this Code, normative legal acts on mineral wealth, forests, water, flora and fauna, atmosphere air unless they contravene this Code.

Article 4. Land Legislation and its Tasks

1. Land legislation shall include this Code, other normative legal acts in the field of land relations.
2. The task of land legislation is the regulation of land relations aiming to secure rights of ownership of land by citizens, legal entities, territorial communities and the State, sustainable use and protection of lands

Activity 5. Principles of Land Legislation

Land legislation is based on such principles:

- a) combination of the peculiarities of the use of land as a territorial basis, imlural resource and the major means of production;

- b) ensuring equality of the rights of ownership of land of citizens, legal entities, territorial communities and the State;
- c) interference by the State into the exercise by citizens, legal entities and territorial communities of their rights with regard to owning, use and disposing of land, except the cases envisaged by law;
- d) ensuring sustainable use and protection of lands;
- e) priority of the requirements of ecological safety.

Activity 2

Study the following words and phrases:

to inflict damage on citizens' rights and freedoms .	завдавати шкоди правам і свободам громадян
to deteriorate ecological situation	погіршувати екологічну ситуацію
natural qualities of land	природні якості землі
to own, use and dispose of land	володіти, користуватись і розпоряджатися землею
legal entities	юридичні особи
bodies of local self-government	органи місцевого самоврядування
bodies of state power	органи державної влади
within the territory of Ukraine	у межах території України
relations that arise	відносини, що виникають
land parcels	земельні ділянки
land shares	земельні частки (паї)
mineral wealth	надра
flora and fauna	флора і фауна
unless they contravene this Code	якщо вони не суперечать цьому кодексу
sustainable use	раціональне використання
natural resources	природні ресурси
means of production	засоби виробництва
ensuring equality of the rights	забезпечувати рівність прав
territorial communities	територіальні громади
except the cases envisaged by law	крім випадків, передбачених законом
priority of the requirements of ecological safety	пріоритет вимог екологічної безпеки
to inflict damage on citizens' rights and freedoms .	завдавати шкоди правам і свободам громадян
to deteriorate ecological situation	погіршувати екологічну ситуацію
natural qualities of land	природні якості землі
to own, use and dispose of land	володіти, користуватись і розпоряджатися землею

Activity 3.

Answer the following questions,

1. What relations does land legislation regulate?
2. What legislation are land relations regulated by?
3. Could you please name the subjects of land relations?
4. Which lands are objects of land relations?
5. What principles is land legislation based on?
6. What categories are lands of Ukraine divided into? (In order to answer this question consult Article 19 of the Land Code and Appendix 6 at the end of the Manual).

Activity 4.

Write a summary about land relations in Ukraine.

This is how you start: The Land Code of Ukraine entered into force on 25 October 2001 and was amended several times. It consists of ten sections, 36 articles. Section 1 deals with general provisions and authority of bodies of executive power in the field of land relations. According to Article 1 lands relations are regulated by ... Section II deals with categories of lands. Section III is devoted to the rights to land. Section IV deals with acquisition and exercise of the right to land. Section 8 imposes liability for breaches of land legislation. Section IX is entitled "Final Provisions". Section X deals with transitional provisions. Now add your own sentences according to the models given above.

Activity 5.

Role play a dialogue based on the following sayings.

1. Law-makers shouldn't be law-breakers.
2. Hide nothing from your minister, physician and lawyer.
3. Men would be great criminals if they needed as many laws as they make.

UNIT 27.

CONSTITUTIONAL LAW. TYPES AND FUNCTIONS OF CONSTITUTIONS

Constitutions are the framework for government and may limit or , define the authority and procedure of political bodies to execute new laws and regulations. Not all nation states have codified constitutions though all law-governed states have law of land consisting of various imperative and consensual rules. They may include common law, conventions, statutory law and international rules.

Codified constitutions are considered rulemaking fundamentals, or rules about making rules to exercise power. They govern the relationships among the judiciary, the legislature and the executive bodies. One of the key tasks of constitutions within this context is to indicate hierarchies of power. For example, in a unitary state the constitution will vest ultimate authority in the central administration and legislature, and judiciary, though there is often a delegation of authority to local or municipal bodies. When a constitution establishes a federal state it will identify several levels government coexisting with exclusive or shared areas of jurisdiction over lawmaking, application and enforcement.

Human rights or liberties for citizens form a crucial part of a country's constitution and govern the rights of the individual against the state. Most jurisdictions, like the United States, Ukraine and France, have a single codified constitution. A recent example is the Charter of Fundamental Rights of the European Union, which was intended to be included in the Treaty establishing a Constitution of Europe.

Some countries, like the United Kingdom, have no entrenched document setting out the fundamental rights - in this jurisdiction the constitution is composed of statute, case law and convention. Inspired by a famous philosopher John Locke, the fundamental constitutional principle is that the individual can do anything but that is forbidden by law, while state may do nothing but that is which authorized by law.

The function of codified constitution is also to describe the procedure by which parliaments may legislate. For instance, special majorities maybe required to alter the constitution. In two-chamber legislatures there may be a process laid out for second or third readings of bills before a new law can be passed.

Activity 1.

Answer the following questions:

1. Do all state nations have codified constitutions
2. In what way does a constitution defend human rights?
3. What is jurisdiction of the UK composed of ...
4. What is one of the fundamental constitutional principles? .
5. How can you describe the role of the constitution in establishing central-local relations of authorized bodies in a unitary state?

Activity 2.

Sum up the text in five sentences paying special attention to pointing out the main functions of the constitution.

Activity 3.

Give five more words with the same suffixes for each of the following groups of words:

Enforcement

Government

Shared Law-governed

Fundamental Constitutional

Imperative Legislative

Illustrate the usage with the examples of your own.

Activity 4.

Render the following text in English:

Конституція — це головний закон держави, який визначає її суспільний устрій, порядок та принципи утворення представницьких органів влади, виборчу систему, основні права та обов'язки громадян. Конституція — це основа чинного законодавства.

Конституція — це сукупність актів та конституційних звичаїв, які проголошують права та свободи людини і громадянина, визначають форму керування та територіального устрою, основи організації центральних та місцевих органів влади.

Конституція є головним джерелом права в державі. Конституції поділяють за формою на кодифіковані, некодифіковані та конституції змішаного типу; за засобом внесення змін — на гнучкі та жорсткі; за терміном дії — на постійні та тимчасові.

Activity 5.

Match the words:

To interpret State
Appellate of powers
Constitutional law
Legal Court
Rights provision
Separation and freedoms
Nation branch
Judicial of government

Activity 6.

Translate into Ukrainian AND Use these word combinations in sentences of your own.

Key task	crucial part	setting out the rights
statutory law	forbidden by law	imperative and
special majorities	authorized by law	consensual rule

Activity 7.

1. Study the following saying by Friedrich Hayek (British political economist) Liberty not only means that the individual has both the opportunity and the burden of choice; it also means that he must bear the consequences of his actions...Liberty and responsibility are inseparable.

Prepare a written comment on the meaning of the word liberty in the passage.

Activity 7.

OVER TO YOU

1. Read the summary and choose one of the points for discussing in detail. A constitution performs the following functions:

- a. it establishes institutions of government,

- b. it defines the powers of the institutions of government,
 - c. it prescribes the circumstances in which a power can be exercised
 - d. it specifies procedures to exercise the power legally and effectively.
2. The suggested topic for further discussion: How does the existence of the constitution confirm the words of Abraham Lincoln: «No man is good enough to govern another man without that other's consent»

UNIT 28.

Constitutional and Administrative LaW

Constitutional and Administrative LaW include rulemaking, adjudication, or the enforcement of a specific regulatory agenda.

Rulemaking is an agency process for formulating, amending, or repealing a rule. A rule in turn is the whole or apart of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy.

Adjudication is an agency process for the formulation of an order. An order in turn is the whole or part of a final disposition of an agency in a matter other than rule making but including licensing.

Administrative law is considered a branch of public law. As a body of law, administrative law deals with the decision-making of administrative units of government (e.g., tribunals, boards or commissions) that are part of a national regulatory scheme in such areas as police law, international trade, manufacturing, the environment, taxation, broadcasting, immigration and transport.

Administrative law expanded greatly during the twentieth century, as legislative bodies world-wide created more government agencies to regulate the increasingly complex social, economic and political spheres of human interaction.

While administrative decision-making bodies are often controlled by larger governmental units, their decisions could be reviewed by a court of general jurisdiction under some principle of judicial review based upon due process (United States) or fundamental justice (Canada).

Judicial review of administrative decision, it must be noted, is different from an appeal. When sitting in review of a decision, the Court will only look at the method in which the decision was arrived at, whereas in appeal the correctness of the decision itself will be under question. This difference is vital in appreciating administrative law in common law countries.

Activity 1.

Give the definitions for the following terms and expressions or explain in other words.

- 1) administrative law;
- 2) rulemaking;

- 3) a rule;
- 4) adjudication;
- 5) an order.

Activity 2.

Answer the following questions using the information from the text:

- 1) What can government agency action include?
- 2) What does administrative law deal with?
- 3) When did administrative law expand greatly? Why?
- 4) Why could the decisions of administrative decision-making bodies be reviewed by a court of general jurisdiction?
- 5) How does judicial review of administrative decision differ from an appeal

Activity 3.

Complete the following sentences according to the information from the text:

- 1) A rule is the whole or a part of an agency statement of general or particular applicability and
- 2) The decision-making of administrative units of government (e.g., tribunals, boards or commissions) are part of...
- 3) While administrative decision-making bodies are often controlled by larger governmental units,...
- 4) When sitting in review of a decision, the Court will only look at the method in which the decision was arrived at, whereas ...

Activity 4.

Complete the sentences with the active vocabulary from the list.

judicial review rulemaking administrative agencies i administrative law decision-making bodies

Most countries that follow the principles of common law have developed procedures for that limit the reviewability of decisions made by administrative law bodies.

Administrative law may also apply to review of decisions of so-called quasi-public bodies, such as non-profit corporations, disciplinary boards, and other that affect the legal rights of members of a particular group or entity.

Because the United States Constitution sets no limits on the tripartite authority of Congress enacted the Administrative Procedure Act to establish fair administrative law procedures to comply with the requirements of Constitutional due process.

Generally speaking, most countries that follow the principles of common law have developed procedures for judicial review that limit the reviewability of decisions made by bodies. Often these procedures are coupled with legislation or other common law doctrines that establish standards for proper

Activity 5.

Choose the right preposition in brackets according to the contents of the sentences (up, with, of for, to, of).

Administrative law is the body law regulating government decision-making. Review of administrative decisions can take place internally and externally. The federal system of administrative law is made

of four elements:

- Tribunals - independent bodies which provide 'merits review, that is, examining and re-making government decisions;

- Courts - providing judicial review the lawfulness of government decision-making

- The Commonwealth Ombudsman - a permanent office holder the power to investigate maladministration;

- Freedom of Information-laws which create a general right of access official information, subject to exclusions.

-The benefits of having a system review of administrative decisions that is well established and independent include encouraging higher-quality decision making and building public confidence in government administration.

Activity 6.

The verbs below can all be used to form nouns.

Find in the text the words which have related meanings. Pay special attention to the stress. Example: To govern (v.) - government (n.) To act, to enforce, to state, to adjudicate, to formulate, to broadcast, to immigrate, to decide, to review.

Activity 7.

Give the English equivalents for the following word combinations:

Адміністративне право, урядова установа, регулятивна програма, винесення судового рішення, оподаткування, нормотворчість, судовий перегляд, формулювати (анулювати) норму.

Activity 8.

Translate into English:

Державне управління — це частина державної діяльності, що має своїм основним призначенням здійснення виконавчої влади. Державний характер такого управління полягає в тому, що в його процесі реалізуються завдання, функції та інтереси держави. Для його здійснення створюють спеціальні органи (встановлюють посади), які діють у рамках законів і в межах своїх повноважень. У той же час державне управління здійснюється і за межами функціонування виконавчої влади, наприклад на рівні державних підприємств, установі організацій. Поняття «державне управління» за змістом є ширшим, ніж поняття «виконавча влада». Для

визначення змістовно поєднаних сфер або галузей суспільного життя, що потребують державного управління, використовується термін "сектор державного управління".

Activity 9.

1. Point out sentences with Gerund in the text and explain the
2. In the following sentences substitute the infinitive with the gerund according to the model. Model: There are three ways that an individual can attain the right to a (to hear) in an adjudicative proceeding.

There are three ways that an individual can attain the right to a hearing in an adjudicative proceeding.

1) Many of the independent agencies operate as miniature versions of the tripartite federal government, with the authority to "legislate" - through (to make rules) -, "adjudicate" - through administrative (to hear) -, and to "execute" administrative goals - through agency enforcement personnel. -

2) A State or Federal Administrative Procedure Act prescribes procedures only for formal (to adjudicate).

3) Formal rulemaking, which is (to make rules) for which the organic statute requires that rules be "made on the record after agency opportunity for (to hear)," and for which the APA prescribes particular procedures.

Activity 10.

1. Speak on Administrative law, its notions and functions.
2. In groups discuss the major directions of the Administrative and Civil Law reforms:

1) Formation of the system of unified legal concepts, which means elaboration of system for improvement of legal terminology;

2) Dissociation of Civil Law from Administrative Law. The theory of subjects belongs to the history and it is expedient to assume measures in order to avoid irrelevance on legislative stage and to ensure settlement of dissociation standards in practice.

3) Improvement of the Civil Code. The improvement of the Civil Code was prioritized by the experts. They consider that the Civil Code should be freed from unfamiliar institutes of public law. Gaps made in the process of regulation of particular institutes should be eliminated. The policy of consecutive reforms should be elaborated according to particular section and the policy of spontaneous and segmental regulation should be excluded as possible.

4) Development of special fields of Private Law. System approach should be elaborated in order to develop each direction of Private Law. The Civil Code should

regulate relations based on equality of persons. The special rules established on the objective criteria should be elaborated on liberal values, by taking into consideration principles of minimal regulations and maximal support for business development. Also it should be elaborated social standards adequate to the international ones. Gaps should be eliminated, new normative acts should be elaborated especially in the fields which are negative samples of translational activities.

UNIT 29.

ADMINISTRATIVE LAW IN THE USA

United States administrative law encompasses a number of statutes and cases which define the extent of the powers and responsibilities held by administrative agencies of the United States Government. The executive, legislative, and judicial branches of the U.S. federal government cannot always directly perform their constitutional responsibilities. Specialized powers are therefore delegated to an agency, board, or commission. These administrative governmental bodies oversee and monitor activities in complex areas, such as commercial aviation, medical device manufacturing, and securities markets.

Administrative law may be defined in four parts. Namely, the legal rules and principles that: (1) define the authority and structure of administrative agencies; (2) specify the procedural formalities employed by agencies; (3) determine the validity of agency decisions; and (4) define the role of reviewing courts and other governmental entities in relation to administrative agencies. Review of administrative decisions can take place internally and externally.

The federal system of administrative law is made up of four elements:

- 1) Tribunals - independent bodies which provide merits review that is, examining and re-making government decisions. ;
- 2) Courts - providing judicial review of the lawfulness of government decision-making.
- 3) The Commonwealth Ombudsman - a permanent office holder with the power to investigate maladministration.
- 4) Freedom of Information-laws which create a general right of access to official information, subject to exclusions

U.S. federal agencies have the power to adjudicate, legislate, and enforce laws within their specific areas of delegated power. Agencies "legislate" through rulemaking - the power to issue regulations administrative law is codified as the Code of Federal Regulations.

The authority of administrative agencies stems from their organic statute, and must be consistent with constitutional constraints and legislative intent. Federal administrative agencies have the power to issue rules that have the effect of substantive law. The power to do so extends to all regulations necessary to carry out the purposes of the Administrative Procedure Act, Administrative Law in the USA and UK rather than being limited to powers expressly granted by the statute. The power extends to substantive rules as well as procedural rules.

Agencies do not have the power to enact a regulation where: - The regulation is an unconstitutional delegation of power; - The organic statute explicitly denies authority (but note that failure to grant authority in later legislative efforts is not dispositive);

- Congress has enacted a separate regulatory scheme; - The regulation is not based on factual findings; - The regulation is not pursuant to serving the "public convenience, interest, or necessity".

-The regulation is outside the agency's statutory purpose as articulated in its organic statute.

The benefits of having a system for review of administrative decisions that is well established and independent include encouraging higher-quality decision making and building public confidence in government administration.

Activity 1.

Are the following statements true or false?

- 1) The three branches of power of the U.S. federal government cannot always directly perform their constitutional responsibilities.
- 2) The task of an agency, board, or commission is to oversee and monitor activities in complex areas, such as commercial aviation, medical device manufacturing, and securities markets.
- 3) Tribunals provide judicial review
- 4) The Commonwealth Ombudsman examines and re-makes government decisions.
- 5) U.S. federal agencies have the power to adjudicate, legislate, and enforce laws within their specific areas of delegated power.
- 6) The authority of administrative agencies stems from the civil code.
- 7) Agencies do not have the power to enact a regulation if the regulation is an unconstitutional delegation of power.

Activity 2.

Use the information in the text to give definitions to the following legal terms:

- 1) tribunals;
- 2) merits review;
- 3) the Commonwealth Ombudsman;
- 4) freedom of information;
- 5) rulemaking.

Activity 3.

Translate into English:

Предмет адміністративного права становлять суспільні відносини, які виникають з метою реалізації захисту прав громадян, створення нормальних умов для функціонування громадянського суспільства й держави.

Такі відносини пов'язані з:

- 1) діяльністю органів виконавчої влади;
- 2) внутрішньоорганізаційною діяльністю інших державних органів, підприємств, установ, організацій;
- 3) управлінською діяльністю органів місцевого самоврядування;
- 4) здійсненням іншими недержавними суб'єктами делегованих повноважень органів виконавчої влади;
- 5) здійсненням правосуддя у формі адміністративного судочинства.

Адміністративно-правові відносини характеризуються такими особливостями:

— виникають у результаті управлінської діяльності з реалізації публічних, найчастіше державно-управлінських інтересів;

— у них обов'язково бере участь суб'єкт, наділений державою відповідними управлінськими повноваженнями;

— для них, як і для управління взагалі, характерні владність і цілеспрямованість. Це відносини влади і підпорядкування;

— вони захищені правовими засобами, у тому числі й примусом.

Відносини, що регулюються адміністративним правом, містяться в різних управлінських сферах. Це, наприклад, економіка, культура, комунальне господарство, охорона здоров'я, освіта, внутрішні справи, оборона і т. ін.

Activity 4.

Compare the administrative system in Ukraine and that of the USA. Make up a plan. At first find all similar points and then the different ones.

Activity 5.

1. Using the previous information try to write and present your possible 5 minute talk. You are suggested to choose one of the offered themes or prefer your own: - Administrative bodies: their tasks and duties. - Judicial review - what is it? - Actions of executive agencies in the Administrative Procedure Act.

Activity 6.

1. Do the Administrative law Quiz (the American style) concerning the question of licensing. Then check your answers.

I. LICENSE LAW AND QUALIFICATIONS FOR LICENSURE 1. In Florida, all professions (including the real estate profession) should be regulated when each of the following conditions are present, except when:

A. The unregulated practice can harm the public, the potential harm is recognizable, and the danger of the unregulated practice outweighs any anticompetitive impact.

B. The public is not adequately protected by other local, state or federal laws.

C. Lawmakers believe that regulation will decrease consumer complaints.

D. Less restrictive means of regulation are not available.

2. A person who has been issued a broker's license, but operates as a salesperson in the employ of a broker or an owner-developer is known as:

A. Broker;

B. Salesperson;

C. Broker-Salesperson;

D. Office Manager;

3. Joan will not receive the Salesperson license under mutual recognition procedure because she did not work under a Broker for at least one year D. Joan will not receive the

Salesperson license under mutual recognition because she is now a Florida resident.

4. Kathy, an unlicensed person, helps her neighbor Cindy sell Cindy's house by showing the house to potential Buyers. As a way of saying thank you, Cindy gives Kathy a gift certificate to Kathy's favorite restaurant. Which of the following best describes this situation?

- A. This is a legal arrangement since Kathy helped without the expectation of payment.
 - B. Kathy may not legally accept the gift certificate.
 - C. Kathy may accept the gift certificate if she was the procuring cause of the sale.
 - D. Kathy may accept the gift certificate since it is not considered to be compensation.
5. What is the passing score for the state license exam?

- A. 65%
- B. 70%
- C. 75%
- D. 80%

6. In order to qualify for licensure, an applicant must

- A. Be a high school graduate or equivalent (GED)
- B. Be at least 18 years of age
- C. Possess good character and reputation
- D. All of the above

7. After passing the state license exam, when may an applicant begin working as a salesperson?

- A. Immediately upon passing the exam
- B. Upon submitting the proper form to the Division of Real Estate designating their employer
- C. 5 days after passing the exam
- D. Upon receiving their actual license in the mail

8. Jim is applying for a Florida salesperson license. On his application, he has disclosed that he pled nolo contendere to credit card fraud in Georgia last year. Jim's application will probably...

- A. Be denied
- B. Take longer to process
- C. Be approved
- D. Be returned to him with a request for more information

UNIT 30.

TEXT ADMINISTRATIVE JUSTICE

Administrative Justice, or, more commonly, administrative adjudication, is the exercise by an administrative agency of judicial powers delegated to the agency by a legislative body.

Agencies typically possess both legislative and judicial powers in their area of authority. The legislative power gives the agency the authority to issue regulations, and the judicial power gives the agency the authority to adjudicate contested cases within its area of jurisdiction.

Administrative courts are not ordinarily engaged in determining the rights and duties of individuals as against other individuals. Rather, they typically deal with individuals in relation to government in terms of benefits sought or disabilities incurred from government action. It is this function that chiefly distinguishes administrative tribunals from civil courts. In contrast to the criminal courts, administrative tribunals are typically empowered to assess various penalties, such as forfeiture of licenses for the violation of a statutory or administrative regulation. Some administrative agencies, however, are not vested with adjudicative powers and must proceed through the regular courts for civil or criminal punishment of violations.

Another fundamental difference between administrative tribunals and courts is the nature of subject matter jurisdiction. The subject matter of an agency's administrative regulation and adjudication is normally a single economic activity, a set of closely related economic activities, or specific benefits conferred by government. The concern of the National Labor Relations Board with labor relations is an example of the first; the jurisdiction of the Federal Communications Commission over radio, television, and telephone exemplifies the second; and adjudication of the validity of benefit claims by such agencies as the Veterans Administration represent the third. In contrast, the subject matter jurisdiction of courts embraces a broad spectrum of civil and criminal law.

Activity 1.

Give the definitions for the following terms and expressions or explain in other words.

- 1) administrative justice
- 2) administrative agency
- 3) administrative courts
- 4) administrative tribunals

Activity 2.

Complete the following sentences according to the information from the text:

- 1) Agencies typically possess ...
- 2) The legislative power gives the agency the authority to ...

- 3) Administrative courts typically deal with ...
- 4) Some administrative agencies are not vested with ...
- 5) Another fundamental difference between administrative tribunals and courts is...
- 6) The concern of the National Labor Relations Board with labor relations is...
- 7) In contrast, the subject matter jurisdiction of courts embraces...

Activity 3.

In the text find all the related words to the verb to administer and to justify.

In the text find word combinations with the following words:

- agency - legislative - regulations
- Courts - government - tribunals - penalties - powers - punishment - jurisdiction

Activity 4.

Complete the text with the words from the box adjudicate courts review administrative adjudication judicial

The current distinction between within administrative agencies and adjudication in of law was not made historically. For example, the English Court of Exchequer evolved from the Exchequer, a tax-assessing and collecting agency. American usage derives from the separation of powers in the U.S. Constitution and from its limitation of the "power of the United States" to certain types of "cases... and controversies." Administrative adjudication was once criticized as being contrary to the reservation of judicial power to courts as set down in Article III of the Constitution. The Supreme Court held in *Crowell v. Benson* (1932), however, that agencies could cases as long as provision was made for ultimate judicial

Activity 5.

Give the English equivalents for the following word combinations: Адміністративне правосуддя, адміністративні органи, судова влада, законодавча влада, адміністративні суди, адміністративні норми, уряд.

Activity 6.

Translate into English.

Адміністративна реформа — це вид політико-правової реформи, яка здійснюється у сфері виконавчої влади і стосується як її організаційної структури, функцій, кадрового забезпечення, так і взаємовідносин з місцевим самоврядуванням. Принципи адміністративної реформи — це головні засади її проведення, які ґрунтуються на відповідній ідеології та політиці. У принципах розкривається головне призначення і сутність цієї реформи.

Правова основа адміністративної реформи — це нормативноправові акти, які є відправною точкою і механізмом забезпечення даної реформи. Нова система державного управління в Україні має бути створена під час проведення адміністративної реформи.

Activity 7.

1. Read the report devoted to the improvement of the Administrative Law Infringement Code and discuss possible improvements.

The Administrative Law Infringement Code needs to be improved. Legal Issues Committee of Parliament works on it very actively. Particularly, it works on improvement of terminological problems, establishment of new principles, on which the mentioned Code will be based. These principles are: the principle of economy, proportionality and truth.

The improvement of the concept of administrative jurisdiction and competency is

implemented. From the point of view of freedom of information it is important to establish the concept of Private-Common Persons, which aims to ensure the accessibility of information for the persons, who are not mentioned in the concept of administrative body, but perform administrative functions.

The exact definition of state and professional secrets is determined. Dissociation of personal data and issues on adoption of particular law concerning with it. The need of adoption of particular law on protection of personal data is discussed.

2. Sum up what you know about:

- the authority of administrative agencies; - administrative law in common law Countries; - administrative governmental bodies.

UNIT 31.

UKRAINIAN CUSTOMS LAW

The law of Ukraine on customs matters made great contribution to the evolution of Ukrainian customs law. The present day system of customs law is based on the law which was adopted on 25 June 1991. Since that time customs law has developed significantly. In concordance with the Declaration of State Sovereignty of Ukraine this Law defines the legal issues of managing customs matters in Ukraine, which is oriented towards forming of common market territory in Ukraine, and customs unions with other States.

Article 1. Customs matters.

Ukraine as a sovereign state independently creates its own customs system and conducts customs matters. Customs matters are part of foreign political and economic activity of Ukraine.

Customs matters in Ukraine include establishing of order and organization of shipment of goods and other articles through the customs border of Ukraine, taxation, customs clearance and examination, and other measures concerning realization of customs policy in Ukraine.

While actualizing customs matters Ukraine follows recognized in international relations systems of classification and coding of goods, unified form of declaring of export and import of goods, customs information, and other generally accepted norms and standards of international practice, Ukraine takes part in international cooperation in customs matters.

Article 2. Customs territory and customs border

Territory of Ukraine is a single whole of customs territory, within borders of which Ukraine has exclusive jurisdiction concerning customs matters.

Border of customs territory of Ukraine is regarded as customs border of Ukraine, Customs territory also includes territories of artificial islands and constructions that are created in the economic Zone of Ukraine, and over which Ukraine has exclusive jurisdiction concerning customs matters.

Article 3. Common customs zones and customs unions

Common customs Zones and customs unions with other states are created by Ukraine on the basis of treaties.

Article 4. Management of customs matters

General management of customs matters is executed by the Verhovna Rada (the Parliament) and the Cabinet of Ministers of Ukraine. The State Customs Committee of Ukraine is responsible for direct management of Customs matters.

Article 5. Customs bodies of Ukraine - Customs matters are directly executed by customs bodies of Ukraine.

Customs bodies of Ukraine constitute the system of executive organs for managing

customs matters (customs system), that consists of the State Customs Committee of Ukraine, regional customs directorates, customs houses, and other customs institutions.

Customs bodies of Ukraine, their means of auto transport, sea and river boats and aircraft bear distinctive emblem and flag. Description of the flag and distinctive emblem is adopted by the Verhovna Rada of Ukraine. The State Customs Committee of Ukraine is created by President of Ukraine. The Statute of the State Customs Committee of Ukraine is adopted by President of Ukraine.

Regional customs directorates are created by the Cabinet of Ministers of Ukraine. Creation, reorganization, and liquidation of customs houses and other customs institutions is conducted by the State Customs Committee of Ukraine provided with agreement of the Ministry of Finance of Ukraine.

State bodies, institutions, and public organizations have no right to interfere into service activities of customs bodies of Ukraine, excluding cases envisaged by laws of Ukraine.

Article 6. Competence of customs bodies of Ukraine

Legislation of Ukraine establishes competence of customs bodies concerning performing of the following functions:

- protection of economical interests of Ukraine;
- control of fulfillment of legislation of Ukraine on customs matters;
- performing obligations concerning international treaties of Ukraine on customs matters;
- implementation of means of customs tariff and non-tariff regulation concerning shipment of goods and other items through the customs border of Ukraine;
- Customs clearance and taxation of goods and other items shipped through the customs border of Ukraine;
- execution of complex control of currency transactions together with the National Bank of Ukraine, etc.

Article 7. Customs officers

Only citizens of Ukraine can be customs officers. Customs officers of Ukraine are conferred special ranks, defined by laws of Ukraine.

Customs officers committed illegal actions during performance of their duties are prosecuted according to laws of Ukraine.

Article 8. Transfer of commodities and other items through the customs border

Commodities and other items are transferred through the customs border of Ukraine under customs control and are liable to customs clearance.

Article 9. Customs duty and customs fees

Commodities and other items transferred through the customs border of Ukraine are liable to customs duty in compliance with Law of Ukraine "On customs tariff".

Rates of customs duties are determined by the Cabinet of Ministers of Ukraine on

the basis of Customs Code of Ukraine.

Customs duties and customs belong to Ukraine if contrary is not stated in international treaties of Ukraine.

Activity 1.

Read the text and complete the table.

Customs Declaration of Ukraine

Articles	Name of the article	Content of the article
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Article 1		
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Article 2		
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Article 3		
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Article 4		
-----------	--	--

Article 5		
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Article 6		
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Article 7		
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Activity 2.

Are the following statements true or false?

1) The law of Ukraine on customs matters in Ukraine was adopted on 24 August 1991.

2) The law of Ukraine on customs matters defines the legal issues of managing customs matters in Ukraine, which is oriented towards forming of common market territory in Ukraine, and customs unions with other states.

3) Customs matters are a part of home political and economic activity of Ukraine.

4) Customs border doesn't coincide with the state border of Ukraine.

5) Common customs zones and customs unions with other states are created by the European Union on the basis of treaties.

6) General management of customs matters is executed by the Ukrainian Parliament and the Cabinet of Ministers of Ukraine.

7) Customs matters are directly executed by tax police of Ukraine.

8) The Statute of the State Customs Committee of Ukraine is adopted by the Prime Minister of Ukraine.

9) Legislation of Ukraine establishes competence of customs bodies.

10) Only citizens of Ukraine can be customs officers.

Activity 3.

Use the information in the text to give definitions to the following legal terms: - customs matters; - customs border; - customs territory; - customs bodies; - customs officer.

Activity 4.

Translate into English:

Митне право України: Система митного права. Система правових норм, яка регулює формування і здійснення

митної політики, а також набір форм і методів її здійснення, порядок використання митними органами інструментів Митного регулювання при її здійсненні, утворює систему митного права. Первинною клітиною митного права є його норми.

Взаємозалежна сукупність митно-правових норм, що регулює певні групи суспільних відносин, які виникають між митними органами й особами з приводу переміщення останніми товарів і транспортних засобів через митний кордон, прийнято називати інститутами митного права. Порядок розташування цих інститутів усередині митного права як комплексної галузі визначається їх положенням у Митному Кодексі (МК) України. Тим часом таке положення зумовлене загальними підходами до систематизації права.

Норми митного права — це встановлені державою правила поведінки в митній сфері, які регулюють зміст митної справи і підтримуються примусовою силою держави. Так, згідно зі ст. 7 МК України законодавство України з питань митної справи становлять Конституція України, цей Кодекс, закони та інші нормативно-правові акти з питань митної справи, видані на основі та на виконання Конституції України, цього Кодексу та законів України.

Зважаючи на динамізм митного законодавства і необхідність вирішення тактичних завдань оперативного регулювання зовнішньоекономічної діяльності, МК України передбачив чітку процедуру набрання чинності новим митним законодавством.

Activity 4.

1. Work in pairs. Each pair should consist of a (smuggler) and a customs officer). The customs officer asks questions (smuggler) to establish the truth. Using the following word combinations, make up a dialogue. Customs border taxation of goods transfer of items customs control customs house form of declaring of goods customs information.

2. You are a specialist in Ukrainian Customs Law. Describe it to your colleagues from the UK using following word combinations. r Word combinations: customs officer customs border illegal actions customs control taxation of goods classification and coding of goods n form of declaring of export and import of goods customs information.

Activity 5.

Write a short composition describing your visit to the custom-house and the prevailing atmosphere using active vocabulary.

Activity 6.

1. Read the passage and try to guess the object of smuggling.

Sam Lewis was a customs officer. He used to work in a small border town. It wasn't a busy town and there wasn't much work. The road was usually very quiet and there weren't many travellers. It wasn't a very interesting job, but Sam liked an easy life. About once a week, he used to meet an old man. His name was Draper. He always used to arrive at the border early in the morning in a big truck. The truck was always empty. After a while Sam became suspicious. He often used to search the truck, but he never found anything. One day he asked Draper about his job. Draper laughed and said, «I'm a smuggler».

Last year Sam retired. He spent his savings on an expensive holiday. He flew to Bermuda, and stayed in a luxury hotel. One day, he was sitting by the pool and opposite him he saw Draper drinking champagne. Sam walked over.

Sam Hello, there

Draper Hi!

Sam Do you remember me?

Draper Yes... of course I do. You're a customs officer.

Sam I used to be, but I'm not any more. I retired last month. I often used to search your truck...

Draper...but you never found anything

Sam No, I didn't. Can I ask you something?

Draper Of course you can.

Sam Were you a smuggler?

Draper Of course I was.

Sam But... the truck was always empty. What were you smuggling?

UNIT 32

LOCAL GOVERNMENT

A democracy is any system of government in which rule is exercised either directly by the people (direct democracy) or by means of elected representatives of the people (representative democracy). The acceptance of democratic values such as equality and individual liberty constitutes the essence of democracy. The key idea of democracy is that the people hold sovereign power. According to Abraham Lincoln democracy is government of the people, by the people, and for the people».

Democracy may take one of the basic forms: direct or indirect. In direct democracy the people realize their power by voting on issues individually as citizens. But such form of democracy exists only in very small societies where citizens can actually meet regularly to discuss and decide key urgent problems (f.e. cantons of Switzerland). In indirect or representative democracy the people elect representatives and delegate them power to make laws and conduct government.

Government is the mechanism through which the public will is expressed and made effective. The public will may be voiced by the people directly, through the agency of the initiative and referendum, but more often it is made manifest by action of the elected representatives in parliaments, legislatures and municipal councils. Representative democracy means a system of limited government where the people are the ultimate source of governmental power.

Any social grouping possesses a kind of governmental structure. Local government is the basis of national self-government. Its essentiality is grounded on providing members of the community with various services for their benefit. The notion of self-government denotes the right and ability of local governmental authorities to exercise the regulation and administration of a considerable part of social rights in the interests of local inhabitants according to their competence and legislature in force. This competence is granted by the Constitution of Ukraine and the Local Self-Government Law of Ukraine and local self-government charters. The territory is the basis of the local government. Administratively Ukraine is divided into 24 regions and the autonomous republic of Crimea. Each region has its local government bodies. Local self-government has its common, economic and legal guarantees.

Every local government area has its council, elected by the inhabitants. Councils are the representative bodies of local self-government. Local council deputies and city mayors are directly elected by the citizens. Mayor leads the executive committee of the respective council and presides at its meetings. The council passes ordinances, the laws of the city sets the tax rate on property, and apportions money among the various local departments.

Material and financial basis of local government is movable and immovable property, revenues of local budgets, land, natural resources owned by territorial communities of villages, settlements, cities, city districts, as well as objects of their common property that are managed by district and oblast councils.

According to the Local Self-Government Law of Ukraine, the functions of local self-government bodies are the following: social, economic and cultural development,

planning and registration, budget, finances and prices, administration of the municipal property, housing and communal services, consumer and commercial services, public catering, transport and connection, building, education, health protection, culture, physical training and sport; regulation of land relations and preservation of environment, social protection of population, external economic activity, defensive work, guaranteeing of legality law and order, the rights liberties and legal interests protection of citizens.

Activity 1.

Give the definitions for the following terms or explain in other words.

1. democracy 2. rule 3. council 4. ownership 5. authorities

Answer the following questions using the information from the text:

1. What are the basic forms of democracy?
2. What way may be the public will exercised in?
3. What does the notion of self-government denote?
4. What are the main functions of the local self-government?
5. What is the form of city government?
6. What is local government responsible for?
7. What is the material and financial ground of the local government?

Activity 2.

Complete the following sentences according to the information from the text:

1. The acceptance of democratic ... such as ... and ... constitutes the essence of democracy.
2. In indirect or representative... the people elect ... and give them ... and ... to make laws and conduct
3. The council passes..., the ... of the city, sets the ... on property, and apportions ... among the various local departments.
4. Every local government area has its ..., elected by the
5. ... to local budgets constitute the financial base of....

Activity 3.

Match the following legal terms with their definitions: incomes

- a) government of the people, by the people, and for the people self-government
- b) the chief of local executive branch Budget
- c) profits Democracy
- d) the rule of people living in a local community Mayor
- e) the annual distribution of income and expenditure

Activity 4.

Match the following English words with their Ukrainian equivalents:

- | | |
|-----------------------------|----------------------------|
| 1) authority | a) зайнятість |
| 2) responsibility | b) органи охорони здоров'я |
| 3) jurisdiction | c) влада |
| 4) welfare | d) перевезення |
| 5) health authorities | f) житлово-комунальне |
| 6) transportation | господарство |
| 7) employment | g) пожежна безпека |
| 8) housing | h) каналізація |
| 9) sewage | i) відповідальність |
| 10) fire service department | j) сфера повноважень |
| | e) добробут |

Activity 5.

Complete the following sentences according to the information from the text:

1. The acceptance of democratic ... such as ... and ... constitutes the essence of democracy.
2. In indirect or representative... the people elect ... and give them ... and ... to make laws and conduct
3. The council passes..., the ... of the city, sets the ... on property, and apportions ... among the various local departments.
4. Every local government area has its ..., elected by the
5. ... to local budgets constitute the financial base of....

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Match the following legal terms with their definitions: incomes

- a) government of the people, by the people, and for the people self-government
- b) the chief of local executive branch Budget
- c) profits Democracy
- d) the rule of people living in a local community Mayor
- e) the annual distribution of income and expenditure

Activity 7

- 1) Find in the text and copy out the sentences with gerunds.
Translate them and explain their functions.

2) *Define the predicates in the following sentences. Determine their voice and tense.*

1. A democracy is any system of government in which rule is exercised by the people. 2. Democracy may take one of the basic forms: direct or indirect. 3. Representative democracy means a system of limited government where the people are the ultimate source of governmental power. 4. Administratively Ukraine is divided into 24 regions and the autonomous republic of Crimea. 5. Each region has its local government bodies. 6. The public will may be voiced by the people directly, but more often it is made manifest. 7. The territorial communities are the subject of municipal property.

Activity 8.

1) *Workin group:*

- Say what the text is about

A) in a short phrase;

B) in an extended sentence.

- Discuss:

A) what form of democracy is more widespread and why;

B) your viewpoint to its efficiency.

- Explain

A) the necessity of social grouping to possess some kind of governmental structure;

B) the notion of self-government.

- Name

A) the main legal documents which grant the local government bodies in Ukraine;

B) the functions of local government bodies.

2) *Imagine the situation and give your own viewpoints:*

if you were mayor what functions you would exercise in the first instance;

if you were the head of State what functions you would add to local governments.

UNIT 33.

OPTIONAL PROTOCOL TO THE ON CIVIL AND POLITICAL RIGHTS

Adopted and opened for signature, ratification and accession by General Assembly resolution 2200 A (XXI) On 16 December 1966. ENTRY INTO FORCE: 23 March 1976, in accordance with Article 9.

The States Parties to the present Protocol,

Considering that in order further to achieve the purposes of the International Covenant on Civil and Political Rights (hereinafter referred to as the Covenant) and the implementation of its provisions it would be appropriate to enable the Human Rights Committee set up in part IV of the Covenant (hereinafter referred to as the Committee) to receive and consider, as provided in the present Protocol, communications from individuals claiming to be victims of violations of any of the rights set forth in the Covenant, HAVE AGREED as follows:

Article 1

A State Party to the Covenant that becomes a Party to the present Protocol recognizes the competence of the Committee to receive and consider communications from individuals subject to its jurisdiction who claim to be victims of a violation by that State Party of any of the rights set forth in the Covenant. No communication shall be received by the Committee if it concerns a State Party to the Covenant which is not a Party to the present Protocol.

Article 2

Subject to the provisions of Article 1, individuals who claim that any of their rights enumerated in the Covenant have been violated and who have exhausted all available domestic remedies may submit a written communication to the Committee for consideration.

Article 3

The Committee shall consider inadmissible any communication under the present Protocol which is anonymous, or which it considers to be an abuse of the right of submission of such communications or to be incompatible with the provisions of the Covenant.

Article 4

Subject to the provisions of Article 3, the Committee shall bring any communications submitted to it under the present Protocol to the attention of the State Party to the present Protocol alleged to be violating any provision of the Covenant.

Within six months, the receiving State shall submit to the Committee written explanations or statements clarifying the matter and the remedy, if any, that may have been taken by that State.

Article 5

The Committee shall consider communications received under the present Protocol in the light of all written information made available to it by the individual and by the State Party concerned.

The Committee shall not consider any communication from an individual unless it has ascertained that:

The same matter is not being examined under another procedure of international investigation or settlement;

The individual has exhausted all available domestic remedies. This shall not be the rule where the application of the remedies is unreasonably prolonged.

The Committee shall hold closed meetings when examining communications under the present Protocol.

The Committee shall forward its views to the State Party concerned and to the individual.

Article 6

The Committee shall include in its annual report under Article 45 of the Covenant a summary of its activities under the present Protocol.

Article 7

Pending the achievement of the objectives of resolution 1514(XV) adopted by the General Assembly of the United Nations on 14 December 1960 concerning the Declaration on the Granting of Independence to Colonial Countries and Peoples, the provisions of the present Protocol shall in no way limit the right of petition granted to these peoples by the Charter of the United Nations and other international conventions and instruments under the United Nations and its specialized agencies.

Article 8

The present Protocol is open for signature by any State which has signed the Covenant.

The present Protocol is subject to ratification by any State which has ratified or acceded to the Covenant. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

The present Protocol shall be open to accession by any State which has ratified or acceded to the Covenant.

Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

The Secretary-General of the United Nations shall inform all States which have signed the present Protocol or acceded to it of the deposit of each instrument of ratification or accession.

Article 9

Subject to the entry into force of the Covenant, the present Protocol shall enter into force three months after the date of the deposit with the Secretary-General of the United Nations of the tenth instrument of ratification or instrument of accession.

For each State ratifying the present Protocol or acceding to it after the deposit of the tenth instrument of ratification or-1 instrument of accession, the present Protocol shall enter into force three months after the date of the deposit of its own instrument of ratification or instrument of accession.

Article 10

The provisions of the present Protocol shall extend to all parts of federal States without any limitations or exceptions.

Article 11

Any State Party to the present Protocol may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate any proposed amendments to the States Parties to the present Protocol with a request that they notify him whether they favour a conference, of States Parties for the purpose of considering and voting upon the proposal. In the event that at least one third of the States Parties favours such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of the States Parties present and voting at the conference shall be submitted to the General Assembly of the United Nations for approval.

Amendments shall come into force when they have been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of the States Parties to the present Protocol in accordance with their respective constitutional processes.

When amendments come into force, they shall be binding on those States Parties which have accepted them, other States Parties still being bound by the provisions of the present Protocol and any earlier amendment which they have accepted.

Article 12

Any State Party may denounce the present Protocol at any time by written notification addressed to the Secretary-General of the United Nations. Denunciation shall take effect three months after the date of receipt of the notification by the Secretary-General.

Denunciation shall be without prejudice to the continued application of the provisions of the present Protocol to any communication submitted under Article 2 before the effective date of denunciation.

Article 13

Irrespective of the notifications made under Article 8, paragraph 5, of the present Protocol, the Secretary-General of the United Nations shall inform all States referred to in Article 48, paragraph 1, of the Covenant of the following particulars:

Signatures, ratifications and accessions under Article 8;

The date of the entry into force of the present Protocol under Article 9 and the date of the entry into force of any amendments under Article 11;
Denunciations under Article 12.

Article 14

The present Protocol, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

The Secretary-General of the United Nations shall transmit certified copies of the present Protocol to all States referred to in Article 48 of the Covenant.

International Covenant on Civil and Political Rights	Міжнародний пакт про громадянські та політичні права
2	3
Preamble	Преамбула
the States Parties to the present Covenant	Держави, які беруть участь у цьому Пакті
2	3
considering that	беручи до уваги, що; зважаючи на те, що
in accordance with the principles proclaimed in the Charter of the United Nations	відповідно до принципів, проголошених Статутом Організації Об'єднаних Націй
recognition of dignity	визнання гідності
inherent (in)	властивий; притаманний
equal and inalienable rights	рівні та невід'ємні права
all members of the human family	усі члени людської сім'ї
the foundation of freedom, justice and peace in the world	основа свободи, справедливості й загального миру
recognizing that	визначаючи (усвідомлюючи), що
to derive (from)	походити (від); (тут) впливати (з)
the inherent dignity of the human person	властива людській особі гідність
the ideal of a free human being	ідеал вільної людини
to enjoy civil and political freedom	користуватися громадянською та політичною свободою
freedom from fear and want	свобода від страху та злиднів
to create conditions	створювати умови
to enjoy one's civil and political rights	користуватися своїми громадянськими та політичними правами
economic, social and cultural rights	економічні, соціальні й культурні права
the obligations of a State under the	зобов'язання Держави за Статутом

Charter of the United Nations	Організації Об'єднаних Націй
2	3
to promote universal respect for, and observance of, human rights and freedoms	заохочувати дотримання загальної поваги до прав і свобод людини
realizing that	визнаючи (усвідомлюючи), що
to have duties to other individuals	мати обов'язки щодо інших людей
responsibility	відповідальність
to strive for the promotion and observance of the rights	добиватися заохочення та дотримання прав
recognized in the present Covenant	визнаний у цьому Пакті
agree upon the following articles	погоджуються про такі статті
PART I	ЧАСТИНА II
Article 1	Стаття 1
the right of (to) self-determination	право на самовизначення
by virtue of that right	на підставі цього права
to freely determine one's political status	вільно визначати свій політичний статус
economic, social and cultural development	економічний, соціальний і культурний розвиток
for one's own ends	для досягнення своїх цілей
to freely dispose of one's natural wealth and resources	вільно розпоряджатися своїми природними багатствами і ресурсами
without prejudice (to)	без шкоди (для)
any obligations arising out of international economic co-operation	будь-які зобов'язання, що впливають із міжнародного економічного співробітництва
2	3
based upon	(той), що ґрунтується на
the principle of mutual benefit	принцип взаємної вигоди
international law	міжнародне право
in no case	ні в якому разі
to be deprived of one's own means of subsistence	бути позбавленим належних йому засобів існування
to have responsibility (for)	нести відповідальність (за)
the administration of Trust Territories	управління підопічними територіями
to promote the realization of the right of self-determination	заохочувати здійснення права на самовизначення
to respect a right	поважати право
in conformity with the provisions of the Charter of the United Nations	відповідно до положень Статуту Організації Об'єднаних Націй
PART II	ЧАСТИНА II

Article 2	Стаття 2
subject to its jurisdiction	під її юрисдикцією
without distinction of any kind, such as	без будь-якої різниці щодо
political or other opinion	політичні та інші переконання
social origin	соціальне походження
property status	майновий стан
to be provided for (by)	бути передбаченим (чим- небудь)
existing legislative or other measures	чинне законодавство чи інші заходи
2	3
to take the necessary steps	вжити необхідних 'заходів
in accordance with its constitutional processes	відповідно до своїх конституційних процедур
the provisions of the present Covenant	положення цього Пакту
to adopt measures	вжити заходів
to give effect to the rights	здійснювати права
recognized in the present Covenant	що визнаються в цьому Пакті
to violate the rights = to commit the violation of the rights	порушувати права
an effective remedy	ефективний засіб правового (судового) захисту
to act in an official capacity	діяти як офіційна особа
to determine a right	визначати (встановлювати) право
to be determined by competent judicial, administrative or legislative authorities	встановлюватися компетентними судовими, адміністративними чи законодавчими органами
provided for by the legal system of a State	передбачений правовою системою Держави
to develop the possibilities of judicial remedy	розвивати можливості судового захисту
to grant a remedy	надавати правовий захист
to enforce a remedy	застосовувати правовий (судовий) захист
2	3
Article 3	Стаття 3
to ensure equal rights of men and women	забезпечувати рівні для чоловіків і жінок права

the enjoyment of civil and political rights	користування громадянськими і політичними правами
set forth in the present Covenant	визначений (передбачений) у цьому Пакті
Article 4	Стаття 4
in time of public emergency	під час надзвичайного стану
to threaten the life of the nation	загрожувати життю нації; ставити під загрозу життя нації
to proclaim officially	оголошувати офіційно
to take measures derogating from their obligations	вживати заходів на відступ від своїх зобов'язань
obligations under the present Covenant	зобов'язання за цим Пактом
to the extent strictly required by the exigencies of the situation	лише настільки, наскільки цього вимагає гострота становища
to be inconsistent (with)	бути несумісним (із)
obligations under international law	зобов'язання за міжнародним правом
solely on the ground of race, colour, sex, language, religion or social origin	виключно на основі раси, кольору шкіри, статі, мови, релігії чи соціального походження
derogation from Articles 6 and 7	відступ від Статей 6 і 7
to make derogation (s) (from)	відступати (від)
2	3
to avail oneself of the right of derogation	скористатися правом відступу
through the intermediary of the Secretary-General of the United Nations	за посередництвом Генерального секретаря Організації Об'єднаних Націй
to derogate from the provisions (of)	відступати від положень
to make a communication	робити повідомлення
through the same intermediary	через того ж посередника
to terminate a derogation	припиняти відступ
Article 5	Стаття 5
to interpret	Тлумачити
to engage in any activity	займатися якою завгодно діяльністю
the destruction of any of the rights or freedoms	знищення будь-яких прав чи свобод
recognized herein	визнаний у цьому Пакті

limitation	Обмеження
to a greater extent than is provided for in the present Covenant	більшою мірою, ніж передбачається в цьому Пакті
the fundamental human rights	основні права людини
pursuant to law	відповідно до закону
restriction	обмеження; перешкода
regulation	Правило
custom	Звичай
2	3
on the pretext that	під тим приводом, що
to a lesser extent	в меншому обсязі
PART III	ЧАСТИНА III
Article 6	Стаття 6
every human being	кожна людина
an inherent right	невід'ємне право
to be protected by law	охоронятися законом
to be arbitrarily deprived of one's life	бути безпідставно позбавленим життя
to abolish the death penalty	скасувати смертну кару
a sentence of death	смертний вирок
to impose a sentence of death (on / upon)	виносити смертний вирок
the most serious crime	найтяжчий злочин
the law in force	чинний закон
the commission of a crime	вчинення (скоєння) злочину
in accordance with the law in force at the time of the commission of a crime	відповідно до закону, який діяв на час вчинення (скоєння) злочину
(to be) not contrary to the provisions of the present Covenant	не суперечити положенням цього Пакту
the Convention on the Prevention and Punishment of the Crime of Genocide	Конвенція про запобігання злочинів геноциду і покарання за нього
to carry out a penalty	здійснювати покарання
2	3
pursuant to a final judgment	на виконання остаточного вироку
to render a judgment	виносити (ухвалювати) рішення суду
a competent court	компетентний суд
deprivation of life	позбавлення життя
to constitute a crime of genocide	становити злочин геноциду
it is understood that	вважається, що
to authorize smb [+ inf.]	(на)давати кому-небудь право

to derogate from any obligation	відступати від будь-яких зобов'язань
in any way	яким би то не було шляхом
to assume an obligation	приймати зобов'язання
under the provisions of the Convention	згідно з положеннями Конвенції
to be sentenced to death	бути засудженим до смертної кари
the right to seek pardon	право домагатися (просити про) помилування
the right to seek commutation of the sentence of death	право домагатися пом'якшення смертного вироку
to grant amnesty, pardon or commutation of the sentence of death	дарувати амністію, помилування або заміну смертного вироку
in all cases	у всіх випадках
to impose a sentence of death (on / upon)	Див. №105
to commit a crime	вчиняти (скоювати) злочин
to carry out a sentence of death	виконувати смертний вирок
2	3
a pregnant woman	вагітна жінка
to delay the abolition of capital punishment	відстрочувати скасування смертної кари
to prevent the abolition of capital punishment	не допускати скасування смертної кари
Article 7	Стаття 7
to be subjected to torture	бути підданим катуванню
to be subjected to cruel, inhuman or degrading treatment or punishment	бути підданим жорстокому, нелюдському або такому поведженню чи покаранню, що принижує (його) гідність
without one's free consent	без чиеїсь добровільної згоди
to be subjected to medical or scientific experimentation	бути підданим медичним або науковим дослідом
Article 8	Стаття 8
to be held in slavery	утримуватися в рабстві
slave trade	Работоргівля
to be prohibited	Заборонятися
in all their forms	в усіх її видах
to be held in servitude	утримуватися в підневільному стані
to require to perform forced or compulsory labour	приневолювати (силувати) до примусової чи обов'язкової праці
shall not be held to preclude	не вважається перешкодою (для)
to impose as a punishment for a crime	призначати як покарання за злочин
imprisonment with hard labour	позбавлення волі, пов'язане з каторжними роботами

2	3
in pursuance of a sentence by a competent court	за вироком компетентного суду
not referred to in subparagraph (b)	не згаданий у підпункті (Б)
to be under detention	утримуватися під вартою
in consequence of a lawful order of a court	унаслідок законного розпорядження суду
a person during conditional release from detention	особа, умовно звільнена від утримання під вартою
to be subjected to cruel, inhuman or degrading treatment or punishment	бути підданим жорстокому, нелюдському або такому поведженню чи покаранню, що принижує (його) гідність
without one's free consent	без чієїсь добровільної згоди
to be subjected to medical or scientific experimentation	бути підданим медичним або науковим дослідом
Article 8	Стаття 8
to be held in slavery	утримуватися в рабстві
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to be prohibited	Заборонятися
in all their forms	в усіх її видах
to be held in servitude	утримуватися в підневільному стані
to require to perform forced or compulsory labour	приневолювати (силувати) до примусової чи обов'язкової праці
shall not be held to preclude	не вважається перешкодою (для)
to impose as a punishment for a crime	призначати як покарання за злочин
2	3
imprisonment with hard labour	позбавлення волі, пов'язане з каторжними роботами
in pursuance of a sentence by a competent court	за вироком компетентного суду
not referred to in subparagraph (b)	не згаданий у підпункті (Б)
to be under detention	утримуватися під вартою
in consequence of a lawful order of a court	унаслідок законного розпорядження суду
a person during conditional release from detention	особа, умовно звільнена від утримання під вартою
any service of a military character	будь-яка служба військового характеру
conscientious objection	відмова від військової служби з політичних чи релігійних мотивів
conscientious objector	особа, яка відмовляється від військової служби з політичних чи

	релігійних мотивів
any service exacted in cases of emergency or calamity	будь-яка служба, обов'язкова у випадках надзвичайного стану або лиха
to threaten smb's life	загрожувати чиємусь життю
the well-being of the community	добробут населення
civil obligations	громадянські обов'язки
Article 9	Стаття 9
the right to liberty and security of person	право на свободу та особисту недоторканність
to be subjected to arbitrary arrest and detention	бути підданим безпідставному арешту чи утриманню під вартою
2	3
to be deprived of one's liberty	бути позбавленим волі
except on such grounds as	інакше, ніж на таких підставах, як
in accordance with such procedure as [is] established by law	відповідно до такої процедури, яка встановлена законом
at the time of arrest	під час арешту
the reasons for arrest	причини арешту
to promptly inform smb (of)	повідомляти в терміновому порядку (про)
a charge (against)	обвинувачення (проти)
anyone arrested or detained on a criminal charge	кожна заарештована або затримана за кримінальним звинуваченням особа
to be brought before a judge	бути доставленим до судді
an officer authorized by law to exercise judicial power	службова особа, якій належить за законом право здійснювати судову владу
to be entitled to a trial	мати право на судовий розгляд
within a reasonable time	протягом прийнятної строку
release	звільнення (з ув'язнення)
to release	звільняти (звільнити)
a general rule	загальне правило
to await a trial	чекати на судовий розгляд
to be detained in custody	утримуватися під вартою
a guarantee to appear for a trial	гарантія явки на суд
the judicial proceedings	судовий розгляд
2	3
should the occasion arise	у разі необхідності
execution of a judgment	виконання вироку (рішення суду)

by arrest or detention	унаслідок арешту чи утримання під вартою
to take proceedings before a court	розпочинати (порушувати) справу в суді
to decide without delay	негайно виносити постанову
the lawfulness of one's detention	законність утримання під вартою
to order [smb's] release	розпоряджатися про (чийсь) звільнення
a victim of unlawful arrest or detention	жертва незаконного арешту чи утримання під вартою
an enforceable right to compensation	право на компенсацію, якій надано позовної сили
Article 10	Стаття 10
to treat smb with humanity	гуманно поводитися з кимось (ставитися до когось)
respect for the inherent dignity of the human person	поважання гідності, властивої людській особі
an accused person	Обвинувачений
save in exceptional circumstances	за відсутності виняткових обставин
a convicted person	Засуджений
to segregate (from)	відокремлювати (від)
separate treatment	окремий режим
an unconvicted person	незасуджена особа
appropriate to their status (as)	що відповідає їхньому статусу (як)
a juvenile person	неповнолітній; підліток
2	3
an adult	доросла (повнолітня) людина; повнолітній
to be brought for adjudication	доставлятися в суд для винесення (ухвалення) рішення
as speedily as possible	у найкоротший строк
a penitentiary system	пенітенціарна система
to comprise	містити; охоплювати
treatment of prisoners	режим для ув'язнених
an essential aim	основна мета ч
reformation	виправлення (правопорушника)
social rehabilitation	соціальна реабілітація (перевиховання)
a juvenile offender	неповнолітній правопорушник
to accord smb treatment	надавати комусь режим
appropriate to their age and legal status	що (який) відповідає їхньому віку і правовому статусу
Article 11	Стаття 11

to be imprisoned	бути ув'язненим (позбавленим волі)
merely on the ground of inability to fulfil a contractual obligation	лише на тій підставі, що він не в змозі виконати якесь договірне зобов'язання
Article 12	Стаття 12
lawfully	Законно
the right to liberty of movement	право на вільне пересування
freedom to choose one's residence	свобода вибору місця проживання
to leave any country	залишати будь-яку країну
the above-mentioned rights	згадані вище права
a restriction	Див. Art. 5, №94
2	3
provided (for) by law	передбачений законом
to protect national security	охороняти державну безпеку
public order	громадський порядок
public health or morals	громадське здоров'я чи моральний рівень населення
to be consistent with the other rights recognized in the present Covenant	бути сумісним з іншими правами, визначеними в цьому Пакті
to be arbitrarily deprived of one's right	бути безпідставно позбавленим права
to enter one's own country	в'їжджати до своєї власної країни
Article 13	Стаття 13
an alien	іноземець; чужоземець
a State Party to the present Covenant	Держава-учасниця цього Пакту
to be expelled therefrom	бути висланим із цієї країни
in pursuance of a decision	на виконання рішення
to reach a decision	ухвалити рішення
in accordance with law except compelling reasons of national security otherwise require	відповідно до закону; згідно з законом якщо імперативні міркування державної безпеки не вимагають іншого
to be allowed to submit the reasons against one's expulsion	мати право на надання доказів проти свого вислання
to be allowed to have one's case reviewed	мати право на перегляд своєї справи
2	3
a competent authority	компетентний орган влади
to be especially designated (by)	бути спеціально призначеним (ким-небудь)
Article 14	Стаття 14

to be equal before the courts and tribunals	бути рівними перед судами і трибуналами
in the determination of any criminal charge (against)	при розгляді будь-якого кримінального обвинувачення (проти)
rights and obligations in a suit at law	права й обов'язки в будь-якому цивільному процесі
to be entitled to a fair and public hearing	мати право на -справедливий і публічний розгляд справи V
a competent, independent and impartial tribunal	компетентний, незалежний і неупереджений суд
established by law	встановлений законом
to be excluded from all or part of a trial	не допускатися на весь судовий розгляд або частину його
for reasons of morals, public order or national security	з міркувань моралі, громадського порядку чи державної безпеки
the interests of the private lives of the parties	інтереси приватного життя сторін
to the extent strictly necessary in the opinion of the court	тією мірою, якою це, на думку суду, є вкрай необхідним
in special circumstances	за особливих обставин
to prejudice the interests of justice	порушувати інтереси правосуддя
2	3
any judgment rendered in a criminal case or in a suit at law	будь-яка судова постанова в кримінальній або цивільній справі
to make smth public	оприлюднювати; публікувати; розголошувати
except where	за винятком тих випадків, коли
a juvenile person	Див. Art. 10, №199
to concern matrimonial disputes	стосуватися матримоніальних суперечок
the guardianship of children	опіка над дітьми
charged with a criminal offence	обвинувачений у кримінальному злочині
to be presumed innocent until proved guilty according to law	вважатися невинуватим, доки вину не буде доведено в законному порядку
in full equality	на основі цілковитої рівності
to be informed promptly and in detail	бути терміново і докладно повідомленим
the nature and cause of the charge (against)	характер і підстава висунутого обвинувачення (проти)

to have adequate time and facilities (for)	мати достатньо часу та можливостей (для)
the preparation of one's defence	підготовка свого захисту
to communicate with counsel of one's own choosing	спілкуватися з вибраним ним самим захисником
to be tried without undue delay	бути судимим без невинновданой затримки
to defend oneself in person	захищати себе особисто
2	3
through legal assistance of one's own choosing	за допомогою обраного ним самим захисника
to have legal assistance assigned to him	мати призначеного йому захисника
in any case where the interests of justice so require	у будь-якому разі, коли того вимагають інтереси правосуддя
without payment	Безкоштовно
to have no sufficient means to pay	не мати достатньо коштів для оплати
to examine the witnesses against him	допитувати свідків, які дають свідчення проти нього
the attendance and examination of witnesses	присутність і допит свідків
on one's behalf	від імені (когось)
under the same conditions as	на тих самих умовах, які
to have the free assistance of an interpreter	користуватися безкоштовною (безплатною) допомогою перекладача
the language used in court	мова, яка використовується в суді
to be compelled to testify	бути примушеним (приневоленним) давати свідчення
to confess guilt	визнавати себе винним (винуватим)
to take account of smb's age	враховувати вік
to promote smb's rehabilitation	сприяти поновленню (реабілітації) (когось) у правах
convicted of a crime	засуджений за будь-який злочин
conviction	визнання винним; засудження
2	3
to review a sentence	переглянути вирок
a higher tribunal	вища судова інстанція
according to law	згідно з законом
a final decision	остаточне рішення
to be convicted of a criminal offence	бути засудженим за кримінальний злочин
subsequently	згодом; пізніше

to reverse smb's conviction	скасувати винесений вирок
to be pardoned	бути помилуваним
a new or newly discovered fact	нова чи нововиявлена обставина
to show conclusively	незаперечно доводити
a miscarriage of justice	судова помилка
to suffer punishment	зазнавати покарання
as a result of conviction	унаслідок засудження
to be compensated	одержувати компенсацію
unless it is proved that	якщо не буде доведено, що
the non-disclosure of the unknown fact in time	невиявлення свого часу невідомої обставини
to be wholly or partly attributable (to)	виключно або частково приписуватися (чомусь)
to be liable (to)	бути зобов'язаним
to be tried or punished	бути засудженим чи покараним
to be finally convicted	бути остаточно засудженим
to be acquitted	бути виправданим
in accordance with the law and penal procedure	відповідно до закону та кримінально-процесуального права
2	3
Article 15	Стаття 15
to be held guilty (of	бути визнаним винним (у)
a criminal offence	кримінальний злочин
on account of any act or omission	унаслідок якоїсь дії чи бездіяльності
to constitute a criminal offence	бути кримінальним злочином
under national or international law	за внутрішньодержавним законодавством або міжнародним правом
to commit an offence	вчиняти (скоювати) злочин
to impose a heavier penalty	призначати більш тяжке покарання
applicable (to)	застосовний; придатний (до)
at the time when a criminal offence was committed	на момент вчинення (скоєння) кримінального злочину
subsequent to the commission of an offence	після вчинення (скоєння) злочину
to make provision by law	встановлювати законом
imposition of a lighter penalty	призначення більш легкого покарання
an offender	злочинець; правопорушник
a trial	судовий розгляд (процес); суд
according to the general principles of law	згідно з загальними принципами права(

recognized by the community of nations	визнаний міжнародним співтовариством \
Article 16	Стаття 16
the right to recognition as a person before the law	право на визнання правосуб'єктності
2	3
Article 17	Стаття 17
to be subjected to arbitrary or unlawful interference with one's privacy	зазнавати свавільного чи незаконного втручання в особисте життя
unlawful attacks on one's honour and reputation	незаконні посягання на честь і репутацію (людини)
the right to the protection of the law	право на захист законом
protection against interference or attacks	захист від втручання чи посягань
Article 18	Стаття 18
the right to freedom of thought, conscience and religion	право на свободу думки, совісті та релігії
freedom to have or to adopt a religion or belief of one's choice	свобода мати чи приймати релігію або переконання за своїм вибором
freedom to manifest one's religion or belief	свобода сповідувати свою релігію чи переконання
in worship, observance, practice and teaching	у відправленні культу, виконанні релігійних та ритуальних обрядів і вчень
to be subject to coercion	зазнавати примусу
to impair smb's freedom	припинювати чиюсь свободу
to be prescribed by law	бути встановленим законом
to protect public safety	охороняти суспільну безпеку
to have respect for the liberty of parents when applicable	поважати свободу батьків у відповідних випадках
a legal guardian	законний опікун
2	3
to ensure the religious and moral education (of	забезпечувати релігійне та моральне виховання
in conformity with one's own convictions	відповідно до своїх власних переконань
Article 19	Стаття 19
the right to hold opinions without interference	право безперешкодно дотримуватися своїх поглядів
the right to freedom of expression	право на вільне вираження свого погляду

freedom to seek, receive and impart information and ideas of all kinds	свобода шукати, отримувати і поширювати будь-яку інформацію та ідеї
regardless of frontiers	незалежно від (державних) кордонів
the exercise of the rights	користування правами
provided for in paragraph 2 of this Article	передбачений у пункті 2 цієї Статті
to carry with it special duties and responsibilities	накладати особливі обов'язки й особливу відповідальність
to be subject to certain restrictions	бути пов'язаним із певними обмеженнями
protection of national security	охорона державної безпеки
public order	Див. Art. 12, №222
Article 20	Стаття 20
propaganda of (for) war	пропаганда війни
to be prohibited by law	бути забороненим законом
any advocacy of national, racial or religious hatred	розпалювання національної, расової чи релігійної ненависті
2	3
incitement to discrimination, hostility or violence	підбурювання до дискримінації, ворожнечі або насильства
Article 21	Стаття 21
the right of peaceful assembly	право на мирні збори
to recognize a right	визнавати право
the exercise of a right	користування правом
to impose (place) restrictions (on)	накладати обмеження (на)
in conformity with the law	відповідно до закону
in the interests of national security or public safety	в інтересах державної чи суспільної безпеки
Article 22	Стаття 22
the right to freedom of association	право на свободу асоціацій
the right to form and to join trade unions	право створювати професійні спілки і входити до них
the protection of (smb's) interests	захист (чийхось) інтересів
prescribed by law	передбачений законом
to prevent the imposition of lawful restrictions (on)	перешкоджати запровадженню законних обмежень
to authorize smb (+ inf)	давати комусь право
to take legislative measures	приймати законодавчі акти
to apply a law	застосовувати закон

to prejudice the guarantees	завдавати шкоди гарантіям
2	3
provided for in the Convention	передбачений у цій Конвенції
Article 23	Стаття 23
a natural and fundamental group unit of society	природний і основний осередок суспільства
to be entitled to protection by society and the State	мати право на захист із боку суспільства та Держави
men and women of marriageable age	чоловіки і жінки, які досягають шлюбного віку
the right to marry and to found a family	право одружуватися та створювати сім'ю
to enter into a marriage	укласти шлюб
without a free and full consent (of	без вільної і цілковитої згоди (кого-небудь)
the intending spouses	особи, що мають намір одружитися
to take appropriate steps	вживати належних заходів
to ensure equality of rights and responsibilities of spouses	забезпечувати рівність прав і обов'язків кожного з подружжя
dissolution of marriage	розірвання шлюбу
in the case of dissolution	у разі розірвання (шлюбу)
to make provisions (for)	передбачати (щось)
necessary protection of any children	необхідний захист усіх дітей
Article 24	Стаття 24
without any discrimination (as to)	без будь-якої дискримінації (за ознакою)
national or social origin	національне чи соціальне походження
2	3
the right to such measures of protection	право на такі заходи захисту
a minor	неповнолітній; підліток
on the part of the family, society and the State	з боку сім'ї, суспільства і Держави
to be registered immediately after birth	бути зареєстрованим негайно після народження
the right to a nationality (to acquire a nationality)	право на громадянство
Article 25	Стаття 25
without any of the distinctions mentioned in Article 2	без будь-якої _ дискримінації, згаданої в Статті 2

without unreasonable distinctions	без необґрунтованих обмежень
the right to take part in the conduct of public affairs	право брати участь у веденні державних справ
directly or through freely chosen representatives	як безпосередньо, так і за посередництвом вільно обраних представників
the right to vote and to be elected at genuine periodic elections	право голосувати і бути обраним на справжніх періодичних виборах
by universal and equal suffrage	на основі загального і рівного виборчого права
to be held by secret ballot	проводитися таємним голосуванням
to guarantee the free expression of the will of the electors	забезпечувати свободу волевиявлення виборців
the right to have access to public service	право допуску до державної служби
2	3
on general terms of equality	на загальних умовах рівності
Article 26	Стаття 26
to be equal before the law	бути рівними перед законом
to be entitled to the equal protection of the law	мати право на однаковий (рівний) захист законом
without any discrimination	без будь-якої дискримінації
in this respect	у цьому відношенні
to prohibit any discrimination	забороняти будь-яку дискримінацію
to guarantee equal and effective protection against discrimination	гарантувати рівний і ефективний захист проти дискримінації
on any ground such as	за будь-якою ознакою, як-от
political or other opinion	політичні чи інші переконання
property status	майновий стан
Article 27	Стаття 27
ethnic, religious or linguistic minorities	етнічні, релігійні та мовні меншини
to belong to a minority	належати до меншини
to deny a right	відмовляти у праві
in community with the other members of the group	разом з іншими членами групи
to enjoy one's own culture	користуватися культурними цінностями (народу)
to profess and practise one's own religion	сповідувати свою релігію
2	3
to use one's own language	користуватися рідною мовою

Article 28	Стаття 28
to establish a committee	створювати комітет
hereafter referred to as the Committee	далі – Комітет
to consist (of)	складатися (з)
to carry out the functions hereinafter provided	виконувати функції, передбачені нижче
to be composed (of)	складатися (з)
persons of high moral character	особи, які (що) мають високі моральні якості
persons of recognized competence in the field of human rights	особи, які (що) мають визнану компетентність у галузі прав людини
to give consideration (to)	брати до уваги (щось)
to have legal experience	мати юридичний досвід
usefulness	корисність; придатність
participation (in)	участь (в / у)
to serve in one's own capacity	діяти як приватна особа (неофіційно)
Article 29	Стаття 29
to possess the qualifications prescribed in Article 28	(тут) відповідати вимогам, передбаченим у Статті 28
to be nominated for the purpose	бути висунутими для цієї мети
nationals of the nominating State	громадяни Держави, що їх висуває
to be eligible for renomination	мати право на повторне висунення (на виборах)
2	3
Article 30	Стаття 30
the initial election	перші вибори
to hold the election	проводити вибори
after the date of the entry into force of the present Covenant	з дня набуття чинності цим Пактом
at least four months before the date of each election	принаймні за чотири місяці до дня кожних виборів
to fill a vacancy	заповнювати вакансію
to address a written invitation (to)	звертатися з письмовим запрошенням (до)
to submit nominations for membership of the Committee	висувати кандидатури до складу Комітету
to prepare a list in alphabetical order	складати список в алфавітному порядку
all the persons thus nominated	усі висунуті таким чином особи
with an indication of the States Parties	із зазначенням Держав- учасниць (цього Пакту)
to submit a list (to)	подавати список
no later than one month before the date	не пізніше ніж за місяць до дати

of each election	проведення кожних виборів
to convene a meeting	скликати засідання
at the Headquarters of the United Nations	у штаб-квартирі (у центральних установах) Організації Об'єднаних Націй
to constitute a quorum	становити кворум
the persons elected to the Committee	особи, обрані до Комітету
2	3
to obtain the largest number of votes	отримувати найбільшу кількість голосів
to obtain an absolute majority of the votes of the representatives of States Parties present and voting	отримувати абсолютну більшість голосів присутніх і голосуючих представників Держав-учас-ниць
Article 31	Стаття 31
election of the Committee	вибори до Комітету
to give consideration (to)	Див. Art. 28, Ns 422
equitable geographical distribution of membership	справедливий географічний розподіл членів
representation of different forms of civilization	представництво різних форм цивілізації
the principal legal systems	основні юридичні системи
Article 32	Стаття 32
to be elected for a term of four years	обиратися на чотирирічний строк
to be eligible for re-election	мати право на переобрання
if renominated	при повторному висуненні кандидатур
to expire (of the term)	закінчуватися (про строки); втрачати силу (про закон)
immediately after the first election	негайно після перших виборів
to be chosen by lot	визначатися за жеребом
referred to in Article 30, paragraph 4	згаданий у пункті 4 Статті 30
2	3
at the expiry of office	після закінчення повноважень
in accordance with the preceding Articles	відповідно до попередніх статей ч
Article 33	Стаття 33
the unanimous opinion of other members of the Committee	одностайна думка інших членів Комітету
to cease to carry out one's functions	припиняти виконання своїх обов'язків (функцій)
for any cause other than absence of a	з будь-якої причини, крім

temporary character	тимчасової відсутності
to notify smb (of)	повідомляти когось (про)
to declare the seat to be vacant	оголошувати місце вакантним
in the event of the death or resignation of a member of the Committee	у разі смерті або виходу у відставку будь-якого члена Комітету
from the date of death	з дня смерті
to take effect	набирати чинності
Article 34	Стаття 34
to declare a vacancy	оголошувати вакансію
the term of office	строк повноважень
a member to be replaced	член (Комітету), який має бути замінений
to expire (of the term)	Див. Art. 32, №457
within six months of the declaration of the vacancy	протягом шести місяців після оголошення вакансії
to submit nominations	подавати кандидатури
2	3
for the purpose of filling a vacancy	для заповнення вакансії
in accordance with the relevant provisions of this part of the present Covenant	згідно з відповідними положеннями даної частини цього Пакту
elected to fill a vacancy	обраний для зайняття вакансії
a vacancy declared in accordance with Article 33	вакансія, оголошена відповідно до Статті 33
to hold office	обіймати посаду
for the remainder of the term	протягом решти частини строку (повноважень)
to vacate a seat on the Committee	звільнити місце в Комітеті
under the provisions of that Article	згідно з положеннями зазначеної Статті
Article 35	Стаття 35
with the approval of the General Assembly of the United Nations	схвалений Генеральною Асамблеєю Організації Об'єднаних Націй
to receive emoluments	отримувати винагороду
from United Nations resources	з коштів Організації Об'єднаних Націй
on such terms and conditions as the General Assembly may decide	в порядку і на умовах, що встановлюються Генеральною Асамблеєю
to have regard to the importance of the Committee's responsibilities	враховувати важливість обов'язків Комітету

Article 36	Стаття 36
to provide the necessary staff and facilities (for)	надавати необхідний персонал і матеріальні засоби (для)
2	3
effective performance of the functions	ефективне здійснення функцій
Article 37	Стаття 37
to convene a meeting	Див. Art. 30, № 443
the initial meeting of the Committee	перше засідання Комітету
after its initial meeting	після свого першого засідання
to meet at such times as shall be provided (for) in the rules of procedure	збиратися в час, передбачений правилами процедури
to normally meet at the Headquarters of the United Nations	звичайно збиратися в штаб-квартирі -(в центральних установах) Організації Об'єднаних Націй V
Article 38	Стаття 38
before taking up one's duties	до початку виконання своїх обов'язків
to make a solemn declaration	робити урочисту заяву
in open committee	на відкритому засіданні комітету
to perform one's functions	здійснювати свої функції
impartially and conscientiously	неупереджено і сумлінно
Article 39	Стаття 39
to elect officers	обирати посадових осіб
for a term of two years	на дворічний строк
to be re-elected	бути переобраним
to establish one's own rules of procedure	встановлювати свої власні правила процедури
inter alia	Зокрема
2	3
to constitute a quorum	Див. Art. 30, № 445
to make a decision	приймати (ухвалити) рішення
by a majority vote of the members present	більшістю голосів присутніх членів
Article 40	Стаття 40
to submit a report (on)	подавати доповідь (про)
to adopt measures	вживати заходів
to give effect (to)	втілювати в життя; здійснювати; надавати чинності
to recognize a right	визнавати право
to make progress	досягати прогресу
the enjoyment of rights	користування правами
within one year of the entry into force of the present Covenant	протягом одного року після набуття чинності цим Пактом

thereafter whenever the Committee so requests	після цього в усіх випадках, коли того вимагатиме Комітет
to transmit a report to the Committee for consideration	надсилати доповідь на розгляд Комітету
to affect the implementation of the present Covenant	впливати на проведення цього Пакту в життя
after consultation with the Committee	після консультації з Комітетом
the specialized agencies concerned	зацікавлені спеціалізовані установи
to transmit copies of the reports	направляти примірники доповідей
to fall within one's field of competence	стосуватися сфери чийої компетенції
2	3
a general comment	зауваження загального характеру
to consider [it] appropriate	вважати [щось] за доцільне
to transmit comments	надсилати зауваження
to submit observations (on any comments that may be made)	подавати свої міркування (щодо будь-яких зауважень, що їх може бути зроблено)
Article 41	Стаття 41
to recognize the competence of the Committee	визнавати компетенцію Комітету
to receive communications	одержувати повідомлення
to consider communications	розглядати повідомлення
to the effect that	про те, що
to claim	заявляти; вимагати; твердити; претендувати (на)
to fulfil one's obligations	виконувати свої зобов'язання (обов'язки)
under the present Covenant	за цим Пактом
communications under this Article	повідомлення, які передбачаються цією Статтею
to submit communications	подавати повідомлення
to make a declaration	робити заяву
in regard to	стосовно; щодо
to deal with communications	розглядати повідомлення
in accordance with the following procedure	відповідно до такої процедури
2	3
to give effect (to)	Див.: Art. 40, №512
by written communication	шляхом письмового повідомлення
to bring the matter to the attention of that	доводити питання до відома

State Party	зазначеної Держа- ви-учасниці
within three months after the receipt of the communication	протягом трьох місяців після отримання цього повідомлення
the receiving State	Сторона (Держава), що приймає; [тут] Держава, яка отримала повідомлення
to send the communication (to)	надсилати повідомлення (кому-небудь)
to afford an explanation	надавати пояснення
in writing	у письмовій формі
to clarify the matter	роз'яснювати питання
to the extent possible and pertinent	наскільки це можливо і доцільно
domestic procedures and remedies taken, pending, or available in the matter	внутрішні процедури і заходи, яких було вжито, буде вжито чи може бути вжито щодо цього питання
to adjust the matter to the satisfaction of both States Parties concerned	вирішувати питання з метою задоволення обох зацікавлених Держав- учасниць
the right to refer the matter to the Committee	право передавати питання на розгляд Комітету
by notice given to the Committee	повідомивши про це Комітет
to ascertain that all available domestic remedies have been invoked and exhausted in the matter	переконатися, що всі доступні внутрішні засоби (судового захисту) було випробувано і вичерпано
2	3
in conformity with the generally recognized principles of international law	відповідно до загальновизнаних принципів міжнародного права
the application of the remedies	застосування засобів судового захисту
to unreasonably prolong	невиправдано затягувати
to hold closed meetings	проводити закриті засідання
to examine communications	розглядати повідомлення
subject to the provisions of subparagraph (c)	з урахуванням положень підпункту (c)
to make available one's good offices (to)	надавати свої добрі (по середницькі) послуги (кому-небу дь)
with a view to a friendly solution of the matter	з метою дружнього вирішення питання
on the basis of respect for human rights	на основі поважання прав людини та

and fundamental freedoms	основних свобод
as recognized in the present Covenant	визнаних (як визнано) у цьому Пакті
to refer a matter to the Committee	передавати питання на розгляд Комітету
to call upon (smb / smth)	звертатися (до)
to supply any relevant information	подавати будь-яку інформацію, що стосується справи
referred to in subparagraph (b)	Див. Art. 32, № 460
the right to be represented when the matter is being considered	право бути представленим при розгляді справи в Комітеті
2	3
to make submissions	робити заяви (подання)
orally or in writing	усно або письмово
within twelve months after the date of receipt of notice	протягом дванадцяти місяців з дня отримання повідомлення
under subparagraph (b)	відповідно до підпункту (б)
to reach a solution to the matter	вирішувати питання
to confine a report to a brief statement	обмежуватися у своїй доповіді стислим викладом фактів
a written submission	письмова заява; письмове подання
an oral submission	усна заява; усне подання
to be attached to the report	додаватися до доповіді
to communicate a report (to)	надсилати доповідь (ко- му-небудь)
the provisions of an article	положення статті
to come into force	набирати чинності
to make a declaration	робити заяву
under paragraph 1 of this Article	відповідно до пункту 1 цієї Статті
to deposit a declaration with the Secretary-General of the United Nations	здавати (передавати) заяву на зберігання Генеральному секретареві Організації Об'єднаних Націй
to transmit copies thereof to the other States Parties	надсилати їх копії решті Держав-учасниць
to withdraw a declaration	відкликати заяву
2	3
by notification to the Secretary-General	шляхом повідомлення Генерального секретаря
withdrawal of a declaration	відкликання заяви
not to prejudice the consideration of any matter	не перешкоджати розгляду будь-якого питання
the subject of a communication	предмет повідомлення
no further communication	ніякі подальші повідомлення
the notification of withdrawal of the	повідомлення про відкликання заяви

declaration	
a new declaration	нова заява
Article 42	Стаття 42
to resolve a matter	вирішувати справу (питання)
with the prior consent of the States Parties concerned	за попередньою згодою зацікавлених Держав- учасниць
to appoint an ad hoc Conciliation Commission	призначати спеціальну Погоджувальну комісію
hereinafter referred to as the Commission	далі – Комісія
good offices of the Commission	добрі послуги Комісії
to make available the good offices	надавати добрі послуги
with a view to an amicable solution of the matter	з метою дружнього (мирного) врегулювання (розв'язання) цього питання
on the basis of respect for the present Covenant	на основі додержання положень цього Пакту
2	3
acceptable to the States Parties concerned	прийнятний для зацікавлених Держав-учасниць
to fail to reach agreement	не досягти згоди
on all or part of the composition of the Commission	щодо всього складу або частини складу Комісії
to be elected by secret ballot	обиратися шляхом таємного голосування
by a two-thirds majority vote	більшістю в дві третини голосів
in one's personal capacity	неофіційно; особисто
nationals of the States Parties concerned	громадяни зацікавлених Держав-учасниць
a State not Party to the present Covenant	Держава, що не бере участі в цьому Пакті
to adopt one's own rules of procedure	встановлювати свої власні правила процедури
to hold a meeting of the Commission	проводити засідання Комісії
in consultation with the Secretary-General of the United Nations	за консультацією з Генеральним секретарем Організації Об'єднаних Націй
to appoint a Commission	призначати Комісію
to service a Commission	обслуговувати Комісію
the information received and collated by the Committee	одержана і перевірена Комітетом інформація
to supply any other relevant information	надавати будь-яку інформацію, що стосується справи

to fully consider the matter	повністю розглянути питання
2	3
in any event	у будь-якому разі
to submit a report for communication to the States Parties concerned	подавати доповідь для повідомлення зацікавлених Держав-учасниць
to complete the consideration of the matter	завершувати розгляд даного питання
a brief statement (of)	стислий виклад (фактів тощо)
consideration of the matter	розгляд справи
on the basis of respect for human rights	на основі додержання (поваги до) прав людини
to reach a solution to the matter	Див. Art. 41, №575
as recognized in the present Covenant	як визнано в цьому Пакті
within the terms of sub- paragraph (b)	відповідно до підпункту (Б)
questions of fact	питання фактичного характеру
relevant to the issues between the States Parties concerned	що стосується спірних питань (суперечок) між зацікавленими Держава- ми-учасницями
views on the possibilities (of)	міркування про можливості (чого-небудь)
a record of oral submissions	запис усних заяв (подань)
within three months of the receipt of the report	протягом трьох місяців після отримання цієї доповіді
to accept the contents of the report	погоджуватися зі змістом доповіді
2	3
the provisions of this Article	положення цієї Статті
to be without prejudice to the responsibilities of the Committee	не принижувати обов'язків Комітету
to equally share all the expenses	однаковою мірою брати на себе всі витрати
in accordance with estimates to be provided by the Secretary-General of the United Nations	відповідно до кошторису, що подається Генеральним секретарем Організації Об'єднаних Націй
to be empowered to pay the expenses	мати право оплачувати витрати
before reimbursement by the States Parties concerned	до відшкодування витрат зацікавленими Держава- ми-учасницями
Article 43	Стаття 43 ,
an ad hoc Conciliation Commission	спеціальна Погоджувальна комісія
to appoint a Commission	Див. Art. 42, № 614
under Article 42	згідно зі Статтею 42
to be entitled to the facilities, privileges	мати право на пільги, привілеї та

and immunities	іmunітети
on mission for the United Nations	що посилаються у відрядження Організацією Об'єднаних Націй
as laid down in the relevant sections of the Convention	як це передбачено у відповідних розділах Конвенції
the provisions for the implementation of the present Covenant	положення про здійснення цього Пакту
to apply (to)	застосовувати (ся) (до)
2	3
without prejudice to the procedures prescribed in the field of human rights	без шкоди для процедур у галузі прав людини
prescribed by or under the constituent instruments and the conventions of the United Nations	визначений установчими актами і конвенціями Організації Об'єднаних Націй
the specialized agencies of the United Nations	спеціалізовані установи Організації Об'єднаних Націй
to prevent (from)	Перешкоджати
the States Parties to the present Covenant	Держави, які беруть участь у цьому Пакті
to have recourse to other procedures for settling a dispute	вдаватися до інших процедур вирішення спору (спірних питань)
in accordance with general or special international agreements in force	відповідно до чинних загальних і спеціальних міжнародних угод
Article 45	Стаття 45
an annual report on the activities of the Committee	щорічна доповідь про роботу Комітету
through the Economic and Social Council	через Економічну і Соціальну Раду
Article 46	Стаття 46
to be interpreted as impairing the provisions of the Charter	тлумачитись як пониження значення положень Статуту
the Constitution of a specialized agency	Статут спеціалізованої установи
to define the responsibilities (of)	визначати обов'язки
2	3
the respective responsibilities (of)	відповідні обов'язки
the various organs of the United Nations	різні органи Організації Об'єднаних Націй
in regard to	Див. Art. 41, №538
the matters dealt with in the present Covenant	питання, які розглянуто в цьому Пакті
Article 47	Стаття 47
an inherent right	невід'ємне право
the right to enjoy and utilize fully and	право володіти і користуватися

freely one's natural wealth and resources	повною мірою і вільно своїми природними багатствами та ресурсами
Article 48	Стаття 48
to be open for signature	бути відкритим для підписання
the Statute of the International Court of Justice	Статут Міжнародного Суду
to be invited to become a Party to the present Covenant	бути запрошеним до участі в цьому Пакті
to be subject to ratification	підлягати ратифікації
instruments of ratification	ратифікаційні грамоти
to deposit instruments of ratification with the Secretary-General of the United Nations	здавати (передавати), ратифікаційні грамоти на зберігання Генеральному секретареві Організації Об'єднаних Націй
to be open for (to) accession (by)	бути відкритим для приєднання
2	3
any State referred to in paragraph 1 of this Article	будь-яка Держава, зазначена в пункті 1 цієї Статті
an instrument of accession	акт (документ) про приєднання
to effect accession	здійснювати приєднання
to sign a Covenant	підписувати Пакт
to accede to a Covenant	приєднатися до Пакту
the deposit of each instrument of ratification or accession	здача (передача) на зберігання кожної ратифікаційної грамоти або документа про приєднання
Article 49	Стаття 49
to enter into force	набирати чинності
three months after the date of the deposit of the thirty-fifth instrument of ratification or instrument of accession	через три місяці з дня здачі (передачі) на зберігання тридцять п'ятої ратифікаційної грамоти або документа про приєднання
each State ratifying the present Covenant or acceding to it	кожна Держава, яка ратифікує цей Пакт або приєднається до нього
Article 50	Стаття 50
to extend the provisions of the present Covenant (to)	поширювати положення цього Пакту (на)
without any limitations or exceptions	без будь-яких обмежень чи винятків
Article 51	Стаття 51
to propose an amendment	пропонувати поправку
to file an amendment (with)	подавати поправку
2	3

thereupon	після того; потім
to communicate any proposed amendments (to)	пересилати будь-які запропоновані поправки
with a request (that)	з проханням (щоб)
to favour a conference	висловлюватися за скликання конференції
for the purpose of considering and voting upon the proposals	з метою розгляду цих пропозицій і проведення щодо них голосування
to convene a conference	скликати конференцію
under the auspices of the United Nations	під егідою Організації Об'єднаних Націй
to adopt an amendment	приймати поправку
by a majority of the States Parties present and voting	більшістю Держав-учасниць, що були присутні та брали участь у голосуванні
to be submitted to the General Assembly of the United Nations for approval	подаватися Генеральній Асамблеї Організації Об'єднаних Націй на затвердження
to approve an amendment	затверджувати (схвалювати) поправку
to be accepted by a two- thirds majority	прийматися більшістю у дві третини голосів
the States Parties to the present Covenant	Держави, які беруть участь у цьому Пакті
in accordance with their respective constitutional processes	відповідно до їхніх конституційних процедур
to be binding (on / upon)	бути обов'язковим (для)
any earlier amendment	будь-яка попередня поправка
2	3
to be bound by the provisions of the present Covenant	бути зв'язаним положеннями цього Пакту; вважати обов'язковими положення цього Пакту
Article 52	Стаття 52
irrespective of the notifications made under Article 48, paragraph 5	незалежно від повідомлень, зроблених ЗГІДНО з пунктом 5 Статті 48
States referred to in paragraph 1 of the same Article	Держави, згадані в пункті 1 тієї ж Статті
signatures, ratifications and accessions under Article 48	підписання, ратифікації і приєднання згідно зі Статтею 48
the date of entry into force of the present Covenant	дата набуття чинності цим Пактом
Article 53	Стаття 53

to be equally authentic	бути однаково автентичними
to be deposited in the archives of the United Nations	здаватися (передаватися) на зберігання до архіву Організації Об'єднаних Націй
to transmit certified copies of the present Covenant (to)	пересилати завірнені копії цього Пакту

Activity 2.

Find the sentences comprising the most essential information.

Activity 3.

Give a summary of the text according to the following scheme:

This text is entitled ... It deals with ... At the beginning the author says that... He focuses on ... He also gives a description of the work of... Then he proceeds with... In conclusion he writes... .

UNIT 34.

LOCAL AUTHORITIES IN GREAT BRITAIN AND IN THE UNITED STATES

States are societies (organized communities) that occupy large territories and provide authority, security, laws, justice, and rewards. Local authorities take many crucial decisions that affect the well-being of their community. They are responsible for providing with social services such as education, maintenance of vulnerable people, environment, public order, traffic services, providing libraries, cultural and recreational facilities.

Although the United Kingdom is a unitary state, a very large part of public services are administrated by local authorities. Scotland and Northern Ireland have their own systems, which are not quite the same as that of England and Wales, though the differences are only superficial.

The pattern of local government in England is complex. England is subdivided into 9 regions. One of these, London, has an elected Assembly and Mayor. Below the region level and excluding London, England has two different patterns of local government in use. In some areas there is a county council responsible for services such as education, waste management and strategic planning within a county, with several district councils responsible for services such as housing, waste collection and local planning. Below the district level, a district may be divided into several civil parishes. Typical activities undertaken by a parish council include allotments, parks, public clocks, and entering Britain in Bloom. They also have a consultative role in planning. Councils such as districts, counties and unitaries are known as principal local authorities in order to differentiate them in their legal status from parish and town councils. In some districts, the rural area is parished and the urban is not.

Local government in Scotland is organised through 32 unitary authorities, consisting of elected councillors. Community councils represent the interests of local people. Local authorities have a statutory duty to consult community Councils on planning, development and other issues directly affecting that local community.

Northern Ireland is divided into 26 districts for local government purposes. Their functions include waste and recycling services, leisure and community services, building control and local economic and cultural development.

Local government in the United States is generally structured in accordance with the laws of the various individual states. Each state constitution provides for the establishment of local governmental entities. In all states, these local entities include counties and cities, but most states also provide for other types of local government, including wards, school districts, conservation districts, townships, and transportation authorities. These special types of local government have regulatory, administrative, or taxing authority as defined in the state constitution or in state law.

Typically each state has at least two separate tiers: counties (known in Louisiana as parishes and as boroughs in Alaska), and municipalities. Some states have their counties divided into townships. In turn there are several different types of municipal government, generally reflecting the needs of different levels of population densities; although the types and nature of these municipal entities varies from state to state, typical examples include the city, town, borough, and village. Many rural areas and even some suburban areas of

many states have no municipal government below the county level. In a few states, there is only one level of local government: Hawaii has no legal municipalities below the county level; while Connecticut and Rhode Island's counties serve no legal function-these being filled by city and town governments.

In addition to the above, there are also often local or regional special districts that exist for specific purposes, such as to provide fire protection, sewer service, transit service or to manage water resources. In many states, school districts manage the schools. Such special purpose districts often encompass areas in multiple municipalities. Finally, in some places the different tiers are merged together, for example as a consolidated citycounty.

Activity1.

Find in the text the information on

- a) What kind of decisions do local authorities take
- b) The pattern of local government in England.
- c) The local governmental entities in the United States.

Activity 2.

Complete the following sentences according to the information from the text:

1. Local authorities take many... that affect the well-being of their.... 2. A district maybe divided into several.... 3. In all states local governmental entities include ... and 4. Each state has at least two separate tiers: counties known as ... and ..., and 5. Typical municipal government examples include the...,..., and.... 6. Many rural areas and even some suburban areas of many states have no... below the county level. 7. In some places the different tiers are merged together, for example as....

Activity 3.

Read the extract and do the assignments:

To govern their inhabitants, states have created several levels of local government. The top level below the state is usually the county-governmental structures that are responsible for particular territorial areas. Below the level of counties, states have evolved municipal forms of government. These are cities, boroughs, towns, villages and hamlets, with cities having the most people and hamlets the least. Most of these government units are incorporated by states, that is, they are granted a state charter. Some small units, such as villages and hamlets, are unincorporated, which means that the inhabitants have not requested a charter from the state.

Forms of government vary a great deal, although most cities have a mayor or city manager, city council or board of aldermen or commissioners, and an independent judiciary that carries to the local level the separation-of-powers doctrine of the national system. Towns often have boards of supervisors usually composed of the supervisors from the villages that make up the town. These boards customarily function as both legislative and executive branches of local government. Very often major local issues, such as school

budgets and taxes, are decided at town meetings, even when there are town boards. The boards usually make local laws within the restraints set by county and state governments.

From & State and Local Government Politics and Public Policies by David C. Saffell Assignments:

1. Choose the answer that expresses most accurately what is described in the passage. Only one answer is correct.

- a. The US local government bodies;
- b. Forms of state government;
- c. The functions of state governments;
- d. The functions of mayors;
- e. The structure of state governments.

2. Complete the following.

- a) The county is responsible for....
- c) States have evolved....
- d) ... are unincorporated units.
- e) Most cities have a ... or ...,
- f) Towns often have ... that make up the town.
- g) The boards usually make....

3. Ask the questions to the passage.

III. PRACTICE AND EXPERIENCE

Activity 4.

Read the information below and make up a dialogue O between a mayor and a councilor (Great Britain).

Take their functions into account; O between the inhabitants of Virginia and Pennsylvania (the USA). I Councils have historically had no split between executive and legislature. Functions are vested in the council itself, and then exercised usually by committees or subcommittees of the council. In 2000, Parliament passed the Local Government Act 2000 to require councils to move to an executive-based system, either with the council leader and a cabinet acting as an executive authority, or with a directly elected mayor - either with a mayor and cabinet drawn from the councillors - or a mayor and council manager. There are now twelve directly elected mayors, in districts where a referendum was in favour of them. Every local council has its presiding officer, and this post is filled by the vote of the whole council. The presiding officer of a county or district Council is called the Chairman, but in a borough or city he is called Mayor. (The title of Lord Mayor is a special mark of distinction given to the mayors of the seventeen most important English cities, and of Cardiff in Wales). The chairman of a town council is styled the Town Mayor. Major functions of local governments include recordkeeping (births, deaths, land transfers, etc.), administration of elections (including voter registration), construction and maintenance of local and rural roads, Zoning, building code enforcement, and law enforcement (especially in rural areas). The area which a council covers is divided

into one or more electoral divisions - known in district and parish councils as "wards", and in county councils as "electoral divisions". In the election, the candidates to receive the most votes win, in a system known as the multi-member plurality system.

There is no element of proportional representation. Councils may be elected wholly, every four years, or "by thirds", where a third of the councillors get elected each year, with one year with no elections. The term of a councillor is usually four years. Councillors cannot do the work of the council themselves, and so are responsible for appointment and oversight of officers, who are delegated to perform most tasks. Councils also have a general power to "promote economic, social and environmental well-being" of their area. However, like all public bodies, they are limited by the doctrine of *ultra vires*, and may only do things that common law or an Act of Parliament specifically or generally allows for. Local authorities sometimes provide services on a joint basis with other authorities, through bodies known as joint-boards. Joint-boards are not directly elected but are made up of councillors appointed from the authorities which are covered by the service. Typical services run by joint-boards include policing, fire services, public transport and sometimes waste disposal authorities.

Functions and powers	Arrangement	Upper tier authority	Lower tier authority	Shire counties
waste management,	education,	housing,	waste collection,	libraries, social services,
council tax collection,	local transport,	strategic planning,	planning,	licensing, cemeteries

consumer protection and crematoria	Unitary
housing, waste management, waste collection,	council tax authorities collection,
education, libraries, social services,	transport, planning,

consumer protection, licensing, cemeteries and crematoria	Metropolitan
housing, waste collection,	counties council tax collection,

education, libraries, social Services,	transport, planning,	consumer protection,
licensing, cemeteries and crematoria		

Greater transport, strategic planning, housing, waste collection, council London regional development, tax collection, education, libraries, police, fire social services, local planning, consumer protection, licensing, cemeteries and crematoria II Virginia has special provisions relative to cities and counties. The Commonwealth is divided into 95 counties and 39 cities. Cities are independent cities, which mean that they are separate from, and independent of, any county they may be near or within. Cities in Virginia thus are the equivalent of counties as they have no higher municipal government intervening between them and the state government. The equivalent in Virginia to what would normally be an incorporated city in any other state, e.g. a municipality subordinate to a county, is a town. For example, there is a County of Fairfax as well as a totally independent City of Fairfax, which technically is not part of Fairfax County even though the City of Fairfax is the County seat of Fairfax County. Within Fairfax County, however, is the incorporated town of Vienna, which is part of Fairfax County. Pennsylvania has 67 counties. With the exception of Philadelphia and Allegheny, counties are governed by three to seven county commissioners who are elected every four years; the district attorney, county treasurer, sheriff, and certain classes of judge ("judges of election") are also elected separately. Philadelphia has been a consolidated city-county since 1952. Allegheny County has had a council/chief executive government since 2000, while still retaining its townships,

boroughs and cities. Each county is divided into municipalities incorporated as cities, boroughs, townships, and towns. The Commonwealth does not contain any "unincorporated" land that is not served by a local government. Townships are divided into one of two classes, depending on their population size. Townships of the "First Class" have a board made up of five to nine commissioners a particular ward and those of the "Second Class" have a board of three to five supervisors. Both commissioners and supervisors are elected at-large for a four-year term. Boroughs in Pennsylvania are governed by a "mayor-council" system in which the mayor has only a few powers (usually that of overseeing the municipal police department, if the borough has one), while the borough council has very broad appointment and oversight. The Council president, who is elected by the majority party every two years, is equivalent to the leader of a council in the United Kingdom; his or her powers are operate within boundaries set by the state constitution and the borough's charter. A small minority of the boroughs have dropped the mayor-council system in favor of the council-manager system, in which the council appoints a borough manager to oversee the day-to-day operations of the borough. Cities in Pennsylvania are divided into three classes: Class 1, Class 2, Class 2A, and Class 3. Class 3 cities, which are the smallest, have either a mayor-council System or a council-manager system like that of a borough, although the mayor or city manager has more oversight and duties. Philadelphia city government also has oversight of county government and as such controls the budget for the district attorney, sheriff, and other county offices that have been retained from the county's one-time separate existence; these offices are elected for separately than those for the city government proper.

2. Compare local governmental functions in Ukraine, Great Britain and the United States. What functions are common?

. Explain the difference between:

the county and municipal governments (the USA), the «boroughs» and «parishies), British and American local authorities.

Activity 5

Read the pairs of sentences and decide which of them correspond to the local government

a) Counties and county towns are the administrative areas where many public services are provided;

b) The Cabinet is the main executive body which exercises the government policy;

a) The powers of government include the right to declare war; the right to borrow and coin money, and to regulate its value;

b) Transport and connection, building, education, health protection, culture, physical training and sport; social, economic and cultural development, are among the powers of government;

a) The oldest form of city government is the «Mayor-council»;

b) The government is divided into three branches;

a) The Cabinet proposes bills and arranges business of the Parliament;

b) Councils have a general power to Kpromote economic, social and environmental well-being) of the area.

a) The presiding officer of the Senate is the Vice-President of the USA.

b) Boroughs have not adopted a directly elected mayor, the chairman of a town council is styled the Town Mayor.

Activity 6

Choose the topic and prepare a report (written composition) using the given word-combinations:

The powers of the Councillors

The current arrangement, local government, in England, to be, the result, a comprehensive policy, a range of incremental measures, the structure of local government, to be reformed and rationalised, local government areas, to become, fewer and larger; to amend the functions of local councils, not to have historically split, between executive and legislature, functions, to be vested in, the council itself, to be exercised, usually, by committees or subcommittees of the council, the leader, to chair, typically, several important committees, not to have special authority, the chair of the council, to be an honorary position with no real power, councilors, cannot do the Work of the council themselves, to be responsible for, appointment and oversight of officers, to be delegated, to perform most tasks, local authorities, nowadays, have to appoint, a "Chief Executive Officer", with overall responsibility, for council employees, and, who, to operate, in conjunction with, department heads, in some areas, much of the work, to be undertaken by, council employees.

The City Manager Plan

The city manager plan, to serve for, a very technical job, in public management, the city manager plan, to foster, professionalization, in the various municipal departments, the city manager, to be, highly, trained and experienced, a professional, to be entrusted, most executive powers, the city manager plan, to be adopted, a number of cities, an elected council, a city manager, to carry out, the decisions, to draw up the city budget, to supervise the departments, a professional administrator, to have power and responsibility, to place at the head, each department, the most capable individual, the city manager, to be interested in, the appointment, achief of police, the complete separation of the legislative and administration functions, the city manager form, local government, to be adopted, the smaller communities of the nation, the officials of local government, to be, civic leaders of, the communities.

The powers of the Governors The chief executives, many powers, to have the veto power to a bill, to Overturn a governor's veto, by a three-fourth majority of both houses of the legislature, in the event, a statewide elected official dies, or to beincapacitated, to have power to appoint a replacement, to serve until the next election, to have Control over the administrative apparatus of the state, state agencies, to regulate, health, education, banking, law enforcement, gas, electric, phone utilities, other public services, all states, to

have, chief financial officers, some states, the head of school system, an individual, in others, a commission, to be composed of several members, as, the Board of Regents, in, New York, governor, to have, term of office, ten original states, one year, two years, three years, forty-seven states, four year term, most states, to institute, an executive budget, to be prepared by, governors, through their authority, to exercise strong control, the legislature.

Activity 7

Extend your knowledge on the topic, read the passage and do the assignments.

John Locke worked at the theory of representative government that has become the basis of what we now call democracy. In 1690, Locke published his *Second Treatise of Civil Government* as a defense of limited monarchy and parliamentary supremacy. He too based his argument on man in a state of nature agreeing to a social contract. For Locke individuals in a state of nature enjoyed complete equality, freedom, peace, and the satisfaction of working together for mutual benefit. But, Locke further argued, this harmonious condition was fragile and easily destroyed by the unjust use of force, as when a prince takes away a citizen's right or a thief steals a person's property. To protect themselves against injustice, individuals enter into a compact, or social contract, in which they give up a portion of the «equality), liberty, and executive power they had in the state of nature). By this contract they form a commonwealth, or state, and place their trust in a legislative authority. If this authority violates its trust, then the people have the right to rebel and change their government.

He argued that government can justly govern only with the consent of the governed. He called for an electoral system that would provide equal representation to all the people in the state. Finally, he said that the ability of the people to peacefully change their representatives is essential to a just society.

Assignments:

1. What does the passage tell about?
 - a) An electoral system;
 - b) The authorities;
 - c) An indirect democracy;
2. What theories of government do you know? Match the authors from the left column to the essence of their theories with the right:
 - 1) Plato and Cicero a) the totalitarian regimes
 - 2) Aristotle b) the absolute authority;
 - 3) Hobbes c) government in the public interest
3. What is the most exact evidence of the Locke's theory?

- a) the authority;
- b) the natural law;
- c) the electoral system.

UNIT 35. Reforming Police

The Police and Magistrates' Courts Act 1994 gives effect to proposals for police reform set out in the Government White Paper published in June 1993, and to proposals on police responsibilities and rewards which were announced by the Home Secretary in October 1993 and which required primary legislation.

The Act is designed to change the relationship between central government, police authorities and chief constables - to improve the management of the police and to reduce central controls, devolving more power and decision-making to the local level.

The legislation provides for the appointment of independent members to police authorities in England and Wales outside London, in addition to local councillors and magistrates. The standard size of a police authority is set at 17 members, comprising nine locally elected councillors, three magistrates and five independent members. The Home Secretary may increase the size of an authority beyond 17 if local circumstances make it desirable. The independent members are chosen by the other members of the police authority, from a list of 10 names forwarded by the Home Secretary from a short list of 20 prepared by a local selection panel. A new 12-member Metropolitan Police Committee assists the Home Secretary, who acts as police authority for the Metropolitan Police.

Other provisions of the legislation include: setting key objectives for the police by the Government, which prioritise the fighting of crime and the protection of the public. In 1998-99 these objectives were: increasing detection rates for violent crimes and burglaries, providing high visibility policing to reassure the public, responding promptly to emergency calls, and targeting crimes which are a particular local problem (including drug-related criminality), in partnership with the public and local agencies;

setting local policing objectives by police authorities, in consultation with the chief constables and local community;

placing a greater emphasis on community needs through published annual local policing plans prepared by the chief constable and agreed by the police authority and published annual reports setting out achievements against the plans.

Activity 1.

Study the following words and phrases

to perform one's duties in one's spare time	виконувати обов'язки у свій вільний час
Metropolitan Police Force	столична поліція
to improve the management of the police	удосконалювати управління поліцією
to devolve power	передавати владу
detection rate for violent crimes	відсоток розкритих насильницьких злочинів
to respond promptly	негайно реагувати
to publish annual reports	публікувати річні звіти

commitment	зобов'язання
to meet community demands	задовольняти вимоги громадян
police\community liaison group	групи зв'язку поліції з громадськістю
priority issue	приоритетна проблема
ethnic minorities	етнічні меншини

Activity 2.

Find the most important information in each of the paragraphs.

Activity 3.

Give an outline of the text using the following key words:

The Police and Magistrates' Courts Act 1994; proposals for police reforms; proposals on police responsibilities and rewards; is designed to change the relationship of; to improve the management; to devolve more power to; to provide for the appointment; to increase the size of; are chosen by; to place greater emphasis on community needs.

Activity 4.

Summarise fundamental provisions of the Police and Magistrates' Courts Act 1994.

Unit 36. The Police and the Public

The Government aims to ensure that the quality of service provided by police forces in Britain inspires public confidence, and that the police have the active support and involvement of the communities which they serve.

The police service is taking effective action to improve performance and standards. All forces in England and Wales have to consult with the communities they serve and develop policing policies to meet community demands. In keeping with the Citizen's Charter, the police are required to be more open and explicit about their operations and the standards of service that they offer.

In Scotland the Government's Justice Charter states that chief constables' annual reports should indicate what the force has done to obtain the views of the public on the quality of service provided and the action taken in response to public opinion.

Virtually all forces have liaison departments designed to develop closer contact between the force and the community. Police/community liaison consultative groups operate in every police authority; they consist of representatives from the police, local councilors and community groups.

Particular efforts are made to develop relations with young people through greater contact with schools and their pupils. School governing bodies and head teachers are under an obligation to describe in their annual reports the steps they take to strengthen their schools'

links with the community, including the police.

The Government has repeatedly stated its commitment to improve relations between the police and ethnic minorities. Central guidance recommends that all police officers should receive a thorough training in community and race relations issues. A specialist support unit provides training for police trainers.

The police response to racially motivated incidents is seen by ethnic minority communities as a powerful indicator of the service's commitment to fair treatment for all. Home Office and police initiatives are designed to tackle racially motivated crime and to ensure that the issue is seen as a priority by the police. Discriminatory behaviour by police officers, either to other officers or to members of the public, is an offence under the Police Discipline Code.

All police forces recognize the need to recruit women and members of the ethnic minorities in order to ensure that the police represent the community. At the end of 1993 there were some 1,730 ethnic minority officers and some 16,750 women police officers in England and Wales. Scottish police forces had 1,680 women officers. Every force has an equal opportunities policy.

Activity 1.

Study the following words and phrases

equal opportunities policy	політика рівних можливостей
to detain	Затримувати
suspect	Підозрюваний
accused	Обвинувачуваний
free of charge	без оплати
to delay	Затримувати
to exercise right	здійснювати права
to give evidence	давати свідчення
warrant	Ордер
defendant	Підсудний
sufficient evidence	достатні докази
to charge with an offence	обвинувачувати у вчиненні злочину
to release on bail	звільняти під заставу
pending further inquire	в очікуванні подальшого дізнання
in respect of	Щодо
to fail to appear in court	не з'явитися до суду
to interfere with the administration of justice	перешкоджати здійсненню правосуддя
police authority	поліцейське управління
provision of the legislation	положення законодавства
symbol of public faith	символ громадської довіри
law enforcement bodies	правоохоронні органи

right to liberty, equality and justice	право на свободу, рівність та справедливість
to be on the beat	обходити дозором

Activity 2.

Find the most important information in each of the paragraphs.

Activity 3.

Ask questions to each paragraph.

Activity 4.

Give an outline of the text.

UNIT 37. POLICE DISCIPLINE

The police are not above the law and must act within it. A police officer is an agent of the law of the land and may be prosecuted for any wrongful act committed in the performance of police duties. Officers are also subject to a disciplinary code designed to deal with abuse of police powers and maintain public confidence in police impartiality. If found guilty of breaching the code, an officer can be dismissed from the force. Revised disciplinary procedures for the police in England, Scotland and Wales, similar to those in operation elsewhere in the public service, are being introduced.

These provide for a more flexible system with greater management involvement, the introduction of unsatisfactory performance procedures and changes in the appeals procedures which no longer involve the Home Secretary.

Members of the public have the right to make complaints against police officers if they feel that they have been treated unfairly or improperly. In England and Wales the investigation and resolution of complaints is scrutinised by the independent Police Complaints Authority.

The Authority must supervise any case involving death or serious injury and has discretion to supervise in any other case. In addition, the Authority reviews chief constables' proposals on whether disciplinary charges should be brought against an officer who has been the subject of a complaint. If the chief constable does not recommend formal disciplinary charges, the Authority may, if it disagrees with the decision, recommend and, if necessary, direct that charges be brought.

Activity 1.

Study the following words and phrases

Home Office	міністерство внутрішніх справ
Home Secretary	міністр внутрішніх справ
to police	підтримувати порядок, нести службу
to be responsible (for)	бути відповідальним (за)
to be answerable (to)	бути відповідальним (перед)
to escort	конвоювати, супроводжувати
police strength	чисельність, кількісний склад поліції
volunteer constables	констеблі – добровільці
to recruit	набирати

to appoint	призначати
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Activity 2.

Divide the text into four paragraphs.

Activity 3.

Entitle each of the paragraphs.

Activity 4.

Summarise the most important information.

Activity 5.

Render the text according to the following scheme:

This text is entitled... It deals with ... At the beginning of the text the author says that... He focuses on ... He also gives a description of the work of... . Then he proceeds withIn conclusion he writes

UNIT 38.

JUDICIAL SYSTEM IN UKRAINE

Judicial power in Ukraine is based on the Constitution. It is an independent branch of state power created to solve legal problems between the state and citizens, citizens and legal persons; to supervise over constitutionality of laws; to defend citizens' rights in their relations with bodies of state power and officials; to supervise citizens' rights in the course of investigating crimes and conducting operational search activity; to establish the most significant legal facts.

Judicial power is realized by judges in the form of civil, criminal, economic, administrative as well as constitutional legal proceedings. Thus, judicial system is an aggregate of all existing courts in Ukraine. They have jurisdiction over all legal relations that appear in the state. The system provides availability of justice for every person. The courts interpret and apply the laws created according to the Constitution of Ukraine. Their decisions are made on behalf of Ukraine and are obligatory for enforcement on the entire territory of the country.

Judicial proceedings are administered by the Constitutional Court of Ukraine and courts of general jurisdiction.

The Constitutional Court of Ukraine is the sole body of constitutional jurisdiction. It decides on issues of conformity of laws and other legal acts with the Constitution and provides their official interpretation.

Courts of general jurisdiction form the common system of courts united by aims, tasks, principles of organization and activity, and are headed by the Supreme Court of Ukraine. They are set up according to principles of territoriality and specialization. General courts are local, appellate, Highest Specialized Courts, and the Supreme Court. Economic, administrative and some other courts are defined as specialized.

The lowest courts are local (district, city, etc), which are courts of first instance or trial courts, decide different types of cases. The appellate courts hear appeals from the local ones. The Highest Specialized Courts deal with cassations and determine the legality and reasoning of the previous court judgments. The Supreme Court, the highest court in their system, administers justice, ensures equal application of legislation by all courts of general jurisdiction.

The specialized courts of general jurisdiction consist of administrative and economic courts resolving disputes in the sphere of administrative and economic legal relations.

Justice is administered by professional judges and, in cases determined by law, peoples assessors and jurors. Judicial proceedings are administered by a judge personally, a board of judges or a jury.

A citizen of Ukraine of at least 25 years old, who has higher legal education and work experience in the sphere of law for not less than 3 years, has resided in Ukraine at least 10 years and speaks state language may be recommended by the qualification commission for the position of a judge. The first appointment is made by the President for a five-year term. All other judges, except for judges of the Constitutional Court, are

elected by the Verkhovna Rada for a lifetime. Professional judges must not belong to political parties and trade unions, occupy any other paid positions, and perform other paid work except scientific, teaching and creative activity.

The independence and immunity of judges are guaranteed by the Constitution and laws of Ukraine.

Activity 1.

1. Read the following statements to choose the main topics of the text. Arrange them according to the content of the text, and add or exclude any point if necessary.

- Types of courts
- Requirements for a judge
- Tasks of the judicial system
- Legal relations
- Jurisdiction of courts

Activity 2.

Read the following statements and decide if they are true or false.

Prove your answer with the information from the text. . The judicial system consists of courts of general jurisdiction. . Court decisions are binding for everybody in Ukraine. . Trial courts can hear some types of appeal. . A person may have work experience in the sphere of law for five years to become a judge. 5. President appoints all judges. 6. Judges are allowed to take part in political activity.

Activity 3.

Answer the following questions:

1. What are the tasks of the judicial system?
2. What does the judicial system consist of?
3. What are the functions of courts
4. What types of jurisdiction do courts possess?
5. Who can administer justice? 6. Who can become a judge

Activity 4.

1. Give synonyms to the following words and phrases and make up word combinations. Arise, single, lawful, binding, define, unlimited term, post, purpose, decision, important, question.

2. Give antonyms to the following words and make up your own Sentences. Legal, duty, competence, justice, constitutional, high, equal, professional.

Activity 5.

Read the sentences and fill in the gaps with the words and phrases given in the box. Pay attention that there are more words than the gaps.

court
decision
jury
dispute
arbitration

trial judge
appeal
people's assessor
apply

1. The punishment was reduced to three years on 2. She is not happy with the ..., and plans to appeal. 3. The dispute is going to 4. Both sides in the ... have agreed to binding arbitration. 5. The problem was settled out of.... 6. The ... determines the number of years to be spent in prison. 7. The ... plays an important role in the legal system of many countries.

Activity 6.

There are 13 lexical mistakes in the following text. Correct them.

In administer of justice judges are independence and obey only the law.

The main principles of the judiciary are the following:

- 1) unlawfulness;
 - 2) equality of all parties to executive proceedings before the law and the court;
 - 3) ensuring the proof of guilty;
 - 4) competitiveness of parties and free related to presenting evidence to the court and demonstrating its inaccuracy to the court;
 - 5) support of state prosecute by a prosecutor;
 - 6) guarantee of the duty to defence for an accused person;
 - 7) publicity of judge process and its record by technical means;
 - 8) ensuring the appellate and cassation of a court decision except cases established by president;
 - 9) obligatory courts decision.
6. Continue the list of words and phrases associated with the following topics.

Activity 7.

Translate into English.

- 1) Судова система — це сукупність судів, що створені і функціонують на

основі єдиних принципів організації та діяльності.

2) Суд першої інстанції — це суд, уповноважений у межах своєї компетенції розглядати і вирішувати кримінальні, цивільні, господарські, адміністративні справи. Суди першої інстанції розглядають справу по суті, встановлюючи обґрунтованість, необґрунтованість чи часткову обґрунтованість позову (спір про цивільне право чи про захист прав, свобод та інтересів у публічно-правових відносинах), або винність чи невинність особи (за звинувачення її у вчиненні злочину).

3) Судапеляційної інстанції — це суд, який розглядає апеляції на рішення судів першої інстанції, що не набули законної сили, з вирішенням питання про законність і обґрунтованість рішень, що оскаржуються.

4) Касація — це спосіб оскарження судових рішень, які вступили в законну силу, до вищого спеціалізованого суду або до Верховного Суду України.

Activity 8.

1. Find in the text sentences with Passive Voice and rewrite them in Active Voice.

2. Find in the text personal and possessive pronouns and decide instead of what nouns they are used.

Activity 9.

SPEAKING

1. Imagine that you are a judge. Choose a court you work in and describe your job (types of cases, rights and duties, advantages and disadvantages, etc).

2. You are a specialist in judicial system of Ukraine. Describe it to your colleagues from the UK. Exercise 6 in Vocabulary Study will help you.

3. There is a joke, Ajury consists of twelve persons chosen to decide who has the better lawyer. Do you agree with it? Do you think we should have jury trial Prepare your arguments for and against it.

Activity 10.

1. Before you read the text answer the following questions: 1. What are the bases for judges independence in Ukraine? 2. What laws establish and guarantee their functions and

independence? 3. What are the main responsibilities of a Ukrainian judge in a trial?

2. Divide the words into three groups according to the pronunciation of the underlined vowels. Three words do not belong to any of these groups. Court, reach, apply, Work, trial, legal, binding, reach, important, determine, appeal, law, procedure, recorder, high, appellate, provide, Lord, private.

UNIT 39.

Homicide

Homicide is the killing of one human being by another. Not all homicides are criminal: they may also be justifiable or excusable. (Self-inflicted death is treated by the police as homicide until it can be established as suicide.)

Justifiable homicide involves the intentional but lawful killing of another.

The state commits justifiable homicide in carrying out a death sentence handed down by a judge after conviction. Justifiable homicide is also committed when a police officer kills a bank robber who shoots at the officer while attempting to escape; or when an individual, believing his or her life is being threatened with a weapon, kills in defence of self or family. In the last example, should the weapon used to threaten - a gun, perhaps - subsequently prove to be an imitation, it would, even so, remain a case of justifiable homicide.

Excusable homicide involves one person killing another by accident without gross negligence and without intent to injure: for example, the hunter who honestly mistakes another person for game. The following scenario is another example: around 2 a.m. a police officer pursues a suspected burglar fleeing down a dead-end alley. He orders the suspect to halt, put up his hands, and not move; instead, the suspect turns around. The officer, observing a shiny object in the suspect's hand and believing it to be a weapon, fires and kills the suspect. The questions that will inevitably be raised are:

How much light was available?

Did the suspect whirl and crouch, or turn slowly?

Did the suspect say anything?

Was there a shiny object?

Was it a gun or other weapon?

When the circumstances are determined, the issue of whether or not a case is excusable homicide can be settled.

Suicide is the taking of one's own life. Although not deemed a crime, suicide is considered a grave public wrong in many jurisdictions throughout the world.

Criminal homicide is the unlawful taking of a human life. There are two kinds of criminal homicide: murder and manslaughter.

Murder is the unlawful killing of another human being with malice aforethought (premeditation). Killing a person during the commission of a felony also constitutes murder-even when the killing is unintentional. Most murder convictions are for felony murder rather than for premeditated murder.

Capital murder is murder which is punishable by death. In 38 states and the federal government itself, there are laws allowing capital punishment for this crime. Depending on the state, a murder may qualify as "capital murder" if (a) the person murdered was of a special class, such as a police officer; (b) "special circumstances" occurred in the crime, such as multiple murder, the use of poison, or "lying in wait" in order to murder the victim. Capital murder is quite rare in the United States compared to other murder convictions, but it has generated tremendous public debate. See generally capital

punishment and capital punishment in the United States.

Manslaughter is the unlawful killing of another without intent -expressed or implied - to effect death.

Further classifications of unlawful homicide - such as first - degree (in police/prosecutor jargon: «murder one») versus second - degree murder; voluntary manslaughter (heat of passion) versus involuntary manslaughter (reckless or vehicular); and so on - are to be found in the penal la//ws of the states. The annotated statutes of the state in which the crime was committed must be consulted to determine which category of homicide it fits.

Activity 1.

Study the following words and phrases

homicide	позбавлення людини життя
criminal	злочинний, кримінальний
justifiable	виправданий
excusable	простимий
death sentence	смертний вирок
conviction	засудження
convict	засуджений злочинець, ув'язнений
to convict	засуджувати
self-inflicted death	смерть, яку особа спричиняє сама собі
suicide	самогубство
intentional	зумисний
unintentional	ненавмисний
to commit homicide	вчинити вбивство
to carry out a death sentence	виконувати смертний вирок

Activity 2.

Give a list of homicides. Divide them into categories: justifiable, excusable homicides, criminal homicides.

Activity 3.

Give examples of each category of homicides.

Activity 4.

Write a summary of the text.

UNIT 40

Motives

Motive is an important factor in pointing to possible suspect in a homicide. Often there is a personal relationship between victim and perpetrator which, if subjected to stress, may impel one of them to kill the other. If the underlying cause can be found, deductive reasoning may lead the investigator back to the one who logically might have been so motivated. Further investigative efforts are then required either to develop additional evidence of guilt or to eliminate the suspect entirely. Because it will provide some focus to the investigative process, it is useful to understand the most common motives for homicide.

The following list that covers most of the apparent reasons which impel one person to kill another is far from being exhaustive. Sometimes it can be a combination of motives: financial gain, sexual gratification, apparently sex-connected homicides, emotional factors, self-protection, removal of an inconvenience or impediment, whereas some homicides seem to be apparently motiveless when a man shoots to kill the first stranger he encounters or from a high-rise building or from a passing car.

Financial Gain

Killers prompted by the expectation of financial gain include: the beneficiary of a will or insurance policy of a spouse or relative; the surviving spouse in a community property state; the merchant who stands to profit from the death of a business associate; the so-called "Lonely Hearts" killer and the poisoner (which are usually multiple killings). When financial gain is the precipitating factor, deductive reasoning from motive to possible suspect(s) is often fruitful. There are exceptions, however. In robbery cases when the victim resists and is killed, the motive is seldom particularized; then, the answer is to solve the felony utilizing techniques appropriate to that felony. This would pertain to a burglary/homicide. The motive of a "Lonely Hearts" killer or poisoner is also financial gain, but in these cases a paper record of financial transactions connecting killer and victim is more likely to remain. Such transactions might include signing the home ownership deed over to the killer, opening a new checking or savings account in the name of the victim and killer, or even using a credit card.

Sexual Gratification

The classic example of sex as a motive for homicide is lust. Wanting a new or younger mate has led to the murder of a spouse, particularly in community property states where husband and wife own equal shares in their accumulated wealth (and the survivor need not settle for half the estate - as would ordinarily be the case with divorce). Both motives of sex and financial gain offer clues as to who might profit from the victim's death.

Apparently Sex-Connected Homicides

The psychological motivations for crimes of this kind are quite different. The killing

of homosexuals and of young boys and girls (particularly girls) by older men appears to be of sexual origin. But this is unlikely to aid in the identification of a suspect unless the slayer's modus operandi is on record.

Sadism - obtaining sexual satisfaction by inflicting pain on others - generally is not carried out to the point of death, yet there are some who do cross the threshold into homicide when not satiated by cruelty alone. Biting and mutilating may precede or follow the actual killing. There often is no prior connection between offender and victim, so motive is not helpful in leading back to the killer. On the other hand, a psychological profile may be constructed using inductive reasoning. It would begin with the recognition and interpretation of the evidence at the crime scene, including the trauma inflicted on the victim.

Some murders are committed simultaneously with or immediately after the sex act, as a concomitant of sexual gratification. In other cases, gratification is achieved through the act of killing rather than through the act of sex; the assertion of power over the victim is the primary motivation - any sexual gratification is secondary. If these cases are initially perceived as ostensible sex homicides, the result may be a misdirected investigative effort. The inaccurately assessed crime scene can allow serial murders to escape detection for long periods of time.

Along with a study of the crime scene and the victim's body, interviews can provide important information by questioning those who might have been present when the victim and perpetrator were likely to have met (in a tavern or a school yard, for instance). A description of the offender and possibly of an automobile may be obtained from such eyewitnesses.

In some homicides thought to be sex-connected, particularly killings involving homosexuals, their peers or bar companions may know a good deal about the suspect: where she/he lives; if she/he is a recent arrival, where she/he comes from, occupation, and so on. Informants, surveillance, and canvassing are often employed in solving these cases. In child homicides, canvassing the neighbourhood in the vicinity of a school yard or playground may produce a partial identification of a suspect or an automobile. Surveillance would then be worthwhile, with surveillance positioned to observe a subsequent effort to lure another victim.

Emotional Factors

Strong emotions - anger, jealousy, revenge, envy, hatred - can provoke a person to commit manslaughter or premeditated murder. A typical case of manslaughter is the lover or spouse caught in *flagrante delicto* and killed in the heat of passion. On the other hand, if the aggrieved partner plans and carries out the killing, it is premeditated murder. Broken engagements, domestic quarrels, and altercations in general can escalate and lead to homicide when they exceed the bounds of dispute. As a rule, homicides motivated by strong emotion are readily solved, many being manslaughter cases with witnesses present. But even premeditated murder permits potential suspects to be identified deductively once motive is established.

Killings that involve the working out of emotional fantasies are called fantasy murders; they are sex-related as a rule, but not always sex-dominated. Some serial killings

fall into this category.

Self- Protection

Self - protection as a reason for homicide should be recognized as a possibility in specific situations. One example would be the criminal (caught in the act of committing a crime) whose escape is interrupted or hampered by the victim. Another would be a murder committed as a result of the realization of the eventual danger that would be posed by an eyewitness should the offender become a suspect. Another example, perhaps more frequent in occurrence, is that of an offender known to the victim (often a child or teenager) who kills to silence the victim. In such situations, self-protection is the motive for the removal of the eyewitness as a potential informant.

Interrupted Crimes

Home burglaries in particular are sometimes interrupted by the unforeseen return of the resident; if the burglar's escape is hampered, a homicide can ensue. An important early step in this kind of investigation would be to trace the movements of the victim just prior to the time of death.

In one case, the victim told a friend she had to go back home for papers needed for an appointment with the family lawyer. When she failed to keep the appointment, a concerned relative went to her apartment and found her murdered. No signs of a forced entry could be detected, but a partial palm print was developed on a bedroom lamp that had been moved from its usual place. A few months later, a young hardware store employee and lock specialist was apprehended for the burglary of a nearby sporting goods store; again, there were no signs of forced entry. A review of unforced entry cases in the area, coupled with the hardware store record of the employee's lock work, disclosed that in both cases he had changed the locks shortly before the burglaries (and homicide) occurred. Palm print evidence established that the hardware store employee handled the woman's bedroom lamp, located far from the hall door on which the lock work was done. When questioned about the woman's death, the intruder admitted that her unanticipated early return had surprised him, and that a struggle ensued which ultimately led to her death.

Eliminating an Eyewitness

The killing of an eyewitness (as a secondary homicide) may immediately follow the primary homicide. When homicide-suicide has been ruled out, the case is viewed as a dual criminal homicide. The chance that one of the victims was an eyewitness to the first (primary) homicide should also be considered. Checking on the background of each victim often determines who was most likely the intended victim and who the potential eyewitness (or secondary victim). Investigative efforts then can be concentrated on solving the initial (primary) homicide.

Slaying a Potential Informant

When the motive for a secondary homicide is the silencing of a potential informant, it will have investigative value only if some connection existed between killer and

secondary victim that made the victim privy to the activities of the killer. Since the secondary victim could have incriminated only a limited number of individuals, the investigator must discover who they might be, and who among them had the opportunity (as to time and place) to commit the secondary homicide. Furthermore, if the suspect in the secondary homicide and the motive for the primary homicide are congruent, the hypothesis asserting the suspect's guilt is reinforced. Additional investigative effort will be necessary, but the result will be doubly satisfying if the case is made.

Removal of an Inconvenience or Impediment

A blackmailer, an unwanted child, a feeble parent blocking the takeover of a family business - each is an example of an obstacle to be removed. Once an investigator perceives that the very existence of the deceased was a major inconvenience or impediment to another person, the prospects of solving the homicide are enhanced. Records and people are important sources of information in such cases; they can support the hypothesis that the removal of an obstacle was the motive. Depending on how the crime was committed, physical evidence may link the victim or crime scene to the killer; for instance, a weapon could be traced to the offender's household.

Apparently Motiveless Crimes

There are two distinct kinds of homicide that appear motiveless or senseless: those of a stranger killing a stranger and those in which a person other than the intended victim is killed.

A Stranger Killing a Stranger

This kind of homicide is on the increase in the United States. The adolescent male acting on a dare or the gang member asserting manliness shoots to kill the first stranger he encounters. Encountering the stranger isn't always necessary; such shootings come from high-rise buildings as well as from passing cars. Nor is it necessary to be male; adolescent girl gangs are proliferating. Alcohol and other drugs often play a role in these senseless crimes, the fundamental cause of which is low self-esteem. Their solution is frequently based on information obtained through a neighbourhood canvass, from informants motivated by a substantial community reward, from pawn shop records, and from people who saw or heard the discharge of a firearm and reported it.

Mistaken Identity

Infrequently, a homicide will appear to be without motive and - after a thorough check on the victim's background - quite senseless. Though the time or site may suggest the killing was intentional, no reason can be found. For example, a businessman was shot upon emerging from his apartment house at about 6.30 a.m., apparently by two men who just before that were observed loitering outside the building. The deceased's business and social background furnishing no possible motive, the case remained unsolved. Several months later, in the vicinity of the first homicide, another man was shot at the same time of day as he emerged from a building bearing the same house number but on a different street. When apprehended and questioned, the perpetrators confessed that they were hired

killers. The first slaying had been a case of mistaken identity; the second was committed to rectify the mistake: this time they got both house and street number correct.

The very absence of motive is, in itself, significant. Here, it enabled investigative activities to concentrate on a neighbourhood canvass and to find in both cases that the various bits of evidence matched: descriptions of victims and loiterers; occurrences at the same time of day and same day of the week; two targets in the same neighbourhood, in similar kinds of buildings with identical numerical addresses; and so on.

In another homicide, that of a Kansas farm family, the possibility of a mistake was considered. Investigators were about to fan out over several states and check everybody who had ever worked for the family. Before this exhaustive plan could be implemented, an informant changed the course of the investigation and led to a solution. The informant, a prison inmate who once worked for the Clutters, had shared everything he had learned about Mr. Clutter's way of doing business (where he kept his files, his cash flow, etc.) with his former cellmate. The news of the massacre overcame the prison-culture tenet to tell authorities nothing; he offered information to investigators implicating his former cellmate as one of the killers.

Homicides like those of the businessmen previously mentioned occur when a criminal tracks down the wrong person. Another example concerns an Ohio man who thought he was shooting his ex-wife and the man with whom she had fled to Florida. Instead, he had broken into the home of a family whose car in the driveway had a "vanity" license bearing the initials of the man he was pursuing. Upon arriving in Florida, the woman -knowing she had made a narrow escape and still fearing for her life -reported to local police the threats her husband had made.

When they investigated the break-in and murder, the police recalled her report. The detectives making inquiries at the mobile home park brought along the photograph she had provided of the husband; and employees readily identified him as the man who had been looking for a couple newly arrived from the north. As this case demonstrates, people are an important source of information. To prove guilt in court, however, it is necessary to collect all available physical evidence - here, the key piece of evidence was a firearm found in the trunk of the killer's vehicle. It is important to note that even when the motive seems apparent, it is still a hypothesis to be proved or discredited. Clinging tenaciously to what is ultimately the wrong motive can be hazardous; not only is precious investigative time lost, an offender is given the opportunity to eliminate any trail leading to him or her.

Activity 1.

Study the following words and phrases

to threaten with a weapon	погрожувати зброєю
to kill in defence of self or family	вбивати за для захисту себе чи родини
to kill smb. by accident	вбити когось випадково
criminal negligence	злочинна недбалість

to injure	ранити, ушкодити
suspect	підозрюваний
to suspect	підозрювати
criminal homicide	злочинне позбавлення життя
murder	вбивство
murderer	вбивця
malice aforethought	умисний злочинний намір
premeditation	умисел, намір
felony murder	вбивство, яке класифікується як фелонія

Activity 2.

Complete the sentences from the text above:

1. Motive is an important factor in ...
2. Killers prompted by the expectation of financial gain include ...
3. The classic example of sex as a motive for homicide is ...
4. Sadism ...
5. Some murders are committed ...
6. Strong emotion – anger, jealousy, revenge, envy, hatred – can provoke
7. Self – protection as a reason for homicide should be ...
8. Home burglaries in particular are sometimes ...
9. The killing of an eyewitness may immediately follow ...
10. When the motive for a secondary homicide is the silencing of a potential informant ...
11. Records and people are important source of information in such cases; they can ...
12. Depending on how the crime was committed, physical evidence may.
13. There are two distinct kinds of homicide that appear motiveless or senseless...
14. Though the time or site may suggest the killing was intentional
15. To prove guilt in court, however, it is necessary ...

Activity 3.

Give an outline of motives for homicide.

Activity 4.

Write a summary of the text according to the following scheme:

*This text is entitled... . It deals with At the beginning of the text the author says that....
He focuses on He also comments on Then he gives a description of the work of... .
After that he proceeds withIn conclusion he writes....*

UNIT 41.

Murder of a Taxicab Driver

Early one Sunday morning a man walking his dog was attracted by the animal's barking at a taxicab parked near the curb. Although the motor was running, its driver was nowhere in sight. Drawing nearer, he observed the driver slumped across the seat. When he received no response to his offer of assistance, the man called police. An autopsy determined that the taxi driver had been strangled (probably with a belt). He had also been robbed of his wallet. Investigators found his trip-destination card, with the name «Shorty» scribbled on the back. This, together with a partial palm print developed on the roof of the cab just above the front door on the passenger side constituted all the physical evidence at the crime scene.

A search of the alias (or nickname) file disclosed several «Shortys.» Their palm prints were taken, but none matched the latent print. The Rogues Gallery file on some of them contained group photographs picturing others who previously had been arrested with them. Each confederate was palm printed; one print was found to match the latent. When the «Shorty» and his confederate were brought to the station house for further questioning, the pair was separated. Each suspect readily admitted to having been in the cab that night, but denied strangling the driver. Each shifted the guilt onto the other until the statute on felony murder was spelled out: in the commission of a felony in which there is a death, all participants are guilty. Then both related how they came to kill the cab driver.

Activity 1.

Study the following words and phrases

premeditated murder	навмисне вбивство
capital murder	вбивство, яке карається смертним вироком
manslaughter	неумисне вбивство
reckless manslaughter	необережне вбивство
vehicular manslaughter	вбивство транспортним засобом
massacre	масове вбивство
surveillance	спостереження
infanticide	вбивство дитини
motive	мотив

Activity 2.

Find the most important facts in the text you have read.

Activity 3.

Write a summary of the text using the following key words:

taxicab parked near the curb;

driver slumped across the seat;
receive no response to his offer of assistance;
to determine; autopsy;
to strangle with a belt;
to be robbed of one's wallet;
to develop a palm print;
to constitute physical evidence;
alias (or nickname);
to match the latent print;
the Rogues Gallery file;
each suspect;
to admit;
to shift the guilt;
to deny strangling the driver;
statute on felony murder.

UNIT 42.

A Mystery: Kidnapping or Murder?

Though more than a half-century old, this landmark case is chosen for discussion because the investigation itself represents a solid, imaginative effort; because its solution involves physical evidence, people, and records; and because the use of physical evidence was remarkable, considering that crime laboratories were yet to be born in this country. The following is a brief account of the crime and the investigative activities that resulted.

Leopold and Loeb were young, bright college students with IQs of 160 and 210. Their parents were wealthy. Petty fraternity house thefts launched their criminal careers, and before long they graduated to more serious transgressions. Eventually, they felt the need to experience the ultimate thrill-to commit the perfect crime. Dilettantes and students of the fine art of murder think «the perfect crime» means circumventing the established hazards by concealing the motive, disguising the crime, and avoiding the consequences. This pair would succeed only in concealing the motive. Though Leopold came into the investigation early on, the demand for ransom and his family's wealth were perceived as incompatible elements in the case; therefore, he was eliminated as a potential suspect-at least the first time around.

The first step in planning the crime was to choose the place to dispose of the body. Capitalizing on Leopold's familiarity with the woods he roamed as an amateur ornithologist, Leopold and Loeb studied the terrain while escorting a troop of boy scouts there a week or so before the planned crime. They found the burial site, a culvert beneath hardly used railroad tracks. Should they be seen in this vicinity or leave any traces behind, the scout trip would provide an alibi. To preclude a hitch when the time came, they reserved a hotel room under an assumed name to establish credit; rented a car for a «dry run» (going so far as to select the victim by observing children leaving school at the end of the day); and, after typing the ransom notes and envelopes to be sent to the victim's family on a portable Underwood typewriter, discarded it in a park lagoon nearby. Next, they concocted an elaborate scheme for collecting the ransom. It comprised a series of steps to be taken by the boy's parents which could be monitored by the kidnappers to determine if the police had been notified. The person paying the ransom was to throw the ransom parcel from a moving train, acting on a signal from alongside the track.

Despite the best laid plans, the body, rather than remaining hidden in the culvert, was not only discovered, but identified. The criminals instantly recognized the danger and the need for a more detailed alibi, but they quarrelled over when to use it: Loeb insisting it not be used at all unless they were arrested within a few days, Leopold wanting to use it regardless of when they were picked up. Settling this point by agreeing not to invoke the alibi unless arrested within seven days of the time of the crime, they failed to establish what was meant by «the time of the crime». To Loeb it signified the time of the murder (about 5 p.m. on Wednesday); to Leopold it meant the time of the last telephone call to the victim's family (about 3:30 p.m. on Thursday). Apprehended the following Thursday, and believing the seven-day period was over, Loeb did not use the alibi. Contacted by detectives on the same day (Thursday)-at 2:30 p.m., one hour before the deadline-Leopold did use it. This divergence contributed significantly to their downfall. Only when a college

newspaper reporter unwittingly served as a conduit and brought Leopold's message to Loeb was there congruence in their alibis.

Except for one hitch, the crime was carried out as conceived. The problem was that the intended victim did not leave school as usual. The perpetrators viewed this as a minor inconvenience leaving them with two alternatives-abandon the plan for that day or select another victim. They chose the latter; the new target was 14-year-old Bobby Franks. This meant the ransom envelopes had to be readdressed. Mr. Franks' name, street address, and (in lieu of Chicago) «City» were hand-printed because they had already disposed of the typewriter. Believing that block lettering made identification by handwriting experts impossible, they used it for the envelopes.

The victim they enticed into the rented car was killed almost immediately. The killers drove about, then left the body in the car while they had dinner. Finally, they hid it in the preselected culvert after brewing acid on the face and genitals to render it unrecognizable. The very next day, it was noticed by railroad labourers working a handcar on the tracks above the culvert; from that vantage, the workers realized what they had discovered. They climbed down to the immediate area, looked about, and noticed a pair of horn-rimmed eyeglasses which one man picked up intending to keep them for reading.

They carried the body to a funeral home nearby and called the police. An officer arriving in due course asked the usual questions about the circumstances surrounding the discovery. One question would prove to be of critical importance: Had they seen or found anything at or near the crime scene? The man who had the glasses replied in the affirmative and, overlooking the fact that they constituted physical evidence, the officer placed them on the victim's chest in the funeral home.

On the evening of the kidnapping, the Franks family had a telephone call-the message: «Your boy has been kidnapped. He is in safe custody, you will hear from us in the morning. » On the following day, the father received a letter; it read: «...this is an extremely commercial proposition, your son will be safely returned to you within six hours of our receipt of the money. » The \$510,000 ransom demand stipulated old 20 and 50 dollar bills. When Jacob Franks was informed by the police of the discovery of an unidentified boy's body, he refused to view it. Sustained by the kidnapper's assurances that the boy would not be harmed and the fact that his son did not wear eyeglasses, Franks remained hopeful that his son was still alive. Only to be certain was an uncle sent forth; as it turned out, to make the identification of his nephew. Shortly thereafter, when a paper boy's hawking of special edition carried the news to them, the killers realized the urgent need for an alibi for the preceding day.

At this point in the investigation, the police had a young, unclothed, male homicide victim on which an attempt had been made to render identification impossible or at least difficult; a pair of eyeglasses; a typewritten letter in a block-printed envelope; and no suspects.

A typewriter expert was sent for and soon identified the kind of typewriter (a portable Underwood) used for the ransom note. Teachers of the victim believed to be homosexual were asked to block print the name and address of the victim's father. The eyeglasses were traced. The forester employed in the woods where the body was found was asked for the names of those he knew to frequent the area. Although Leopold's name

appeared on this list, he was not considered a suspect; after all, his father's secretary was authorized to write checks up to \$2,500 upon his son's request-at a time when such an amount exceeded the average yearly family income in America. Yet Leopold's name was indeed on the list. Since the victim's family lived in the Hyde Park area, home of the University of Chicago where Leopold studied law, two news reporters took advantage of the slack period to interview his student friends. They learned he was one of a small group that met weekly to study, type «dope sheets», and prepare for examinations. The reporters sought out group members in order to obtain typewriting specimens from the machine in the Leopold's house; in one effort, they acquired typed notes that seemed different. They were examined and compared with the ransom notes by a typewriter expert, who found three letters - m, t, and I-to be defective both in the samples (the study group notes typed earlier on Leopold's machine) and in the questioned (ransom) documents. His conclusion: both were from the same machine.

Leopold (now a suspect) denied owning a portable Underwood, and despite painstaking searches, it was not to be found in the house. Eventually, a diver located it at the bottom of a nearby marina where the perpetrators had dropped the incriminating evidence.

During this time, diligent efforts were ongoing to find the owner of the eyeglasses. They led investigators to a Chicago optical firm which identified its product and provided a list of purchasers. This list could be pared down, since the glasses found near the body had unique hinges, a new type supplied to but three customers. When Leopold - the only one unable to produce his glasses-was questioned specifically about this, he claimed that he must have lost them while bird watching.

Police learned that Leopold was a close friend of Loeb, so Loeb too was brought in for questioning. The young men were questioned separately; each presented a different version of his activities on the day of the murder (Loeb calculating that it was now outside the seven days agreed upon). Investigators intensified their efforts to learn what other people recalled. Upon being interviewed, the family chauffeur unwittingly contradicted the suspects' version of events, which essentially claimed that Leopold and Loeb picked up two girls in Loeb's car on the day of the murder, went to a park, had a few drinks, and fooled around; failing to reach an ((understanding)) with the girls, the group broke up and all went home. The chauffeur, on the other hand, recalled that brake repairs had kept the car in the garage all that day. Asked if he was certain about the date, the man remembered interrupting his work to have his child's prescription filled. On the medicine bottle was the date of the murder. Confronted with this evidence, Loeb cracked and unfolded details of the plan and crime to the state's attorney. Leopold was then confronted with facts known only to the perpetrators; informed of Loeb's confession, he too confessed.

This case was chosen because it illustrates how the three sources of information - records, physical evidence, and individuals - supplemented each other in the solution of this crime.

Activity 1.

Study the following words and phrases

personal relationship	особисті стосунки
victim	жертва
perpetrator	злочинець, порушник
to impel	спонукати, змушувати, схиляти
investigator	слідчий
additional evidence of guilt	додатковий доказ вини
investigative process	процес слідства
exhaustive	вичерпний, достатній
in the heat of passion	у стані афекту
financial gain	фінансова вигода
to prompt	спонукати
beneficiary	особа, що одержує прибутки від довірчої власності
will	заповіт
multiply killings	численні вбивства
financial transactions	фінансові трансакції

Activity 2.

Make up a plan of the story.

Activity 3.

Find the most important facts leaving out the unessential details.

Activity 4.

Write a summary of the text according to the following scheme:

This text is entitled It deals with At the beginning of the text the author says that.... He focuses on He also gives a description of Then he proceeds with.... In conclusion he writes...

UNIT 43.

An In-Between Case: The Case of Fred Teal

Fred Teal, a wealthy 51-year-old executive, called his friend Dr. Bealler and asked the doctor to come to his home immediately. Arriving in about 15 minutes, the doctor examined the executive's wife, Joan, and pronounced her dead. About 20 minutes later, Teal called the police and said, "I believe my wife is dead." The detectives, who responded to the scene, and later the coroner, noted five bullet wounds in the chest and abdomen of the deceased. Two bullets were lodged in the body; three more were found in the room; all five entered from the front. Asked what happened, the husband gave the following account:

A card was received from out-of-state friends telling of the friends' plans to divorce. After hearing it read to her, his wife remarked that she should have divorced him (Fred) years ago. She then demanded to know if he still planned to "get out of the house tomorrow" as had been agreed. He informed her that he did, adding that he was leaving on a business trip to Mexico by automobile. He did not say he was also planning to take along his 24-year-old stepdaughter, Sarah Dunne, as an interpreter. Sarah, Joan's child by a former marriage, taught Spanish at the local high school and lived with them. Joan inquired whether he intended to take Sarah with him and threatened to kill him if he did. Turning toward her, he saw she had pistol; he lunged for it and in the struggle, the gun went off several times.

From an investigator's perspective, the following circumstances are significant:

A quarrelling couple on the brink of divorce.

The deceased's threat to kill her husband should he take her daughter (his 24-year-old stepdaughter) along on a business trip to Mexico by car.

A victim (the wife) with five bullet holes in her body, allegedly after a struggle over a firearm.

Inductive reasoning would lead an investigator to conclude that Miranda warnings were in order. Additional follow-up steps should include:

1. Reconstructing the facts of the crime based on physical evidence.

A. When did the shooting occur (time of death)? How much time elapsed before the police were notified? (Evidence of a significant time lag can be important information to use in interrogation.)

B. What was the distance from gun muzzle to victim?

C. Were all bullets fired from the suspected weapon?

2. Interviewing: Dr. Bealler; Sarah Dunne; close friends of the couple who knew the degree and length of their estrangement; professionals they may have consulted - marriage counsellor, psychiatrist, spiritual advisor, etc.; and any others whose names crop up during these interviews and who may be willing to talk.

3. Reviewing records such as:

A. Gun registration file to establish ownership as well as place and time of purchase;

B. Arrest record file to learn about any previous arrests;

C. Court records to learn whether a divorce petition had been filed,

and if so, what allegations were made by each party; and if there were court orders prohibiting one party from visiting, threatening, or abusing the other;

D. Financial records, such as checking and savings accounts, brokerage accounts, credit cards to find evidence of recent unusual activity - scrutinizing them for the transfer of a significant sum from a joint account to a single name account; or for large purchases made by Fred and sent to a third party (particularly a female).

Activity 1.

Study the following words and phrases

sexual gratification	сексуальне вдоволення
accumulated wealth	скопичене майно
divorce	розлучення
lust	хіть
apparently sex-connected homicides	вбивства явно пов'язані із сексом
modus operandi	спосіб скоєння злочину
sadism	сализм
sadist	салист
simultaneously	одночасно
emotional factors	емоційні чинники
anger	гнів, лють
jealousy	ревнощі
revenge	помста
envy	зздрість
hatred	ненависть

Activity 2.

Find the sentences which contain the clues indicating who the perpetrator was.

Activity 3.

Prepare a strategy of Fred's interrogation in order to elicit the necessary information. Think of other possible suspects.

Activity 4.

Render the text using the following key words:

to examine;

to pronounce someone dead;

five bullet wounds in the chest of the deceased;
to divorce; on the brink of divorce;
threat to kill;
to reconstruct the facts of the crime;
time of death;
the distance from gun muzzle to victim;
suspected weapon;
to interview;

to establish ownership, place and time of purchase;
arrest record file;
previous arrests;
financial records;
savings accounts;
credit cards;
transfer of significant sums.

UNIT 44.

Two Britons Murdered on Dream Isle

Roy Eccles, a 55-year-old former electrical engineer, and his wife Judith, 49, both from Bedford, were stabbed to death on Cephalonia, a popular holiday island in the Ionian Sea.

Police immediately blamed Albanian gangsters who plagued the nearby isle of Corfu last summer. A spokesman said: "This is an ugly murder with unknown motives. It is an unprecedented crime in our area. It is believed a gang of Albanians may have been involved, who stole the couple's car and then possibly got away to the mainland."

Entry to the Eccles's home in the village of Kaminarata had been forced through a door on a back balcony. Both bodies were found with multiple knife wounds and police believe they were attacked as they slept.

Although the house had been ransacked, suggesting theft, there were puzzling aspects to the crime. Police said jewellery and watches had been left untouched in the house. "Some obvious items of value including jewellery and rings and watches on the hands of the dead couple were not taken", said the police spokesman.

"We can't be sure what the motive was. It could have been over an argument but we tend to go for robbery at the moment. The state of the house means that burglary can be suspected."

Activity 1.

Study the following words and phrases

fragante delicto	на місці скоєння злочину
self - protection	самозахист
interrupted crimes	перерваний злочин
witness	свідок
eyewitness	свідок - очевидець
eliminating an eyewitness	усунення свідка - очевидця
potential witness	потенційний свідок
slaying a potential informant	вбивство потенційного інформатора
removal of an inconvenience or impediment	усунення незручності чи перешкоди
apparently motiveless crimes	злочини без очевидного мотиву
a stranger killing a stranger	незнайомець вбиває незнайомця
important source of information	важливе джерело інформації
firearm	вогнепальна зброя
hazardous	ризикований, небезпечний
insane	божевільний
to plead not guilty by the reason of insanity	заявляти про свою невинуватість через божевілля

Activity 2.

Give a summary of the story starting with the words:

A British couple have been brutally murdered in the bedroom of their Greek island home only months after fulfilling their dream of retiring there.

Activity 3.

Make up a plan of the investigation into the murder.

UNIT 45.

Horrific Murder at Home

Heather Barnett, a 48-year-old seamstress and mother of two, was murdered in bizarre and horrific circumstances at her home in Capstone Road, Charminster, Bournemouth on Tuesday 12 November 2002.

She had been hit over the head with a small hammer, and her body had been dismembered by her killer. Human hair had been carefully placed in each of her hands. In her left palm was a lock of her own hair, and in the right, hair belonging to somebody else - this person is yet to be identified.

The police believe she was killed at some point after 8.40am, when she returned home from dropping her kids at school. There was no sign of a forced entry – so she may have known her killer and let him in. She was discovered by her children when they came home from school that afternoon.

In 2004 the police appealed to women who may have had their hair cut in strange circumstances in and around Bournemouth, in the months before Heather's killing. Five women have come forward to say this had been done to them while on a bus. The police believe this information is crucial to finding the killer - who appears to be obsessed with women's hair.

Police are also linking this murder to the disappearance of an Italian girl called Elisa Clapps in Potenza, Southern Italy in 1993.

Appeal points:

- Do you recognise the E-fit of man seen in St Leonard's Road at the junction of Stewart Road at 9.20am?
- Who is it walking past the Richmond Arms pub at 9.25am? Do you recognise the man in the CCTV image taken in Charminster Road?
- Police urgently need to trace the woman whose hair was placed in Heather's hand.
- Police want to hear from women who've had their hair snipped by someone on a bus or other public place, in Bournemouth in 2002, up until the time of Heather's murder.
- Police would also like to speak to women who may have moved out of the area, e.g. students, who were in Bournemouth in 2002 and may have been hassled by this man, or seen him attempting to cut someone's hair.
- If you are a bus driver and have seen someone loitering or acting suspiciously on your bus, the police would like to speak to you.
- The police would also like to appeal to taxi drivers who may have picked up a man from the Richmond Arms pub at 9.30am or someone who may have given a man a lift from here.
- The killer left footprints in the house, shoe size 9V2. The prints are from Nike 'Terra Part' Trainers, circa 2002. Who do these belong to?

- Did you see anyone loitering outside 211 Capstone Road in the weeks leading up to 12 November 2002?

Activity 1.

Study the following words and phrases

to achieve a not guilty verdict	досягти виправдального вироку
to coerce smb. into a homosexual act	промушувати когось до гомосексуального статевого акту
sodomy	содомія, неприродні статеві стосунки
to plead guilty to sodomy	визнати (себе) винним у содомії
sentence	вирок (суду)
to be sentenced	бути засудженим
to commit sodomy on smb.	вчинити содомію
search warrant	ордер на обшук
to obtain a search warrant	отримати ордер на обшук
to make voluntary confession	зробити добровільне зізнання
to testify	свідчити

Activity 2.

Find the most essential information in the text. Delete the unessential details.

Activity 3.

Give a summary of the story starting with the words:

Heather Barnett, a 48-year-old seamstress and mother of two, was murdered in bizarre and horrific circumstances at her home in Capstone Road, Charminster, Bournemouth on Tuesday 12 November 2002.

UNIT 46.

Night Shooting Opposite The Palace Pavilion Nightclub

On the 2 January at 6.28 am there was a shooting opposite The Palace Pavilion nightclub in Lower Clapton Rd in Hackney, London. Three friends were in a parked white Vauxhall Frontera at the time. Barrington Williams aged 19 was killed and his male friend was injured. His sister who was with them was unharmed. In total 17 shots were fired and many bullets ricocheted to nearby cars and residential buildings.

Suspect 1 is described as a black man, approximately 35-years-old, 1.9m (6.2ft) tall, of stocky build.

Suspect 2 is described as a very light-skinned black man, late-teens to early-20s, 1.7 to 1.8m (5.7 - 5.8ft) tall, slim with high cheekbones.

They may or may not have been associating with five to 10 youths standing outside or near the nightclub at the time of the incident.

Appeal points

- Are you one of, or do you know any of, the three potential witnesses shown on CCTV: the woman sitting down on the bus, the woman getting on the bus, or the man handing out fliers at the night club?
- At the time of the shooting were you leaving the Palace Pavilion nightclub, on the street or leaving the minicab office next door?
- Trident witness protection and anonymity guaranteed. There's a £20,000 (anonymous) reward.
- Were you in the nightclub on the night of 1 January (into the morning of 2 January) taking photos or making a film?
- Do you have any information on a number of vehicles which left the scene following the shooting: a black Audi A3; a silver Range Rover; a small white/silver two-door car (which may be a brand new VW); and a black 4x4 Jeep-style vehicle or MPV).

Activity 1.

Study the following words and phrases

interrupted crimes	перерваний злочин
witness	свідок
eyewitness	свідок - очевидець
eliminating an eyewitness	усунення свідка - очевидця
potential witness	потенційний свідок
slaying a potential informant	вбивство потенційного інформатора
removal of an inconvenience or impediment	усунення незручності чи перешкоди

apparently motiveless crimes	злочини без очевидного мотиву
a stranger killing a stranger	незнайомець вбиває незнайомця

Activity 2.

Give a summary of the article starting with the words:

On the 2 January at 6.28 am there was a shooting opposite The Palace Pavilion nightclub in Lower Clapton Rd in Hackney, London.

Activity 3.

Find the most important facts leaving out the unessential details.

UNIT 47.

Daughter Murdered Father

Moments after a jury found her guilty of helping her boyfriend murder her father, a teenage girl acknowledged her guilt, but insisted her lover was innocent.

Courtney Schulhoff, 18, made the dramatic statement as a judge prepared to sentence her to life in prison without parole, the mandatory punishment for first-degree murder.

Asked by the judge if she wished to speak before sentencing, Schulhoff, who had maintained her innocence throughout the two-day trial, whispered with her lawyers for five minutes. She then sighed deeply and rose.

"Your honor, I would like to openly admit Michael Morin is not the person who killed my father. I was. So I accept full responsibility and I accept the verdict," Schulhoff told Seminole Circuit Court Judge O. H. Eaton.

Morin, 22, is to be tried next month for the 2004 baseball bat bludgeoning of Steve Schulhoff, 48. Prosecutors contend Morin wielded the bat, but Courtney Schulhoff, then 16, urged him to kill her father, who forbade their relationship. They claimed Schulhoff provided Morin with the murder weapon.

After the sentencing, defence attorney Tim Caudill said Schulhoff now says that it was she, not Morin, who swung the bat. Asked if his client was lying in an attempt to save Morin from conviction, Caudill replied, "Some people might say that, but I'm not going to comment."

Assistant State's Attorney Jim Carter, who prosecuted Schulhoff and will also try Morin's case, acknowledged that her statement would have an impact on the next case.

"I have an ethical obligation to disclose this to Mr. Morin's attorney and I will," he said.

Schulhoff is listed as a witness for Morin's trial. Asked if Schulhoff might testify during his trial that she acted alone, Carter said, "Of course she could."

Her lawyers opted not to give an opening statement or call any witnesses on her behalf. In summations, they argued that the prosecution had not proven its case beyond a reasonable doubt, but stopped short of saying Morin acted alone. In tape-recorded interviews with police shortly after the murder, Schulhoff said Morin killed her father over her objections. He has told police he blacked out during the attack but came to holding the bloody bat.

The jury of seven women and five men deliberated three hours before returning the guilty verdict. Schulhoff, dressed in a pinstripe blazer and shackled at the waist, showed no emotion as a clerk read the verdict.

Neither her mother, who was divorced from her father, nor any family members attended the trial. Her father's relatives live out of state and were unable to travel to Florida for the proceeding.

Steve Schulhoff's girlfriend, Elaine Bouck, who had been dating him for four months at the time of the murder, told the judge that the victim "was one of the most wonderful people I've ever met."

"He deserves to be remembered," she said.

At the defence table, Schulhoff appeared to wipe away tears. A moment later, she resumed her stony demeanour. When the prosecutor reminded the judge to give her credit for time served in the county jail, a formality with her life sentence, she rolled her eyes.

Activity 1.

Study the following words and phrases

witness	свідок
eyewitness	свідок - очевидець
eliminating an eyewitness	усунення свідка - очевидця
potential witness	потенційний свідок
slaying a potential informant	вбивство потенційного інформатора
removal of an inconvenience or impediment	усунення незручності чи перешкоди
apparently motiveless crimes	злочини без очевидного мотиву
a stranger killing a stranger	незнайомець вбиває незнайомця
important source of information	важливе джерело інформації

Activity 2.

Give a summary of the story starting with the words:

Moments after a jury found her guilty of helping her boyfriend murder her father, a teenage girl acknowledged her guilt, but insisted her lover was innocent.

Activity 3.

Make up a plan of the story.

Activity 4.

Find the most important facts leaving out the unessential details.

UNIT 48.

MOVIES MADE ME KILL

The movie, *Scream*, directed by Wes Craven, featured a character wearing an elongated white face mask with hollow eyes and a black cowl, popular among Trick-or-Treaters and for Halloween parties. Aired in 1996, the film satirized a collection of past slasher movies, offering the plot of a teenage girl targeted by a maniacal killer (Ghostface) who must learn her town's secrets to save herself. But even satires can trigger unbalanced minds to mimicry. It's all in the images.

Even as *Scream* spawned two top-grossing sequels, it also inspired crimes. For three or four years after its release, a number of teenagers were inspired to murder: a boy and his cousin in Los Angeles obsessed with the film murdered his mother by stabbing her 45 times; a man wearing the mask shot and killed a woman in Florida; a boy in France killed his parents while acting as Ghostface; and in England, a pair of boys repeatedly stabbed a third one, claiming the film had prompted them to do it.

Daniel Gill, 14, and Robert Fuller, 15, from North Yorkshire, were found guilty on October 22, 1999 of the attempted murder of Ashley Murray and were sentenced to detention in a juvenile facility for six years. They stabbed Murray eighteen times and left him to die, but a day and a half later a man walking his dog found him, and he recovered.

Just before the attack, the boys had watched *Scream* at the home of a drug dealer, who had shown them occultic items and weapons, and allegedly told them that the gods wanted Murray to die. Their defense was that this influence had blurred the line between fantasy and reality, as well as the line between right and wrong. Drawings of Ghostface and pictures of knives turned up in one boy's schoolbooks, according to the BBC.

But they were friends of Murray's, and even he conceded that the film might have directed their behavior. That was the statement he gave to police. They had lured him to an isolated spot, he said, and then Gill stabbed him repeatedly in the cheek and head. Fuller held him and stabbed his arm. Only when Murray pretended to be dead did they leave, but he was too injured to find his way to a hospital.

Fuller accused Gill as the ringleader, and while Gill initially refused to admit his part he later said that the drug dealer had given him drugs and urged him to kill Murray. He had believed it was a supernatural command.

While it appears to be true that some people who immerse in horror imagery feel provoked to commit the same aggressive crimes they just viewed, it's also true that there is no evidence of a causal factor, and millions of people watch such films without feeling instigated to act. Some people process external images into aggressive behavior, others might gain catharsis, and still others remain altogether unaffected. A few become horror film makers or novelists. It's not easy to know just what effect a specific film might have.

Whatever results, research shows that it has more to do with the viewer than the material viewed.

Activity 1.

Give a summary of the article starting with the words:

The movie, *Scream*, directed by Wes Craven, featured a character wearing an elongated white face mask with hollow eyes and a black cowl, popular among Trick-or-Treaters and for Halloween parties.

Activity 2.

Make up a plan of the story.

Activity 3.

Find the most important facts leaving out the unessential details.

UNIT 49.

A Body in the Paddock

Anita Cobby had been dragged through a barbed-wire fence and punched, beaten and kicked. There was extensive bruising on her head, breasts, face, shoulders, groin, thighs and legs. Her throat had been cut and she was almost decapitated

Medical officers believed that Anita Cobby was conscious when she had her throat cut. It would have taken two to three minutes for her to bleed to death. Anita Cobby had also been repeatedly raped. The only thing that police could accurately assume at the time of the discovery of the body was that more than one person, possibly by a gang, had committed the crime.

The murder of Anita Cobby united the public in outrage. Petitions with tens of thousands of signatures supporting the return of the death penalty were handed to the government of New South Wales. A Sydney TV station ran a phone-in poll that registered nearly 16,000 calls, almost 95 per cent of which were in favor of the reintroduction of the death penalty.

To a bewildered general public it was inconceivable that the perpetrators of such a crime could be walking the streets, passing themselves off as normal human beings.

But they were. Five of them: a gang of spineless cowards who preyed on women and other people's property between prison terms. Between them they had over 50 convictions for offenses including larceny, illegal drug use, car theft, breaking and entering, armed robbery, escaping lawful custody, receiving stolen goods, assault and rape. Their leader was named John Raymond Travers.

Activity 1.

Make up a plan of the story.

Activity 2.

Find the most important facts leaving out the unessential details.

UNIT 49.

Serial Killers

A serial killer is someone who commits three or more murders over an extended period of time with cooling-off periods in between. In between their crimes, they appear to be quite normal. There is often — but not always — a sexual element to the murders.

Many experts have claimed that once serial killers start they cannot (or only rarely) stop. Recently this view has been called into question as new serial killers are caught through methods that were previously unavailable, such as DNA testing. Some argue that those who are unable to control their homicidal impulses are more easily caught and thus overrepresented in the statistics.

Most serial killers have dysfunctional backgrounds. Frequently they are physically, sexually, or psychologically abused as children with their often being a correlation between their childhood abuse and their crimes. The element of fantasy in serial killer's development is extremely important; they often begin fantasizing about murder during or even before adolescence. Their fantasy lives are very rich and they daydream compulsively about domination, submission, and murder, usually with very sadism, packed with rape, torture and murder. In some cases, these traits are not present. The aspect they enjoy varies. Some may enjoy the actual "chase" of hunting down a victim more than anything, while others may be primarily motivated by the act of torturing and abusing the victim while they are alive. Yet others may kill the victim quickly, almost as if it were a chore, and then indulge in necrophilia or cannibalism with the body. Usually there is a strong sexual aspect to the crimes, even if it may not be immediately obvious, but some killers obtain a surge of excitement that is not necessarily sexual, such as Berkowitz, who got a thrill out of shooting young couples in cars at random and then running away without ever physically touching the victims.

Contrary to popular opinion, serial killers are rarely insane or motivated by hallucinations and/or voices in their heads. Many claim to be, usually as a way of trying to get acquitted by reason of insanity. When caught and tried in a court of law in the United States, a serial killer will often plead not guilty by reason of insanity. This defence is almost uniformly unsuccessful at achieving a not-guilty verdict, however, it does allow the defence to introduce evidence about the killers background in hopes that that some sympathy from the jury will spare the client a death sentence.

The FBI has roughly categorized serial killers into two different types: organized and disorganized.

Organized types are usually of high intelligence and plan their crimes quite methodically, usually abducting victims, killing them in one place and disposing of them in another. They maintain a high degree of control over the crime scene, and usually have a good knowledge of forensic science that enables them to cover their tracks, such as by burying the body or weighting it down and sinking it in a river. They follow their crimes in the media carefully and often take pride in their actions, as if it were a grand project. The organized killer is usually socially adequate and has friends and lovers, often even a spouse and children.

Disorganized types are often of low intelligence and commit their crimes impulsively. Whereas the organized killer will specifically set out to hunt a victim, the disorganized will murder someone whenever the opportunity arises, rarely bothering to dispose of the body but instead just leaving it at the same place in which they found the victim. They usually carry out "blitz" attacks, leaping out and attacking their victims without warning and will typically perform whatever rituals they cover their tracks but may still evade capture for some time because of a level of cunning that compels them to keep on the move. They are often socially inadequate with few friends, and they may have a history of mental problems and be regarded by acquaintances as eccentric or even "a bit creepy." They have little insight into their crimes and may even block out the memories of the killings.

Because of the horrific nature of their crimes, their highly varied personalities and profiles, and their ability to evade detection and kill many victims before finally being captured and imprisoned, serial killers have quickly become something of a cult favourite, and have been featured in many novels, movies, songs, comic books, true crime works, video games, successful crime novels and films about fictional serial killers, including Bret Easton Ellis "American Psycho"; and especially Thomas Harris "The Silence of the Lambs" and its Academy Award-winning movie adaptation, whose main antagonist, the cannibalistic serial killer Hannibal Lecter, is a cultural icon.

Activity 1.

Complete the sentences from the text above:

1. A serial killer is ...
2. There is often — but not always...
3. Many experts have claimed that ...
4. Most serial killers have ...
5. Contrary to popular opinion, serial killers are ...
6. When caught and tried in a court of law in the United States, a serial killer will ...
7. This defence is almost uniformly unsuccessful at achieving a not-guilty verdict, however ...
8. The FBI has roughly categorized serial killers into two different types...
9. Because of the horrific nature of their crimes, their highly varied personalities and profiles, and their ability to evade detection and kill many victims before finally being captured and imprisoned, serial killers ...

Activity 2.

Write a summary of the text according to the following scheme:

This text is entitled... . It deals with At the beginning of the text the author says that.... Then he gives a classification of... .He focuses on He also comments on After that he proceeds withIn conclusion he writes....

Activity 3.

Find the most important facts leaving out the unessential details.

UNIT 50.
Boy Killer: John Wayne Gacy
(by David Lohr)

Not many people who knew him would have suspected that John Wayne Gacy, a respected member of the Junior Chamber of Commerce in Des Plaines, III., a performing clown at neighbourhood children's parties, a precinct captain in the local Democratic party, and the owner of his own contracting business would come to be known as one of the most prolific serial killers in U.S. history.

Wayne Gacy arrested for the first time in 1968. The felony charge -attempting to coerce a male employee into homosexual acts - came as a big surprise to those who thought they knew this likable father of two toddlers, especially his wife of four years. Gacy pled guilty to sodomy and was sentenced to 10 years in Iowa's State Men's Reformatory in Anamosa.

On Dec. 12,1978, the police again focused their attention on John Wayne Gacy. Robert Piest, a teenage stock boy at a Nisson Pharmacy in Des Plaines, had come up missing. Gacy was the last person seen with the boy prior to his disappearance. When investigators ran a background check on Gacy, they were surprised to discover that he had previously served time for committing sodomy on a teenage boy. With this incriminating information, investigators were able to obtain a warrant to search Gacy's house.

During the execution of the warrant, investigators entered a crawl space located beneath the home. A rancid odour was quickly noticed. The smell was believed to be faulty sewage lines and was dismissed. Without any noticeable incriminating evidence, investigators returned to headquarters to run tests on the evidence they seized.

During a review of the items confiscated from Gacy's house, investigators soon realized that they had unknowingly seized a piece of critical evidence. One of the rings found at Gacy's house belonged to another teenager who had disappeared a year earlier. They also discovered that a receipt for a roll of film found at Gacy's home had belonged to a co-worker of Robert Piest who had given it to Robert the day of his disappearance.

With this new information, investigators began to realize the possible enormity of the case that was unfolding before them. Following the discovery of their new information, it was not long before investigators were able to obtain a second search warrant for Gacy's home.

According to accounts in Killer Clown, Gacy informed investigators that his first killing took place in January 1972, and the second two years later in January 1974. He further confessed that he lured his victims into being handcuffed. Gacy would tell his victim that he wanted to show him a "pair of trick handcuffs" he used in his clown act, claiming there was a special way to unlock the cuffs and daring the youth to break out of them. Gacy admitted to sometimes keeping the dead bodies under his bed or in the attic for several hours before eventually burying them in the crawl space

Gacy went on to make voluntary confessions to over two dozen murders, although he couldn't answer all the questions posed by the police. He also drew them a detailed map to the locations of 28 shallow graves under his house and garage. Further he admitted to dumping five other victims into the Des Plaines River.

Less than an hour after the initial dig at Gacy's house began, investigators discovered the first body in a crawl space under the home. As the days and weeks passed, the body count grew. The macabre excavations at Gacy's modest home in Des Plaines led the national news night after night. The house itself became almost as familiar to American and foreign viewing audiences as The White House.

While the identities of the 32 victims began to surface, investigators discovered that all of the victims were young men ranging from their early teens to mid-twenties.

Gacy's murder trial began Feb. 6, 1980 in the Cook County Criminal Courts Building in Chicago. During the five-week trial the prosecution and the defence called more than 100 witnesses to testify. The defence strategy was to establish that Gacy was insane and out of control at the time of the killings. To bolster this claim the defence put on the stand psychiatrists who had interviewed Gacy prior to trial. The prosecution, on the other hand, vigorously opposed the notion that Gacy was insane, contending that his claim of multiple personalities was a death-penalty dodge.

The jury clearly sided with the prosecution's version. It deliberated for only two hours before finding Gacy guilty of murdering 33 people. On March 13, 1980, Gacy was sentenced to die.

Activity 1.

Find the most important facts leaving out the unessential details.

Activity 2.

Make up a plan of the story.

UNIT 51.

UKRAINIAN SERIAL KILLER ANDREI CHIKATILO

A native of the Ukraine, born October 16, 1939, Andrei Chikatilo was a late-blooming serial killer who traced his crimes back to early childhood. His family had suffered greatly during Joseph Stalin's forced collectivization in the 1930s, Chikatilo said. Apart from knowing poverty and hunger, he had lost an older brother, allegedly murdered and cannibalized by neighbours during the famine that claimed millions of Russian lives. Whether the tale was true or not, young Andrei's mother drilled it into him with frequent repetition, and his later deeds would replicate the act.

While most serial murderers kill for the first time in their teens or early twenties, Chikatilo was a slow starter. With a university degree, a wife and two children, he presented the appearance of a meek family man, but dark urges were brewing behind that pacific façade. Employed as a school dormitory supervisor, Chikatilo was fired over allegations that he had molested male students. As a factory supply clerk in Rostov-on-Don, required frequent travel by bus or train, a Chikatilo turned the circumstance to his advantage, trolling for victims in bus depots at railway stations.

The self-described "mad beast" and "mistake of nature" committed his first murder on December 22, 1978, in the town of Shakhty. The body of his victim, a nine-year-old girl Chikatilo strangled, raped, and stabbed repeatedly, was pulled from the Grushevka River later. Chikatilo was one of many suspects questioned in the case, but police soon focused 25-year-old Alexander Kravchenko, an ex-convict who had served time for murder at custody. The "solution" looked good on paper, but it naturally deters the real killer from striking again.

The terror began in earnest nearly three years later, in September 1981. Over the next years, dozens of corpses would be found in wooded areas adjacent to train or bus depot grossly mutilated by a phantom who was quickly dubbed the "Rostov Ripper." The victims included young women and children of both sexes, raped and stabbed repeatedly in a way of grisly overkill. Some victims had their tongues bitten off; others were disembowelled sometimes with organs missing that suggested the killer might be indulging in cannibalistic (Chikatilo later confessed to occasionally nibbling on internal organs but denied consume human flesh.) Repeated stab wounds to the face were a specific trademark of the killed mutilations he inflicted otherwise appeared to follow no set pattern.

Chikatilo finally ran out of luck in November 1990, when he was spotted in a Rostov rail station, sporting bloodstains on his face and hand. While he was not arrested at the time, name was taken down, and the discovery of another victim near the depot two weeks prompted his arrest on November 20. After eight days of interrogation, Chikatilo confessed total of 55 murders, leading police to several corpses they had not discovered yet. His recitation of atrocities - illustrated by demonstration on mannequins - included sadistic mutilation of several victims while they were still alive.

Charged with 53 counts of murder, Chikatilo went on trial in June 1992; four months later October 15, he was convicted on all but one count and sentenced to death. A last his appeal for clemency was rejected by President Boris Yeltsin on February 15, 1994, and

Chikatilo was executed that same day, with a pistol shot to the back of his head. Alex Kravchenko, meanwhile, was posthumously pardoned for the slaying of Chikatilo's original victim.

Activity 2.

Find the most important facts leaving out the unessential details.

Activity 3.

Write a summary of the text.

Activity 4.

Read and translate the text.

Homicide is the killing of one human being by another. Not all homicides are criminal: they may also be justifiable or excusable. (Self-inflicted death is treated by the police as homicide until it can be established as suicide.)

Justifiable homicide involves the intentional but lawful killing of another.

The state commits justifiable homicide in carrying out a death sentence handed down by a judge after conviction. Justifiable homicide is also committed when a police officer kills a bank robber who shoots at the officer while attempting to escape; or when an individual, believing his or her life is being threatened with a weapon, kills in defence of self or family. In the last example, should the weapon used to threaten - a gun, perhaps - subsequently prove to be an imitation, it would, even so, remain a case of justifiable homicide.

Excusable homicide involves one person killing another by accident without gross negligence and without intent to injure: for example, the hunter who honestly mistakes another person for game. The following scenario is another example: around 2 a.m. a police officer pursues a suspected burglar fleeing down a dead-end alley. He orders the suspect to halt, put up his hands, and not move; instead, the suspect turns around. The officer, observing a shiny object in the suspect's hand and believing it to be a weapon, fires and kills the suspect. The questions that will inevitably be raised are:

How much light was available?

Did the suspect whirl and crouch, or turn slowly?

Did the suspect say anything?

Was there a shiny object?

Was it a gun or other weapon?

When the circumstances are determined, the issue of whether or not a case is excusable homicide can be settled.

Suicide is the taking of one's own life. Although not deemed a crime, suicide is considered a grave public wrong in many jurisdictions throughout the world.

Criminal homicide is the unlawful taking of a human life. There are two kinds of criminal

homicide: murder and manslaughter.

Murder is the unlawful killing of another human being with malice aforethought (premeditation). Killing a person during the commission of a felony also constitutes murder-even when the killing is unintentional. Most murder convictions are for felony murder rather than for premeditated murder.

Capital murder is murder which is punishable by death. In 38 states and the federal government itself, there are laws allowing capital punishment for this crime. Depending on the state, a murder may qualify as "capital murder" if (a) the person murdered was of a special class, such as a police officer; (b) "special circumstances" occurred in the crime, such as multiple murder, the use of poison, or "lying in wait" in order to murder the victim. Capital murder is quite rare in the United States compared to other murder convictions, but it has generated tremendous public debate. See generally capital punishment and capital punishment in the United States.

Manslaughter is the unlawful killing of another without intent -expressed or implied - to effect death.

Further classifications of unlawful homicide - such as first - degree (in police/prosecutor jargon: «murder one») versus second - degree murder; voluntary manslaughter (heat of passion) versus involuntary manslaughter (reckless or vehicular); and so on - are to be found in the penal laws of the states. The annotated statutes of the state in which the crime was committed must be consulted to determine which category of homicide it fits.

Activity 5.

Give a list of homicides. Divide them into categories: justifiable, excusable homicides, criminal homicides.

Activity 6.

Give examples of each category of homicides.

Activity 7.

Write a summary of the text.

UNIT 52.

Murder of a Taxicab Driver

Early one Sunday morning a man walking his dog was attracted by the animal's barking at a taxicab parked near the curb. Although the motor was running, its driver was nowhere in sight. Drawing nearer, he observed the driver slumped across the seat. When he received no response to his offer of assistance, the man called police. An autopsy determined that the taxi driver had been strangled (probably with a belt). He had also been robbed of his wallet. Investigators found his trip-destination card, with the name «Shorty» scribbled on the back. This, together with a partial palm print developed on the roof of the cab just above the front door on the passenger side constituted all the physical evidence at the crime scene.

A search of the alias (or nickname) file disclosed several «Shortys.» Their palm prints were taken, but none matched the latent print. The Rogues Gallery file on some of them contained group photographs picturing others who previously had been arrested with them. Each confederate was palm printed; one print was found to match the latent. When the «Shorty» and his confederate were brought to the station house for further questioning, the pair was separated. Each suspect readily admitted to having been in the cab that night, but denied strangling the driver. Each shifted the guilt onto the other until the statute on felony murder was spelled out: in the commission of a felony in which there is a death, all participants are guilty. Then both related how they came to kill the cab driver.

Activity 1.

Find the most important facts in the text you have read.

Activity 2.

Write a summary of the text using the following key words:

*taxicab parked near the curb;
driver slumped across the seat;
receive no response to his offer of assistance;
to determine;
autopsy;
to strangle with a belt;
to be robbed of one's wallet;
to develop a palm print;
to constitute physical evidence;
alias (or nickname);
to match the latent print;
the Rogues Gallery file;
each suspect;*

to admit;
to shift the guilt;
to deny strangling the driver;
statute on felony murder.

UNIT 53.

Kidnapping or Murder

Though more than a half-century old, this landmark case is chosen for discussion because the investigation itself represents a solid, imaginative effort; because its solution involves physical evidence, people, and records; and because the use of physical evidence was remarkable, considering that crime laboratories were yet to be born in this country. The following is a brief account of the crime and the investigative activities that resulted.

Leopold and Loeb were young, bright college students with IQs of 160 and 210. Their parents were wealthy. Petty fraternity house thefts launched their criminal careers, and before long they graduated to more serious transgressions. Eventually, they felt the need to experience the ultimate thrill—to commit the perfect crime. Dilettantes and students of the fine art of murder think «the perfect crime» means circumventing the established hazards by concealing the motive, disguising the crime, and avoiding the consequences. This pair would succeed only in concealing the motive. Though Leopold came into the investigation early on, the demand for ransom and his family's wealth were perceived as incompatible elements in the case; therefore, he was eliminated as a potential suspect—at least the first time around.

The first step in planning the crime was to choose the place to dispose of the body. Capitalizing on Leopold's familiarity with the woods he roamed as an amateur ornithologist, Leopold and Loeb studied the terrain while escorting a troop of boy scouts there a week or so before the planned crime. They found the burial site, a culvert beneath hardly used railroad tracks. Should they be seen in this vicinity or leave any traces behind, the scout trip would provide an alibi. To preclude a hitch when the time came, they reserved a hotel room under an assumed name to establish credit; rented a car for a «dry run» (going so far as to select the victim by observing children leaving school at the end of the day); and, after typing the ransom notes and envelopes to be sent to the victim's family on a portable Underwood typewriter, discarded it in a park lagoon nearby. Next, they concocted an elaborate scheme for collecting the ransom. It comprised a series of steps to be taken by the boy's parents which could be monitored by the kidnappers to determine if the police had been notified. The person paying the ransom was to throw the ransom parcel from a moving train, acting on a signal from alongside the track.

Despite the best laid plans, the body, rather than remaining hidden in the culvert, was not only discovered, but identified. The criminals instantly recognized the danger and the need for a more detailed alibi, but they quarrelled over when to use it: Loeb insisting it not be used at all unless they were arrested within a few days, Leopold wanting to use it regardless of when they were picked up. Settling this point by agreeing not to invoke the alibi unless arrested within seven days of the time of the crime, they failed to establish what was meant by «the time of the crime». To Loeb it signified the time of the murder (about 5 p.m. on Wednesday); to Leopold it meant the time of the last telephone call to the victim's family (about 3:30 p.m. on Thursday). Apprehended the following Thursday, and believing the seven-day period was over, Loeb did not use the alibi. Contacted by detectives on the same day (Thursday)—at 2:30 p.m., one hour before the deadline—Leopold did use it. This divergence contributed significantly to their downfall. Only when a college newspaper reporter unwittingly served as a conduit and brought Leopold's message to

Loeb was there congruence in their alibis.

Except for one hitch, the crime was carried out as conceived. The problem was that the intended victim did not leave school as usual. The perpetrators viewed this as a minor inconvenience leaving them with two alternatives-abandon the plan for that day or select another victim. They chose the latter; the new target was 14-year-old Bobby Franks. This meant the ransom envelopes had to be readdressed. Mr. Franks' name, street address, and (in lieu of Chicago) «City» were hand-printed because they had already disposed of the typewriter. Believing that block lettering made identification by handwriting experts impossible, they used it for the envelopes.

The victim they enticed into the rented car was killed almost immediately. The killers drove about, then left the body in the car while they had dinner. Finally, they hid it in the preselected culvert after brewing acid on the face and genitals to render it unrecognizable. The very next day, it was noticed by railroad labourers working a handcar on the tracks above the culvert; from that vantage, the workers realized what they had discovered. They climbed down to the immediate area, looked about, and noticed a pair of horn-rimmed eyeglasses which one man picked up intending to keep them for reading.

They carried the body to a funeral home nearby and called the police. An officer arriving in due course asked the usual questions about the circumstances surrounding the discovery. One question would prove to be of critical importance: Had they seen or found anything at or near the crime scene? The man who had the glasses replied in the affirmative and, overlooking the fact that they constituted physical evidence, the officer placed them on the victim's chest in the funeral home.

On the evening of the kidnapping, the Franks family had a telephone call-the message: «Your boy has been kidnapped. He is in safe custody, you will hear from us in the morning. » On the following day, the father received a letter; it read: «...this is an extremely commercial proposition, your son will be safely returned to you within six hours of our receipt of the money. » The \$510,000 ransom demand stipulated old 20 and 50 dollar bills. When Jacob Franks was informed by the police of the discovery of an unidentified boy's body, he refused to view it. Sustained by the kidnapper's assurances that the boy would not be harmed and the fact that his son did not wear eyeglasses, Franks remained hopeful that his son was still alive. Only to be certain was an uncle sent forth; as it turned out, to make the identification of his nephew. Shortly thereafter, when a paper boy's hawking of special edition carried the news to them, the killers realized the urgent need for an alibi for the preceding day.

At this point in the investigation, the police had a young, unclothed, male homicide victim on which an attempt had been made to render identification impossible or at least difficult; a pair of eyeglasses; a typewritten letter in a block-printed envelope; and no suspects.

A typewriter expert was sent for and soon identified the kind of typewriter (a portable Underwood) used for the ransom note. Teachers of the victim believed to be homosexual were asked to block print the name and address of the victim's father. The eyeglasses were traced. The forester employed in the woods where the body was found was asked for the names of those he knew to frequent the area. Although Leopold's name appeared on this list, he was not considered a suspect; after all, his father's secretary was

authorized to write checks up to \$2,500 upon his son's request-at a time when such an amount exceeded the average yearly family income in America. Yet Leopold's name was indeed on the list. Since the victim's family lived in the Hyde Park area, home of the University of Chicago where Leopold studied law, two news reporters took advantage of the slack period to interview his student friends. They learned he was one of a small group that met weekly to study, type «dope sheets», and prepare for examinations. The reporters sought out group members in order to obtain typewriting specimens from the machine in the Leopold's house; in one effort, they acquired typed notes that seemed different. They were examined and compared with the ransom notes by a typewriter expert, who found three letters - m, t, and l-to be defective both in the samples (the study group notes typed earlier on Leopold's machine) and in the questioned (ransom) documents. His conclusion: both were from the same machine.

Leopold (now a suspect) denied owning a portable Underwood, and despite painstaking searches, it was not to be found in the house. Eventually, a diver located it at the bottom of a nearby marina where the perpetrators had dropped the incriminating evidence.

During this time, diligent efforts were ongoing to find the owner of the eyeglasses. They led investigators to a Chicago optical firm which identified its product and provided a list of purchasers. This list could be pared down, since the glasses found near the body had unique hinges, a new type supplied to but three customers. When Leopold - the only one unable to produce his glasses-was questioned specifically about this, he claimed that he must have lost them while bird watching.

Police learned that Leopold was a close friend of Loeb, so Loeb too was brought in for questioning. The young men were questioned separately; each presented a different version of his activities on the day of the murder (Loeb calculating that it was now outside the seven days agreed upon). Investigators intensified their efforts to learn what other people recalled. Upon being interviewed, the family chauffeur unwittingly contradicted the suspects' version of events, which essentially claimed that Leopold and Loeb picked up two girls in Loeb's car on the day of the murder, went to a park, had a few drinks, and fooled around; failing to reach an ((understanding)) with the girls, the group broke up and all went home. The chauffeur, on the other hand, recalled that brake repairs had kept the car in the garage all that day. Asked if he was certain about the date, the man remembered interrupting his work to have his child's prescription filled. On the medicine bottle was the date of the murder. Confronted with this evidence, Loeb cracked and unfolded details of the plan and crime to the state's attorney. Leopold was then confronted with facts known only to the perpetrators; informed of Loeb's confession, he too confessed.

This case was chosen because it illustrates how the three sources of information - records, physical evidence, and individuals - supplemented each other in the solution of this crime.

Activity 1.

Make up a plan of the story.

Activity 2.

Find the most important facts leaving out the unessential details.

Activity 3.

Write a summary of the text according to the following scheme:

This text is entitled It deals with At the beginning of the text the author says that.... He focuses on He also gives a description of Then he proceeds with.... In conclusion he writes...

UNIT 54.

An In-Between Case: The Case of Fred Teal

Fred Teal, a wealthy 51-year-old executive, called his friend Dr. Bealler and asked the doctor to come to his home immediately. Arriving in about 15 minutes, the doctor examined the executive's wife, Joan, and pronounced her dead. About 20 minutes later, Teal called the police and said, "I believe my wife is dead." The detectives, who responded to the scene, and later the coroner, noted five bullet wounds in the chest and abdomen of the deceased. Two bullets were lodged in the body; three more were found in the room; all five entered from the front. Asked what happened, the husband gave the following account:

A card was received from out-of-state friends telling of the friends' plans to divorce. After hearing it read to her, his wife remarked that she should have divorced him (Fred) years ago. She then demanded to know if he still planned to "get out of the house tomorrow" as had been agreed. He informed her that he did, adding that he was leaving on a business trip to Mexico by automobile. He did not say he was also planning to take along his 24-year-old stepdaughter, Sarah Dunne, as an interpreter. Sarah, Joan's child by a former marriage, taught Spanish at the local high school and lived with them. Joan inquired whether he intended to take Sarah with him and threatened to kill him if he did. Turning toward her, he saw she had pistol; he lunged for it and in the struggle, the gun went off several times.

From an investigator's perspective, the following circumstances are significant:

A quarrelling couple on the brink of divorce.

The deceased's threat to kill her husband should he take her daughter (his 24-year-old stepdaughter) along on a business trip to Mexico by car.

A victim (the wife) with five bullet holes in her body, allegedly after a struggle over a firearm.

Inductive reasoning would lead an investigator to conclude that Miranda warnings were in order. Additional follow-up steps should include:

1. Reconstructing the facts of the crime based on physical evidence.

- A. When did the shooting occur (time of death)? How much time elapsed before the police were notified? (Evidence of a significant time lag can be important information to use in interrogation.)

- B. What was the distance from gun muzzle to victim?

- C. Were all bullets fired from the suspected weapon?

2. Interviewing: Dr. Bealler; Sarah Dunne; close friends of the couple who knew the degree and length of their estrangement; professionals they may have consulted - marriage counsellor, psychiatrist, spiritual advisor, etc.; and any others whose names crop up during these interviews and who may be willing to talk.

3. Reviewing records such as:

- A. Gun registration file to establish ownership as well as place and time of purchase;

- B. Arrest record file to learn about any previous arrests;

- C. Court records to learn whether a divorce petition had been filed,

and if so, what allegations were made by each party; and if there were court orders prohibiting one party from visiting, threatening, or abusing the other;

D. Financial records, such as checking and savings accounts, brokerage accounts, credit cards to find evidence of recent unusual activity - scrutinizing them for the transfer of a significant sum from a joint account to a single name account; or for large purchases made by Fred and sent to a third party (particularly a female).

Activity 1.

Find the sentences which contain the clues indicating who the perpetrator was.

Activity 2.

Prepare a strategy of Fred's interrogation in order to elicit the necessary information. Think of other possible suspects.

Activity 3.

Render the text using the following key words:

to examine; to pronounce someone dead; five bullet wounds in the chest of the deceased; to divorce; on the brink of divorce; threat to kill; to reconstruct the facts of the crime; time of death; the distance from gun muzzle to victim; suspected weapon; to interview; to establish ownership, place and time of purchase; arrest record file; previous arrests; financial records; savings accounts; credit cards; transfer of significant sums.

UNIT 55.

Two Britons Murdered on Dream Isle

Roy Eccles, a 55-year-old former electrical engineer, and his wife Judith, 49, both from Bedford, were stabbed to death on Cephalonia, a popular holiday island in the Ionian Sea.

Police immediately blamed Albanian gangsters who plagued the nearby isle of Corfu last summer. A spokesman said: "This is an ugly murder with unknown motives. It is an unprecedented crime in our area. It is believed a gang of Albanians may have been involved, who stole the couple's car and then possibly got away to the mainland."

Entry to the Eccles's home in the village of Kaminarata had been forced through a door on a back balcony. Both bodies were found with multiple knife wounds and police believe they were attacked as they slept.

Although the house had been ransacked, suggesting theft, there were puzzling aspects to the crime. Police said jewellery and watches had been left untouched in the house. "Some obvious items of value including jewellery and rings and watches on the hands of the dead couple were not taken", said the police spokesman.

"We can't be sure what the motive was. It could have been over an argument but we tend to go for robbery at the moment. The state of the house means that burglary can be suspected."

Activity 1.

Give a summary of the story starting with the words:

A British couple have been brutally murdered in the bedroom of their Greek island home only months after fulfilling their dream of retiring there.

Activity 2.

Make up a plan of the investigation into the murder.

UNIT 56.

Horrific Murder at Home

Heather Barnett, a 48-year-old seamstress and mother of two, was murdered in bizarre and horrific circumstances at her home in Capstone Road, Charminster, Bournemouth on Tuesday 12 November 2002.

She had been hit over the head with a small hammer, and her body had been dismembered by her killer. Human hair had been carefully placed in each of her hands. In her left palm was a lock of her own hair, and in the right, hair belonging to somebody else - this person is yet to be identified.

The police believe she was killed at some point after 8.40am, when she returned home from dropping her kids at school. There was no sign of a forced entry – so she may have known her killer and let him in. She was discovered by her children when they came home from school that afternoon.

In 2004 the police appealed to women who may have had their hair cut in strange circumstances in and around Bournemouth, in the months before Heather's killing. Five women have come forward to say this had been done to them while on a bus. The police believe this information is crucial to finding the killer - who appears to be obsessed with women's hair.

Police are also linking this murder to the disappearance of an Italian girl called Elisa Clapps in Potenza, Southern Italy in 1993.

Appeal points:

- Do you recognise the E-fit of man seen in St Leonard's Road at the junction of Stewart Road at 9.20am?
- Who is it walking past the Richmond Arms pub at 9.25am? Do you recognise the man in the CCTV image taken in Charminster Road?
- Police urgently need to trace the woman whose hair was placed in Heather's hand.
- Police want to hear from women who've had their hair snipped by someone on a bus or other public place, in Bournemouth in 2002, up until the time of Heather's murder.
- Police would also like to speak to women who may have moved out of the area, e.g. students, who were in Bournemouth in 2002 and may have been hassled by this man, or seen him attempting to cut someone's hair.
- If you are a bus driver and have seen someone loitering or acting suspiciously on your bus, the police would like to speak to you.
- The police would also like to appeal to taxi drivers who may have picked up a man from the Richmond Arms pub at 9.30am or someone who may have given a man a lift from here.
- The killer left footprints in the house, shoe size 9V2. The prints are from Nike 'Terra Part' Trainers, circa 2002. Who do these belong to?

- Did you see anyone loitering outside 211 Capstone Road in the weeks leading up to 12 November 2002?

Activity 1.

Find the most essential information in the text. Delete the unessential details.

Activity 2.

Give a summary of the story starting with the words:

Heather Barnett, a 48-year-old seamstress and mother of two, was murdered in bizarre and horrific circumstances at her home in Capstone Road, Charminster, Bournemouth on Tuesday 12 November 2002.

UNIT 57.

Night Shooting Opposite The Palace Pavilion Nightclub

On the 2 January at 6.28 am there was a shooting opposite The Palace Pavilion nightclub in Lower Clapton Rd in Hackney, London. Three friends were in a parked white Vauxhall Frontera at the time. Barrington Williams aged 19 was killed and his male friend was injured. His sister who was with them was unharmed. In total 17 shots were fired and many bullets ricocheted to nearby cars and residential buildings.

Suspect 1 is described as a black man, approximately 35-years-old, 1.9m (6.2ft) tall, of stocky build.

Suspect 2 is described as a very light-skinned black man, late-teens to early-20s, 1.7 to 1.8m (5.7 - 5.8ft) tall, slim with high cheekbones.

They may or may not have been associating with five to 10 youths standing outside or near the nightclub at the time of the incident.

Appeal points

- Are you one of, or do you know any of, the three potential witnesses shown on CCTV: the woman sitting down on the bus, the woman getting on the bus, or the man handing out fliers at the night club?
- At the time of the shooting were you leaving the Palace Pavilion nightclub, on the street or leaving the minicab office next door?
- Trident witness protection and anonymity guaranteed. There's a £20,000 (anonymous) reward.
- Were you in the nightclub on the night of 1 January (into the morning of 2 January) taking photos or making a film?
- Do you have any information on a number of vehicles which left the scene following the shooting: a black Audi A3; a silver Range Rover; a small white/silver two-door car (which may be a brand new VW); and a black 4x4 Jeep-style vehicle or MPV).

Activity 2.

Give a summary of the article starting with the words:

On the 2 January at 6.28 am there was a shooting opposite The Palace Pavilion nightclub in Lower Clapton Rd in Hackney, London.

Activity 3.

Find the most important facts leaving out the unessential details.

UNIT 58.

Daughter Murdered Father

Moments after a jury found her guilty of helping her boyfriend murder her father, a teenage girl acknowledged her guilt, but insisted her lover was innocent.

Courtney Schulhoff, 18, made the dramatic statement as a judge prepared to sentence her to life in prison without parole, the mandatory punishment for first-degree murder.

Asked by the judge if she wished to speak before sentencing, Schulhoff, who had maintained her innocence throughout the two-day trial, whispered with her lawyers for five minutes. She then sighed deeply and rose.

"Your honor, I would like to openly admit Michael Morin is not the person who killed my father. I was. So I accept full responsibility and I accept the verdict," Schulhoff told Seminole Circuit Court Judge O. H. Eaton.

Morin, 22, is to be tried next month for the 2004 baseball bat bludgeoning of Steve Schulhoff, 48. Prosecutors contend Morin wielded the bat, but Courtney Schulhoff, then 16, urged him to kill her father, who forbade their relationship. They claimed Schulhoff provided Morin with the murder weapon.

After the sentencing, defence attorney Tim Caudill said Schulhoff now says that it was she, not Morin, who swung the bat. Asked if his client was lying in an attempt to save Morin from conviction, Caudill replied, "Some people might say that, but I'm not going to comment."

Assistant State's Attorney Jim Carter, who prosecuted Schulhoff and will also try Morin's case, acknowledged that her statement would have an impact on the next case.

"I have an ethical obligation to disclose this to Mr. Morin's attorney and I will," he said.

Schulhoff is listed as a witness for Morin's trial. Asked if Schulhoff might testify during his trial that she acted alone, Carter said, "Of course she could."

Her lawyers opted not to give an opening statement or call any witnesses on her behalf. In summations, they argued that the prosecution had not proven its case beyond a reasonable doubt, but stopped short of saying Morin acted alone. In tape-recorded interviews with police shortly after the murder, Schulhoff said Morin killed her father over her objections. He has told police he blacked out during the attack but came to holding the bloody bat.

The jury of seven women and five men deliberated three hours before returning the guilty verdict. Schulhoff, dressed in a pinstripe blazer and shackled at the waist, showed no emotion as a clerk read the verdict.

Neither her mother, who was divorced from her father, nor any family members attended the trial. Her father's relatives live out of state and were unable to travel to Florida for the proceeding.

Steve Schulhoff's girlfriend, Elaine Bouck, who had been dating him for four months at the time of the murder, told the judge that the victim "was one of the most wonderful people I've ever met."

"He deserves to be remembered," she said.

At the defence table, Schulhoff appeared to wipe away tears. A moment later, she resumed her stony demeanour. When the prosecutor reminded the judge to give her credit for time served in the county jail, a formality with her life sentence, she rolled her eyes.

Activity 1.

Give a summary of the story starting with the words:

Moments after a jury found her guilty of helping her boyfriend murder her father, a teenage girl acknowledged her guilt, but insisted her lover was innocent.

Activity 2.

Make up a plan of the story.

Activity 3.

Find the most important facts leaving out the unessential details.

UNIT 59. MOVIES MADE ME KILL

The movie, *Scream*, directed by Wes Craven, featured a character wearing an elongated white face mask with hollow eyes and a black cowl, popular among Trick-or-Treaters and for Halloween parties. Aired in 1996, the film satirized a collection of past slasher movies, offering the plot of a teenage girl targeted by a maniacal killer (Ghostface) who must learn her town's secrets to save herself. But even satires can trigger unbalanced minds to mimicry. It's all in the images.

Even as *Scream* spawned two top-grossing sequels, it also inspired crimes. For three or four years after its release, a number of teenagers were inspired to murder: a boy and his cousin in Los Angeles obsessed with the film murdered his mother by stabbing her 45 times; a man wearing the mask shot and killed a woman in Florida; a boy in France killed his parents while acting as Ghostface; and in England, a pair of boys repeatedly stabbed a third one, claiming the film had prompted them to do it.

Daniel Gill, 14, and Robert Fuller, 15, from North Yorkshire, were found guilty on October 22, 1999 of the attempted murder of Ashley Murray and were sentenced to detention in a juvenile facility for six years. They stabbed Murray eighteen times and left him to die, but a day and a half later a man walking his dog found him, and he recovered.

Just before the attack, the boys had watched *Scream* at the home of a drug dealer, who had shown them occultic items and weapons, and allegedly told them that the gods wanted Murray to die. Their defense was that this influence had blurred the line between fantasy and reality, as well as the line between right and wrong. Drawings of Ghostface and pictures of knives turned up in one boy's schoolbooks, according to the BBC.

But they were friends of Murray's, and even he conceded that the film might have directed their behavior. That was the statement he gave to police. They had lured him to an isolated spot, he said, and then Gill stabbed him repeatedly in the cheek and head. Fuller held him and stabbed his arm. Only when Murray pretended to be dead did they leave, but he was too injured to find his way to a hospital.

Fuller accused Gill as the ringleader, and while Gill initially refused to admit his part he later said that the drug dealer had given him drugs and urged him to kill Murray. He had believed it was a supernatural command.

While it appears to be true that some people who immerse in horror imagery feel provoked to commit the same aggressive crimes they just viewed, it's also true that there is no evidence of a causal factor, and millions of people watch such films without feeling instigated to act. Some people process external images into aggressive behavior, others might gain catharsis, and still others remain altogether unaffected. A few become horror film makers or novelists. It's not easy to know just what effect a specific film might have.

Whatever results, research shows that it has more to do with the viewer than the material viewed.

Activity 1.

Give a summary of the article starting with the words:

The movie, *Scream*, directed by Wes Craven, featured a character wearing an elongated white face mask with hollow eyes and a black cowl, popular among Trick-or-Treaters and for Halloween parties.

Activity 2.

Make up a plan of the story.

Activity 3.

Find the most important facts leaving out the unessential details.

UNIT 60.

Serial Killers

A serial killer is someone who commits three or more murders over an extended period of time with cooling-off periods in between. In between their crimes, they appear to be quite normal. There is often — but not always — a sexual element to the murders.

Many experts have claimed that once serial killers start they cannot (or only rarely) stop. Recently this view has been called into question as new serial killers are caught through methods that were previously unavailable, such as DNA testing. Some argue that those who are unable to control their homicidal impulses are more easily caught and thus overrepresented in the statistics.

Most serial killers have dysfunctional backgrounds. Frequently they are physically, sexually, or psychologically abused as children with their often being a correlation between their childhood abuse and their crimes. The element of fantasy in serial killer's development is extremely important; they often begin fantasizing about murder during or even before adolescence. Their fantasy lives are very rich and they daydream compulsively about domination, submission, and murder, usually with very sadism, packed with rape, torture and murder. In some cases, these traits are not present. The aspect they enjoy varies. Some may enjoy the actual "chase" of hunting down a victim more than anything, while others may be primarily motivated by the act of torturing and abusing the victim while they are alive. Yet others may kill the victim quickly, almost as if it were a chore, and then indulge in necrophilia or cannibalism with the body. Usually there is a strong sexual aspect to the crimes, even if it may not be immediately obvious, but some killers obtain a surge of excitement that is not necessarily sexual, such as Berkowitz, who got a thrill out of shooting young couples in cars at random and then running away without ever physically touching the victims.

Contrary to popular opinion, serial killers are rarely insane or motivated by hallucinations and/or voices in their heads. Many claim to be, usually as a way of trying to get acquitted by reason of insanity. When caught and tried in a court of law in the United States, a serial killer will often plead not guilty by reason of insanity. This defence is almost uniformly unsuccessful at achieving a not-guilty verdict, however, it does allow the defence to introduce evidence about the killers background in hopes that that some sympathy from the jury will spare the client a death sentence.

The FBI has roughly categorized serial killers into two different types: organized and disorganized.

Organized types are usually of high intelligence and plan their crimes quite methodically, usually abducting victims, killing them in one place and disposing of them in another. They maintain a high degree of control over the crime scene, and usually have a good knowledge of forensic science that enables them to cover their tracks, such as by burying the body or weighting it down and sinking it in a river. They follow their crimes in the media carefully and often take pride in their actions, as if it were a grand project. The organized killer is usually socially adequate and has friends and lovers, often even a spouse and children.

Disorganized types are often of low intelligence and commit their crimes impulsively. Whereas the organized killer will specifically set out to hunt a victim, the

disorganized will murder someone whenever the opportunity arises, rarely bothering to dispose of the body but instead just leaving it at the same place in which they found the victim. They usually carry out "blitz" attacks, leaping out and attacking their victims without warning and will typically perform whatever rituals they cover their tracks but may still evade capture for some time because of a level of cunning that compels them to keep on the move. They are often socially inadequate with few friends, and they may have a history of mental problems and be regarded by acquaintances as eccentric or even "a bit creepy." They have little insight into their crimes and may even block out the memories of the killings.

Because of the horrific nature of their crimes, their highly varied personalities and profiles, and their ability to evade detection and kill many victims before finally being captured and imprisoned, serial killers have quickly become something of a cult favourite, and have been featured in many novels, movies, songs, comic books, true crime works, video games, successful crime novels and films about fictional serial killers, including Bret Easton Ellis "American Psycho"; and especially Thomas Harris "The Silence of the Lambs" and its Academy Award-winning movie adaptation, whose main antagonist, the cannibalistic serial killer Hannibal Lecter, is a cultural icon.

Activity 1.

Complete the sentences from the text above:

10. A serial killer is ...
11. There is often — but not always...
12. Many experts have claimed that ...
13. Most serial killers have ...
14. Contrary to popular opinion, serial killers are ...
15. When caught and tried in a court of law in the United States, a serial killer will ...
16. This defence is almost uniformly unsuccessful at achieving a not-guilty verdict, however ...
17. The FBI has roughly categorized serial killers into two different types...
18. Because of the horrific nature of their crimes, their highly varied personalities and profiles, and their ability to evade detection and kill many victims before finally being captured and imprisoned, serial killers ...

Activity 2.

Write a summary of the text according to the following scheme:

This text is entitled... . It deals with At the beginning of the text the author says that.... Then he gives a classification of... .He focuses on He also comments on After that he proceeds withIn conclusion he writes....

Activity 3.

Find the most important facts leaving out the unessential details.

UNIT 61.

INDEPENDENCE OF JUDGES, THEIR STATUS AND ROLE IN JUDICIAL PROCEEDINGS

Notes: institutional independence — інституціональна незалежність
decisional independence — прецедентна незалежність preliminary hearing — попереднє
судове слухання справи to be subject to — підлягати чому-небудь to favour —
підтримувати

A judge is a state official, who knows a lot about the law, and has the power to adjudicate on disputes and other matters brought before the court for decision. The independence of judges is guaranteed by the Constitution and the laws of the country.

In the United Kingdom judicial independence is the doctrine that decisions of the judiciary should be impartial and not subject to influence from other branches of government or from private or political interests. It is guaranteed by the Constitutional Reform Act 2005, s.3. Judicial independence is also secured by giving judges long, sometimes lifetime, tenure and making them not easily removable from their office. As long as judges hold their positions in «good order», they remain in post until they wish to retire or until they reach 70.

There are two types of judicial independence in the USA: institutional and decisional. The former means that the judicial branch is independent of the executive and legislative branches, while the latter lies in the idea that judges should be able to decide cases solely based on the law and facts, without letting the media, politics, or other concerns influence their decisions, and without fearing punishment in the careers for their decisions. Law-abiding federal judges have lifetime appointments. Another condition of judicial independence is proper judicial selection. Many state legislatures prefer election by the general public but many professionals view judicial elections as rewarding political skills rather than legal ones.

The Laws of Ukraine «On Status of Judges», «On the Constitutional Court of Ukraine», «On Court Organization in Ukraine», «On Contempt of Court and others determine the status of judges and provide their independence. Unity of status of judges is ensured by common requirements for candidates for a post of a judge, their powers, rights and duties, protection from interference in their work, means of legal, social and financial protection, immunity, political neutrality, etc. Guarantees of judges independence include the procedure of their election (appointment), secret of making a decision, prohibition on interference in administration of justice, responsibility for contempt of court or judge and so on.

Though there are significant differences between the functions of judges in different legal systems, they have some common functions. In judicial proceedings they are responsible for conducting a trial fairly, orderly and efficiently, observing the established procedures. Judges interpret and apply laws, decide questions related to pretrial release. In preliminary hearings and trial without a jury, they determine both the points of fact and the points of law. In jury trials they instruct jurors: the judge calls the jury's attention to all most important points in the evidence and favours neither prosecution nor defence. In common law countries they also create law by establishing precedents.

The position of a judge is usually prestigious in society.

Activity 1.

1. The summary of the text contains mistakes. Correct them. The text (Independence of Judges, their Status and Role in Judicial Proceedings» deals with the constitutional law. It starts with the description of judges' functions in the USA. Then it explains the judicial independence doctrine in the UK. After that the author introduces two types of judicial independence in Ukraine. Further on the author passes on to the status of judges in Ukraine. At the end of the text there is a definition of a judge.

2. Find in the text a) - the definition of a judge;

- the explanation of the judicial independence doctrine in the UK; - two types of judicial independence in the USA; - the functions of a judge. b) the legal terms which correspond to the following definitions:

- an institution that has power to make or change the laws; - respectful of the law and obeying it; - not involved in a particular situation and therefore able to give a fair opinion or piece of advice;

- disobedience or disrespect towards the court of law or judge; - to officially decide who is right in a disagreement and decide what should be done;

- an order that forbids something; - an act of interfering in something.

3. Decide which pairs of words below are the same (synonyms), opposite (antonyms) or different. Add at least one pair to each group. Independence - dependence, long-good, term - tenure, impartial - fair, points - questions, biased - impartial, law - fact, post-position, interpret - apply, unlawful - illegal, civil - criminal.

4. Complete the lists with the words and phrases connected with the following:

Sources of judicial independence: ...

Means of judicial independence: ...

Status of judges: ...

Duties of judges: ...

Activity 2.

a) Read the following definitions of the word 'contempt' and choose the one in which it is used in the text: a) a feeling that someone or something is not important and

deserves no respect;

b) disobedience(НероКопа) or disrespect towards a court; c) disobedience or disrespect towards a judge; d) complete lack of fear about something.

b) Match the types of contempt of court to their Ukrainian

equivalents: Direct contempt Невиконання судового розпорядження, винесеного на користь іншої сторони

Indirect contempt Неповага до суду у засіданні

Civil contempt Злочинна неповага

Criminal contempt Неповага до суду поза засіданням,

непідкорення розпорядженню (суду)

c) Find the English equivalents for the following words and phrases

in the paragraphs below among those in italics: Давати хабара; розкривати/розголошувати; образа судді; порушення громадського порядку; неповага перед судом/відкрита неповага в суді; бути упередженим; чесність; перешкоджати; нарада присяжних (обговорення справи).

In common law countries contempt includes the following: - interference with the result of legal proceedings, e.g. giving a bribe or threatening witnesses, the jury or a judge;

- contempt in the face of court, e.g. using threatening language or creating a disturbance in court;

- abuse of a judge or attacks on integrity of the administration of justice;

- interference with the general process of administration of justice, e.g. disclosing the deliberations of a jury.

In the UK it is a statutory contempt to publish, by any means, anything that creates a serious risk that the justice in particular active legal proceedings will be impeded or prejudiced; to get or disclose any details of jury discussions and to bring into a court or use a tape recorder without

Contempt of court is a criminal offence punishable by a jail sentence and/or a fine.

d) Which types of contempt of courts exist in our legislation?

Activity 3.

Give your opinion on the following statements using the expressions in brackets: (I think, as far as I am concerned, I believe) 1. Any attempts to pressure judges, people's assessors or jurors aimed at preventing them carrying out an examination of a case should be punished. 2. It is difficult to discipline people who try to pressure a judge, 3. The judges are human beings with all human weaknesses, so they can make mistakes. 4. Judges cannot be really independent. 5. It is necessary to provide decent conditions for the work of court. 6. One of the biggest problems is non-observance of laws, regulations and resolutions.

Activity 4.

Translate the following into English:

Згідно з Конституцією правосуддя в Україні здійснюють професійні судді, а також народні засідателі та присяжні у визначених законом випадках. Справи в судах першої інстанції розглядаються суддею одноособово, колегією суддів або суддею народними засідателями, судом присяжних. Суддя, який розглядає справу одноособово, діє як суд. Судді при здійсненні правосуддя є незалежними від будь-якого впливу, нікому не підзвітні, підкоряються лише закону. Тарантії самотійності та незалежності суддів визначаються Конституцією та законами України. Суддям забезпечується свобода неупередженого вирішення справ відповідно до їх внутрішнього переконання, що ґрунтується на вимогах закону.

UNIT 62. CORONER'S COURT

There are special coroner's courts in some countries such as the USA, the UK, Canada, Australia and some others.

A coroner is an (Исследователь) responsible for investigating deaths, particularly those happening under (Неожиданные) circumstances, and determining the cause of death. Depending on the (определённые), the coroner may decide the cause himself, or (также) as a presiding officer of a special (jury) (a coroner's jury).

In England and Wales a coroner is a judicial officer (судья) and paid by the local authority. The Coroners are (адвокаты или юристы) or doctors of at least five years standing. This reflects the role of a coroner, to (определять) the cause of death of a deceased in cases where the death was sudden, unexpected, occurred (в тюрьме), was suspicious in any way or happened while the person was in police cells, or in prison.

The coroner's jurisdiction is (относится к) finding the (причины) of the deceased and the cause of the death. When the (смерть) was unexpected, violent or unnatural, the coroner will (решит) whether to hold a post-mortem and, if necessary, an inquest. The coroner's court is a court of law, and the coroner may summon witnesses.

Activity 1.

Choose the right item or items to complete the sentences.

- a) (Lawyers, barristers, judges, doctors, solicitors, ordinary citizens) may be coroners.
- b) Coroners investigate (all types of death, limited types of death, all unusual types of death).
- c) The main tasks of coroners are to find out (the reason of the death, the name of the dead, the name of a suspect).
- d) The coroner may decide a case (with other judges, alone, with a jury).

Activity 2.

Decide which of the following cases a coroner will hear:

- 1) a man was found dead in his flat;
- 2) a woman of 84 years old died in her sleep at home;
- 3) the sudden death of a governor;
- 4) a death of a person after an operation;
- 5) a broken arm as a result of car accident;
- 6) a death in a car accident;
- 7) suicide of an official.

Activity 3.

- a) The adjectives below are related to both positive and negative

traits of a person's character. Divide them into two groups. Hard-working, just, punctual, lazy, friendly, emotional, clever, responsible, calm, talkative, absent-minded, intelligent, well-educated, respectful, serious, formal, tolerant, reserved, highly-qualified, polite, reasonable, tactful, wise, resolute, cruel.

b) Choose those

- a judge as a lawyer should possess and make up a sentence with each of them

e.g. A judge must be fair to decide cases fairly.

- a judge should not possess

e.g. A judge should not be absent-minded at the trial, otherwise he can miss something important.

- you have and speak about yourself. e.g. I am punctual, so I am never late.

You may use other adjectives if you wish.

Activity 4.

Agree or disagree with the following statements. Use the expressions given below. I agree. I suppose so. That's right/not right/true. That's not what I've heard. That's what I've heard. I'm not sure. I think so.

- There must be respect for the law on the part of every Ukrainian regardless of rank and position.

- It is not very easy for an ordinary citizen to refer a case to a court of law because the procedures for filing claims are very complicated.

- There are so many discrepancies (розбіжність, суперечність) in the current legislation that even the professional lawyers sometimes find it difficult to determine the jurisdiction of a case: e.g. to be handled by the administrative or the economic court.

- Our courts must serve our citizens, but in fact they serve the State.

- Ukraine will become a law-governed state only if legal punishment becomes unavoidable for everyone without exceptions, including judges and prosecutors.

Activity 5.

You are participants of the International Seminar on Judicial System. Be ready to give a talk on one of the issues given below or of your own choice. 1) Powers of Judges: too many or too few? 2) Role of People's Assessors in Judicial Proceedings. 3) Judges Immunity: pros and cons. 4) Judicial Reform: what should be done to improve justice? 5) Protection of Judges from Interference in their Work.

Activity 6.

1. Write a letter to your friend in the UK or the USA about

a) the judicial system of Ukraine; or b) judges in Ukraine.

Activity 7.

QUIZ

1. How many of these questions can you answer?
1. What are the two main areas of jurisdiction in the English judicial system?
2. Ordinary people play two important roles in the administration of justice in the UK and the USA. What are their roles?
3. What was the role of the House of Lords in the British judicial system?
4. Can a precedent be too old to be a binding precedent today
5. You ask Mr Cole's job and he tells you he is an attorney. Is he American or British
6. If the US House of Representatives is equivalent to the British Commons, what is the British equivalent to the Senate?
7. What is the Old Bailey?
8. Do British judges always wear wigs in court?

Activity 8.

Group the following words according to the stress on the first or second syllable. Two words can be both a noun and a verb and it depends on the stress (in a noun on the first and in a verb on the second syllable).

Senate, authority, permit, justice, judicial, approve, appellate, power, review, dispute, error, supreme, issue, conflict.

Read the text to find the following information: a) Six names of federal courts. b) Three names of state courts. c) The number of federal circuits. d) The number of federal districts. e) The name of the person who appoints federal judges. f) All abbreviations and give their meanings.

UNIT 63.

THE USA COURTSYSTEM

Being the federal republic, the USA has both a federal and a state court system. The federal court system is responsible for interpreting and applying the laws created by the federal government under the authority of the US Constitution. Article III of the US Constitution requires the establishment of a Supreme Court and permits the US Congress to create other federal courts, and place limitations on their jurisdiction.

The Supreme Court is the highest judicial body, the court of last resort and leads the federal judiciary. It meets in Washington, D.C. It is mainly an appellate court and hears only federal appeals which it has chosen. Most of the cases involve the interpretation of the Constitution. It also has the «power of judicial review), i.e. the right to declare laws and actions of the federal, state, and local governments unconstitutional. Besides, the Court has limited original jurisdiction in cases involving foreign diplomats and in those, in which a state is a party. In practice, the only original jurisdiction cases heard by the Court are disputes between two or more states. It consists of the Chief Justice and eight Associate Justices, who serve (during good behaviour), that is while they obey the law. Cases are decided by majority vote of the Justices.

The federal Courts of Appeals (or circuit courts) are the intermediate appellate courts, and must hear all appeals from the district courts within their federal judicial circuits, and in some cases from other designated federal courts and administrative agencies. Now there are thirteen judicial circuits with one court of appeals. They review decisions of trial courts for errors of law and their decisions are binding precedents. An appeal is almost always heard by a panel of three judges who are selected from the available judges but in some cases all judges decide an appeal.

The District Courts are the federal trial courts. They hear both civil and criminal cases, and often decide claims based on state law. There are 94 federal judicial districts with at least one district court for each state, the District of Columbia and Puerto Rico. There is a US bankruptcy court as a unit of the district court.

Besides, some federal courts of special jurisdiction, such as the Tax Court, the Court of International Trade, Courts of Federal Claims and others administer justice in the country.

All federal judges are appointed for life by the President with the approval of the Senate.

Each state has an independent system of courts operating under the constitution and laws of the state. The names and jurisdiction of the courts differ from state to state but as a rule they have general jurisdiction. The highest court is the state supreme court (known by various names in various states), which hears appeals of legal disputes. In most states the lowest courts are the magistrates' courts or police courts.

The relationship between state courts and federal courts is quite complicated. Although the United States Constitution and federal laws override state laws where there is a conflict between federal and state law, state courts are not subordinate to federal ones. Rather they are two parallel sets of courts with different often overlapping jurisdiction.

Activity 1.

1. Read the text to answer the following questions:

1. What are the tasks of the federal court system?

2. What types of courts have been created according to the US Constitution?

What body created other federal courts? What types of cases does the US Supreme Court hear? What do the federal Courts of Appeals do? What is the jurisdiction of the federal District Courts? What is the term of office for federal court judges? Are state courts inferior to federal courts or not?

3. Explain the following phrases in your own words: Exclusive jurisdiction, binding precedent, overlapping jurisdiction, intermediate courts.

4. To check your understanding of the text, complete each sentence below by choosing the correct answer: 1. The highest court in the country is a) the Supreme Court; b) the State Supreme Court; c) the US Supreme Court. 2) The US President appoints a) all judges in the country; b) all federal judges; c) all judges in the supreme courts. 3) The US Supreme Court has a) appellate jurisdiction; b) appellate and limited original jurisdiction; c) appellate and original jurisdiction. 4) The federal Courts of Appeals hear a) all kinds of appeals; b) appeals on points of law; c) appeals on points of fact. 5) The District Courts decide a) civil and administrative cases; b) civil and criminal cases; c) Criminal cases and appeals. 6) A state court may hear any case if it is connected to its a) criminal law; b) constitution and laws; c) civil or criminal law.

5. To complete the diagram of the federal court system in the USA at first use the information given in brackets and then from the text.

Activity 2.

1. Substitute the words in *italics* with the words from the text. 1. Federal system of rules that people in a particular country must obey protects people from injustice.

2. They filed a formal request to a court asking for a decision to be changed against the judgment.

3. All the judges in a country must serve the justice.

4. The official in control of a court who decides how criminals should be punished specifies the number of years to be spent in prison.

5. All people have the right to a fair legal process in a court of where a judge examines information to decide if somebody is guilty or not.

6. Mr Brown asked for the careful judicial examination of the decision.

Activity 3.

Find in the text synonyms to the following words and make up your own sentences:

Power, to appoint, body, obligatory, mistake, special.

Activity 4.

Each of the groups of words can be linked by one other word - a noun or nouns. What are they? Add any other adjectives if you

Cal.

- a) original, limited, exclusive, constitutional;
- b) civil criminal, federal, state;
- c) district, county, trial, intermediate, police;
- d) judicial, wrong, legal, binding.

Activity 5.

Translate the following into English:

Суд останньої інстанції; право/повноваження судового перегляду; розглядати позови; банкрутство/неспроможність; слухати апеляції; судовий округ; федеральний районний суд; призначати довічно; 4 застосовувати закони; тлумачити закони; податковий суд; суд із питань міжнародної торгівлі; відхиляти закони штату; підпорядкуватися закону; на основі Конституції; правові спори; прецедент, який має обов'язкову силу.

Activity 6.

Each of the sentences contains a mistake. The mistakes are all in the prepositions. Find and correct them.

1. The system in federal courts hears cases related to the federal jurisdiction.
2. All federal judges are appointed before life.
3. The courts of law have jurisdiction for legal disputes that appear in the country.
4. A judge is responsible on making decisions at the trial.
5. Each of the sides involved upon legal proceedings is a party to a CSC.

6. On the doctrine of binding precedent decisions of courts in previous cases are considered as a source of law which will influence or bind courts in later similar cases.

7. The task of conducting trials is placed from different types of Courts.

8. Complete the text with the words from the box:

Justice, superior, law, court, appeals, administer, trial, appellate, civil, military, jurisdiction, criminal

Courts are established to 1)... civil law and criminal 2).... The term 3)... is also applied to international tribunals created to resolve controversies among governments, e.g. the International Court of 4)...., established by the UNO.

Among the general classifications are courts of 5)... and inferior jurisdiction, trial courts, appellate courts, civil and criminal courts and some others. Courts of superior 6)....,

often called higher courts or 7)... courts, are generally those to which 8)... are made from decisions of courts of inferior jurisdiction, referred to as lower courts or 9)... courts. Civil and criminal courts deal with breaches of the 10)... law and 11)... law respectively. Courts with special limited jurisdictions - such as 12)... courts - are known by the names of these jurisdictions.

Activity 7.

Translate the articles of the Constitution of Ukraine:

Стаття 147. Конституційний Суд України є єдиним органом конституційної юрисдикції в Україні.

Конституційний Суд України вирішує питання про відповідність законів та інших правових актів Конституції України і дає офіційне тлумачення Конституції України та законів України.

. Стаття 148. Конституційний Суд України складається з вісімнадцяти суддів Конституційного Суду України.

Президент України, Верховна Рада України та з'їзд суддів України призначають по шість суддів Конституційного Суду України.

Суддею Конституційного Суду України може бути громадянин України, який на день призначення досяг сорока років, має вищу юридичну освіту і стаж роботи за фахом не менш як десять років, проживає в Україні протягом останніх двадцяти років та володіє державною мовою.

Суддя Конституційного Суду України призначається на дев'ять років без права бути призначеним на повторний строк.

Голова Конституційного Суду України обирається на спеціальному пленарному засіданні Конституційного Суду зі складу суддів Конституційного Суду України шляхом таємного голосування лише на один трирічний строк.

Activity 8.

1. Find Present and Past Participles in the text, define their functions and translate them.
2. Complete the sentences with suitable Participles. What are their functions?
3. All criminal trials in Britain are held before a judge and a jury (to consist) of twelve ordinary citizens.
4. Everybody supported the decision (to make) by the judge
5. Civil law (to use) in many countries is based on ancient Roman law.
6. Congress has powers in domestic affairs (to include) the power to regulate commerce among states.
7. There are 94 district courts (to establish) by the Congress.
8. The lawyer (to announce) the decision is a judge.

Activity 9.

1. Use the diagram in exercise 5 of COMPREHENSION to speak about the federal court system in the USA.

2. Choose a court in the US judicial system you would like to work in. Explain your choice.

3. Speak about a) similar features in the court systems of Ukraine and the USA and b) their differences.

Activity 3.

Answer the following questions:

1. What are types of jurisdiction in the UK courts?
2. What is the relationship between different courts?
3. What is the role of the Monarch in the judicial system?

UNIT 64.

JUDICIAL SYSTEM IN ENGLAND AND WALES

The Ministry of Justice is a department of the government in the UK, Created under the Constitutional Reform Act 2005. The Lord Chief Justice is the head of the Judiciary.

The Supreme Court of the United Kingdom is the court of last resort, highest appellate court in all matters under English law, Welsh law, Northern Irish law and Scottish civil law (the High Court of Justiciary is the Supreme criminal court in Scotland). The Supreme Court started work on 1 October 2009. It replaced the Appellate Committee of the House of Lords as the highest court in the UK. The court hears appeals on arguable points of law of the greatest public importance. There are 12 Justices of the Supreme Court; one of them is the President.

The Court of Appeal, the High Court of Justice and Crown Court are senior courts in the English legal system. The Court of Appeal consists of two divisions: the Civil Division hears appeals from the High Court and County Courts, and some superior tribunals, while the Criminal Division may hear appeals from the Crown Courts connected with a trial on indictment (i.e. trial by judge and jury, (the jury is present if the defendant pleads (not guilty»)). Three Lord Justices of Appeal hear an appeal, reaching a decision of majority. The decisions are binding on all courts apart from the Supreme Court of the United Kingdom. Lords Justices are selected from the ranks of senior judges.

The High Court of Justice or the High Court functions both as a civil court of first instance and a criminal appellate court. It consists of three divisions: the Queens Bench Division mainly deals with civil actions based upon contract law or tort, and appeals on points of law from Crown Courts; the Chancery Division is concerned with matters relating to business law, intellectual property and some others; the Family Division hears cases connected with family law. High Court Judges are normally Privy Counselors.

The Crown Court is the higher court of first instance in serious criminal cases, which also hears criminal appeals from Magistrates Courts, and handles a number of civil cases both at first instance and on appeal. The court carries out four principal types of activity: appeals from decisions of magistrates, sentencing of defendants committed from Magistrates Courts, jury trials, and the sentencing of those who are convicted in the Crown Court, either after trial or on pleading guilty. High Court Judges, Circuit Judges and Recorders may sit in the Crown Court. Circuit Judges are the same ones who sit in the County Courts, and have had a seven-year qualification, or from Recorders. Recorders are barristers or solicitors in private practice, who sit as part-time judges.

Magistrates' Court is the court where all criminal prosecutions are initiated. Though they hear only minor criminal offences, 95% of all criminal cases are tried there. These courts have a limited jurisdiction in civil matters relating to family law (Family Proceedings Court) and licensing applications. Youth Courts, special magistrates' courts, deal with offenders under 18 years old. Magistrates Courts are presided over by three lay magistrates (Justices of the Peace) who are unpaid but trained volunteers, or by a District Judge. The magistrates are assisted by a professional legal adviser or Clerk to the Justices, and there is no jury. District Judges are barristers or solicitors of 5 years general practice. Deputy District Judges, i.e. practising solicitors or barristers, can sit as part-time judges in

Magistrates and County Courts.

The County Courts are courts of purely civil jurisdiction. They are local courts and deal mostly with certain kinds of actions concerning land. Most matters are decided by a District Judge or Circuit Judge sitting alone. Civil cases (with some exceptions, e.g. in some actions against the police) do not have juries. Judges in the County Courts are either former barristers or solicitors.

The independent Judicial Appointment Commission selects candidates for judges, who are appointed on behalf of the Monarch.

Activity 1.

1. Find in the text the information on:

a) courts of appellate jurisdiction; b) courts of original jurisdiction; c) courts of both original and appellate jurisdiction; d) judges and their appointment.

2. Draw up a diagram, which shows the hierarchy and jurisdiction of the courts in England and Wales. Start with the highest court in the country.

3. Complete the table with the information from the text and rearrange it from superior to inferior judges. Pay attention that some types of judges may sit in different types of courts.

Judicial Office Court(s) Qualifications

Deputy District Judges .

The Supreme Court
of the UK

Barrister or solicitor, 5 years' general practice

Circuit Judges

County Court

|- High Court of Justice

Recorders

4. Fill the gaps of the text with suitable words and entitle it. The first and sometimes the last letters of the missing words are given. The Courts of Northern Ireland are c...) and c...l courts responsible for the administration ofj...e in Northern Ireland,

The UK Supreme Court is the h...t court of appeal. The Supreme C. of Judicature (BiHIpaBJIeHHs IpaBocyLIA) is the most superior court of N...n I...d. It c...s of the following courts: the Court of Appeal, the High Court, and the Crown Court.

The Court of A... is the highest court of Northern Ireland. It hears a...s from the lower courts and tribunals.

The H. Court, like its English equivalent, consists of the Queen's Bench, F...y and Chancery Divisions.

The Crown Courth... more serious criminal cases. The County Courts are the main c...l courts. They hear different civil c...s and appeals from m...s' courts.

Magistrates Courts (including Youth Courts and Family Proceedings Courts) hear less serious c...l cases.

5. Arrange the following sentences logically to make up the

paragraph on the courts in Scotland. 1) The Court of Session is the supreme civil

court and both a court of first instance and a court of appeal.

2) District Courts sitting in each local area handle less serious criminal cases.

3) The High Court of Justiciary is the supreme criminal court and both a court of the first instance and a court of appeal. 4) The Sheriff Court is the other civil court.

5) The UK Supreme Court is the highest civil court of appeal in Scotland. -

6) The Sheriff Court is the main criminal court. 7) The civil, criminal and heraldic Courts of Scotland are responsible for the administration of justice.

Activity 2.

Read the definitions and put the letters in order to make up the words connected with the English judicial system.

1) Not allowed by law eglilal

2) A law made by a government tca

3) A type of lawyer in the UK iolsrtico

4) A lawyer trained to speak for you in higher courts tarebisrr

5) An illegal action cfenfoe

6) A court which decides who is right in some types of cases urtaiblin

Activity 3.

Choose any two types of the UK courts and compare them. Use information from the table and the text. The following words and phrases will help you: As compared with, unlike, neither of, both, both...and, the same is true of...

Activity 4.

Translate the following into English:

Верховний Суд України є найвищим судовим органом у системі судів загальної юрисдикції. Він здійснює правосуддя, забезпечує однакове застосування законодавства всіма судами загальної юрисдикції.

Верховний Суд України здійснює такі повноваження: 1) розглядає в касаційному порядку рішення загальних судів у справах, віднесених до його підсудності процесуальним законом;

2) переглядає в порядку повторної касації всі інші справи, розглянуті судами загальної юрисдикції в касаційному порядку;

3) як суд першої інстанції в окремих випадках розглядає справи, пов'язані з винятковими обставинами;

4) дає судам роз'яснення з питань застосування законодавства на основі узагальнення судової практики та аналізу судової статистики;

5) веде аналіз судової статистики, вивчає узагальнює судову практику, знайомиться в судах з практикою застосування законодавства та ін. е

Activity 5.

Explain the difference between a magistrate and a judge.

4. Mrs George is a witness to the robbery. The judge is questioning

her. Complete the dialogue with the answers given below.

Notes: witness — свідок robbery — грабіж inscription - напис
wig — перука

Judge: Now, Mrs George, you saw the shop robbery, didn't you?

Mrs George: Yes, I did.

- Did you see a man?

- Can you see that man in the courtroom?

- Was he alone when he went into the shop?

- Look around the court. Can you see that woman?

- Now look at the man and woman again. This is very important. Are you absolutely sure about them?

- Mrs George, what was the man wearing when he went into the shop?

- Look at the bags on the table. Can you see it?

- Do you remember anything about the woman?

- How do you know that it was a wig

- Which of the wigs on the table?

- Thank you, Mrs George.

Mrs George's answers:

- Yes. A red coat and a blond wig.

- Yes, that's the man I saw.

- Absolutely.

- I don't remember everything... but I remember his grey coat and a large black bag.

- That's right. I saw him when he came into the shop and when he Came Out.

- On the left, with short blond curly hair.

- Yes, that woman over there.

- It fell off when she was running to the car.

- No, he was with a woman. - The large black bag with the golden inscription.

Why does the judge ask such detailed questions? Now speak about the case as 1) a judge; 2) Mrs George 3) one of the robbers.

Activity 6.

Prepare a report on the route of a criminal or civil case from the lowest court to the highest one in the UK.

Activity 7.

Read the definitions and write the words in the grid to find the mystery word.

1) A member of a jury;

2) The place where a trial is held;

3) The chief official in control of a court of law;

4) The right to use an official power to make legal decisions, or the area where this right exists;

5) An official decision made in a court of law, especially about whether someone is guilty of a crime or how a death happened;

6) Relating to law, judges or their system;

9) A person who has a certificate in law.

Noun suffixes

ment

ion/tion/sion

ation/ition

ence/ance

ty/ity

ness

ing

the prospects for **employment** reach an **agreement**

take part in a **discussion** increase steel **production** ask for **permission**

an **invitation** to a party people's **opposition** to the idea

a **preference** for houses rather than flats a **distance** of ten miles

no **certainty** that we shall succeed keep the door locked for **security**

people's **willingness** to help recovering from an **illness**

enter a **building** reach an **understanding**

Nouns for people

er/or

ist

ant/ent

an/ian

ee

the **driver** of the car

a newspaper **editor**

a place full of **tourists**

a **scientist** doing an experiment

an **assistant** to help with my work **students** at the university

Republicans and Democrats the **electrician** rewiring the house

an **employee** of the company (= someone employed)

notes for **examinees** (= people taking an exam)

*We also use **er** for things, especially machines.* a hair-**dryer** a food **mixer** a cassette **player**

Verb suffixes

*Many verbs are formed by adding **ize** or **ise** to an adjective. Some are formed by adding **en**.*

ize

en

European safety rules are being **standardized**. They **privatized** the company.

They're **widening** the road here. Meeting you has really **brightened** my day.

Adjective suffixes

Most of these adjectives are formed from nouns.

al

ic

ive

ful

less

ous

y

ly

able/ible

a **professional** musician

Britain's **coastal** waters

a **metallic** sound

a **scientific** inquiry

an **informative** guidebook

an offer **exclusive** to our readers

a **successful** career

feeling **hopeful** about the future

feeling hopeless about the future (= without hope) **powerless** to do anything about it

guilty of **dangerous** driving

luxurious holiday apartments

a **rocky** path

the **salty** taste of sea water

a **friendly** smile

a very **lively** person

an **acceptable** error (= an error that can be accepted) a comprehensible explanation

a **valuable** painting (= worth a lot of money) a **comfortable** chair

Adverbs

ly

He looked around **nervously**.

I moved here quite **recently**.

Some common prefixes

anti (= against)

inter (= between)

mini (= small)

mis (= wrongly)

multi (= many)

over (= too much)

post (= after)

pre (= before)

re (= again)

semi (= half)

super (= big)

under (= too little)

anti-roads protestors

an international match

a minicomputer

mishear what someone says

multicoloured lights

too fond of overeating

the post-war world

pre-match entertainment

a reunion of old friends

semi-skilled work

a huge new superstore

thin and underweight

anti-government troops

interstate highways in the US

the minibar in your hotel room

miscalculate the amount

a multimillionaire

overcrowded roads

a postgraduate student

in prehistoric times

reread a favourite book

sitting in a semicircle

a supertanker carrying oil

underpaid work

Negative prefixes

We can also use a prefix to form an opposite. For example, the opposite of **clear** is **unclear** (= not clear). **Un** is the most common negative prefix.

dis

il (+ l)

im (+ m or p)

in

ir (+ r)

non

un

*a **dishonest** way to behave can't help being **disorganized** dislike the idea*

***disappear** from the scene a **disadvantage** of the plan*

*an **illegal** drug an **illiberal** attitude*

*an **impossible** task an **impolite** question*

*an **indirect** route the **invisible** man a great **injustice***

*an **irregular** shape an **irrelevant** remark*

***non-alcoholic** drinks a **non-stop** flight*

*an **uncomfortable** chair an **unusual** event an **undated** letter*

***uncertain** what to do **unpack** your suitcase **unzip** the bag*

APPENDIX 2: The spelling of endings

Plural nouns

We add s to a noun to form the plural.

a car → two cars a name → some names

1 After **s, sh, ch** and **x** we add **es**.

glass → glasses dish → dishes match → matches
box → boxes

2 A few nouns ending in **o** have **es**.

heroes potatoes tomatoes

But most have **s**.

discos kilos photos pianos radios stereos studios zoos

3 When a noun ends in a consonant + **y**, the **y** changes to **ies**.

penny → pennies story → stories

We do not change **y** after a vowel.

day → days journey → journeys

The present simple s ending

In the third person singular, a present simple verb ends in s.

I know → he knows I work → she works

1 After **s, sh, ch** and **x** we add **es**.

pass → passes wash → washes catch → catches mix → mixes

2 Some verbs ending in **o** have **es**.

go → goes do → does

3 When a verb ends in a consonant + **y**, the **y** changes to **ies**.

hurry → hurries copy → copies

We do not change **y** after a vowel

stay → stays enjoy → enjoys

The ed ending

*Most verbs have **ed** in the past tense. Most past participles also end in **ed**.*

look → looked call → called

1 If the verb ends in **e**, we add **d**.

hope → *hoped* *save* → *saved*

2 When a verb ends in a consonant + **y**, the **y** changes to **ied**.

hurry → *hurried* *copy* → *copied*

3 Sometimes we double a final consonant. This happens when a one-syllable verb ends with one vowel and one consonant, e.g. *beg*, *plan*.

beg → *begged* *plan* → *planned*

The *ing*-form

1 We normally leave out **e** when we add **ing** to a verb.

take → *taking* *drive* → *driving*

But we keep a double **e** before **ing**.

see → *seeing* *agree* → *agreeing*

2 When a verb ends in **ie**, it changes to **ying**.

die → *dying* *lie* → *lying*

But **y** does not change.

hurry → *hurrying*

3 Sometimes we double a final consonant. This happens when a one-syllable verb ends with one vowel and one consonant, e.g. *win*, *put*.

win → *winning* *put* → *putting*

Adverbs

We form many adverbs from an adjective + **ly**.

slow → *slowly* *calm* → *calmly*

1 We do not leave out e before **ly**.

safe → *safely* *strange* → *strangely*

But there are a few exceptions.

due → *duly* *true* → *truly* *whole* → *wholly*

2 When an adjective ends in a consonant + **y**, the **y** changes to **ily**.

angry → *angrily* *happy* → *happily*

An exception is *shy* → *shyly*.

3 When an adjective ends in a consonant + **le**, the **e** changes to **y**.

probable → *probably* *sensible* → *sensibly*

4 When an adjective ends in **ic**, we add **ally**.

automatic → *automatically* *romantic* → *romantically*

But there is one exception.

public → *publicly*

The comparison of adjectives

We form the comparative and superlative of short adjectives with **er** and **est**.

old → *older, oldest* *quick* → *quicker, quickest*

1 If the adjective ends in e, we add **r** and **st**.

late → *later, latest* *fine* → *finer, finest*

2 When an adjective ends in a consonant + **y**, the **y** changes to **ier** or **iest**.

heavy → *heavier, heaviest* *lucky* → *luckier, luckiest*

3 Sometimes we double a final consonant. This happens when a one-syllable adjective ends with one vowel and one consonant, e.g. **big**, **flat**.

big → *bigger, biggest* *flat* → *flatter, flattest*

The doubling of consonants

1 When we add **ed**, **ing**, **er** or **est** to a word, we sometimes double a final consonant. This happens when a one-syllable word ends with one vowel and one consonant, e.g. **stop**, **get**, **thin**, **sad**.

stop → *stopped* *get* → *getting* *thin* → *thinner* *sad* → *saddest*

2 We do not double **y**, **w** or **x**.

play → *played* *new* → *newest* *fax* → *faxing*

We do not double when there are two consonants.

ask → *asking* *short* → *shortest* *rich* → *richer*

And we do not double when there are two vowels.

seem → *seemed* *shout* → *shouting* *fair* → *fairest*

3 The rule about doubling is also true for words of more than one syllable (e.g. permit = per + mit), but only if the last syllable is stressed.

per'mit → *per'mitted* *pre'fer* → *pre'ferring*

We do not usually double a consonant when the syllable is unstressed.

'open → *opened* *'enter* → *entering*

An exception is that in British English l is usually doubled, even if the syllable is unstressed.

travel → *travelled* (US: *traveled*)

APPENDIX 3: Punctuation

Full stop (.), question mark (?) and exclamation mark (!)

A sentence ends with one of these punctuation marks.

Full stop:

It's cold today. The office was closed. Please be careful

Question mark:

Who's that? Did you see the show? Could you wait, please?

Exclamation mark:

Oh, no! I don't believe it!

In the US a full stop is called a 'period'.

Semi-colon (;)

We can use a semi-colon between two separate statements which are linked in meaning.

Melanie is a very kind person; she visits David in hospital every day.

We could also use a full stop here.

Colon (:)

We can use a colon before an explanation or before a list.

There wasn't much in the fridge: a couple of sausages, some butter, half a bottle of milk.

Vicky felt nervous: she hated the dark.

Dash (—)

A dash is rather informal. It is sometimes used instead of a colon or a semi-colon.

I'm having a great time — there's much to do here. Vicky felt nervous — she hated the dark.

Comma (,)

*We often use a comma when we link two statements with **and**, **but** or **or**.*

Daniel was tired, and his feet were hurting. It's a really good camera, but I can't afford it.

Note the two subjects in each sentence: Daniel ... his feet and It... I.

When there is only one subject, we do not use a comma.

Daniel sat down and took his shoes off.

*We can also use a comma when a sentence has a linking word like **when** or **although**.*

When the office is busy, Sarah has to work late.

Sometimes a comma can separate off an adverb or a phrase.

Sarah, unfortunately, has to work late. On busy days, Sarah has to work late.

Here the commas separate off on busy days and unfortunately.

The rules about commas are not very exact. In general, commas are more likely around longer phrases. With a short phrase there is often no comma.

On busy days Sarah has to work late. Sometimes she has to work late.

It is less usual to separate off something at the end of the sentence.

Sarah has to work late when the office is busy. She stayed late to get the work done.

*We do not usually put a comma before **to** expressing purpose.*

*We also use commas in a list of more than two. The last two are linked by **and**, often without a comma.*

I went out with Rachel, Vicky, Emma and Matthew.

Quotation marks (“)

We put direct speech in quotation marks.

Laura said, “You haven’t put those shelves up yet.” I haven’t had time” replied Trevor.

We normally use a comma to separate the direct speech from the rest of the sentence. The comma comes before the quotation mark. Quotation marks are also called “quotes” or “inverted commas”.

Double quotation marks are sometimes used.

Laura said, “You haven’t put those shelves up yet.”

We can put quotation marks around titles.

Do you watch that American comedy series called “Roseanne”?

We often use quotation marks when we mention a word or phrase.

What does “punctuation” mean? Rap music is also called “hip hop”.

Hyphen (-)

We sometimes use hyphens in these structures.

Compound noun: eating ice-cream

Compound expression before a noun: an oven-ready meal

Noun formed from a phrasal verb: ready for take-off

Noun + ing-form: interested in rock-climbing

Before the last word of a compound number: a hundred and twenty-six people

After some prefixes: anti-aircraft guns

Letter + noun: sending an e-mail

*The rules about hyphens are not very exact. For example, you may see a compound noun written as **phonecard**, **phone-card** or **phone card**. Hyphens are not very frequent in British English, and they are used even less in American English. If you are unsure, it is usually safer to write two separate words.*

Apostrophe (')

Look at these examples.

Today we're going for a drive in the country. Everyone is looking at Nick's car.

*We use an apostrophe (') in short forms, when there is a missing letter, e.g. **we're** (= we are). We also use an apostrophe with s to form the possessive of a noun, e.g. **Nick's car**.*

Capital letters

There are two capital letters (big letters) in this sentence.

The boss said **I** could leave early.

*We use a capital letter at the beginning of a sentence and for the word **I**.*

We also use a capital letter to begin the names of people, places, companies, etc.

Mark and **Sarah** **New Orleans** the **H**igh **S**treet **S**omerset **H**ouse **G**eneral **M**otors

This includes the names of books, films, magazines, etc. All the important words start with a capital letter.

The Spy Who Loved Me **Four Weddings and a Funeral**

We also use a capital letter for days of the week, months of the year, holidays and festivals, historical times, nationalities and most abbreviations.

Monday **August** **Easter** the **N**ew **Y**ear the **I**ndustrial **R**evolution some **I**talian wine

the **UN** (= the United Nations)

APPENDIX 4: Pronunciation

Key to phonetic symbols

Stress

In books about English, the symbol ‘ is used before a stressed syllable, the part of the word which is spoken with greater force.

midnight about exercise belonging

*Here the syllables **mid**, **bout**, **ex** and **long** are stressed. It is important to get the stress on the right part of the word. Stressing a word incorrectly can make it difficult to understand.*

Now look at these two sentences.

We want to **protest** against experiments on live animals.

We want to make a **protest** against experiments on live animals.

***Protest** as a verb is stressed on the second syllable. As a noun it is stressed on the first syllable. There are a number of words like this, e.g. **conflict**, **contrast**, **export**, **import**, **increase**, **insult**, **produce**, **progress**, **protest**, **record**, **suspect**, **transfer**, **transport**. Sometimes a change of stress means a change of vowel sound.*

Verbs: produce, progress, record

Nouns: produce, progress, record

We also use stress to show which are the important words in a sentence.

“Claire’s got a ‘lovely ‘flat. She ‘bought it last ‘year. It’s ‘right in the ‘centre of ‘town.

*Here the important words are **Claire**, **lovely**, **flat** and so on. We do not usually stress “grammatical words” like **a**, **she**, **the** and **of**.*

Intonation

The voice usually falls or rises on the most important word in the sentence. This word is usually at or near the end of the sentence.

Claire's got a lovely □ flat.

*Here the voice falls when saying **flat**, which is the key word.*

The symbol □ is used for a falling intonation and □ for a rising intonation.

Everything is more or less □ ready, (a statement)

Everything is more or less □ ready?, (a question)

The voice usually goes down in a statement and up in a yes/no question. In general, a fall means that what we say is complete. A rise means that what we say is incomplete, or it needs an answer.

The voice often rises in the first part of a sentence and falls at the end.

If you don't □ mind, I ought to be □ going.

There is always a fall or rise on the important part of the message. Which word is the key word depends on the meaning.

Voicing

Sounds can be voiced or voiceless. Voiced sounds are like those you make when you sing. All the vowels are voiced and some of the consonants. Voiceless sounds are like those you make when you whisper. Some of the consonants are voiceless.

The sending

*We sometimes add the ending **s** or **es** to a word. For example we can do this to form the plural or the possessive of a noun.*

some chairs the bushes Mark's car the woman's name

*We can also add **s** or **es** to a verb.*

It looks nice and sunny Tom watches the football on Saturday afternoons.

*The pronunciation of **s/es** depends on the sound which is before it. The ending is pronounced **s** after a voiceless sound, **z** after a voiced sound, and **iz** after a sibilant*

sound.

Voiceless + s

shops **ps** gets **ts** takes **ks**

Voiced + z

jobs **bz** hides **dz** bags **gz** Laura's days **eiz** knows

Sibilant + iz

buses **siz** loses **ziz** crashes

The *ed* ending

*We add **ed** or **d** to a regular verb to form the past tense or past participle.*

We all **walked** home. They've **closed** the gates.

*The pronunciation of **ed** depends on the sound coming before it. The ending is pronounced **t** after a voiceless sound, **d** after a voiced sound, and **id** after **t** or **d**.*

Voiceless + t

hoped **pt** worked **kt** increased **st**

Voiced + d

robbed **bd** begged **gd** raised **zd** played **eid** allowed cared

t or d + id

wanted **tid** landed **did**

Weak forms

*We are using a weak form when we pronounce **is** as s rather than iz, or we pronounce **from** as rather than . Normally a word like **is** or **from** is not stressed, and so we can use a weak form.*

Notes on weak forms:

- 1 (r) means that an r-sound is pronounced before a vowel. In the phrase **for a minute**, the words for a are pronounced .
- 2 **A**, **an** and **the** are normally spoken in their weak form.
- 3 **Some** does not have a weak form when it means “some but not all”.
- 4 **That** normally has a weak form when it is a linking word, e.g. I knew **that** it was true. It does not have a weak form when it means something at a distance from the speaker, e.g. Look at **that** car. (See Unit 91.)
- 5 **There** normally has a weak form in a sentence like **There’s** a bookshop in town. It does not have a weak form when it means “is that place”, e.g. The bookshop is over **there** .
- 6 A verb does not have a weak form in a short answer with **yes**.
Are you tired? ~ Yes, **I am** .

APENDIX 5: American English

The differences between British and American English are mainly matters of pronunciation and vocabulary. There are also a few spelling differences such as British centre and colour and American center and color. There are some grammatical differences. Although they are not very great, those points that are most relevant to learners of English are explained here.

Seem, look, etc

Compare these examples.

*In British English there can be a noun (e.g. **pilot**) after **appear**, **feel**, **look**, **seem** and **sound**.*

She **seemed (to be)** a good pilot

It **looks (to be)** a lovely evening.

I **felt** a fool

*Americans do not say She seemed a good pilot. They use **to be** or **like** after these verbs.*

She **seemed to be** a good pilot.

or She **seemed like** a good pilot.

It **looks to be** a lovely evening.

or It **looks like** a lovely evening.

I felt like a fool.

Present perfect and past simple

*The British use the present perfect for recent actions, and especially with **just**, **already** and **yet**.*

Bob **has washed** the dishes, look.

We've already **eaten** our lunch.

I've just **seen** Elaine.

Have you **corrected** your work yet?

*The British normally use the present perfect with **ever** and **never**, not the past simple.*

Have you ever **played** cricket?

The child **has** never **seen** snow before.

Americans can use either the present perfect or the past simple in these sentences.

Bob **has washed** the dishes, look.

or Bob **washed** the dishes, look.

We've already **eaten** our lunch.

or We already **ate** our lunch.

I've just **seen** Elaine.

or I just **saw** Elaine.

Have you **corrected** your work yet?

or **Did** you **correct** your work yet?

*Americans normally use the past simple with **ever** and **never**, but the present perfect is possible.*

Did you ever **play** baseball?

or **Have** you ever **played** baseball?

The child never **saw** snow before.

or The child **has** never **seen** snow before.

Shall

*The British use **will** for the future, but they can also use **shall** in the first person.*

I **will**/I **shall** be here tomorrow.

We **will**/We **shall** contact you.

*The British use **shall** to make an offer.*

Shall I make the coffee?

*The British can use **Shall we ... ?** for a suggestion.*

Shall we go for a walk?

*Americans do not normally use **shall** for the future.*

I **will** be here tomorrow.

We **will** contact you.

*Americans normally use **should**.*

Should I make the coffee?

*Americans do not normally use **shall** in suggestions.*

How about a walk?

Would you like to take a walk?

Got and gotten

Both **have** and **have got** are used in Britain and in the US.

He has a lot of money./He's **got** a lot of money. (= He is rich.)

*The British do not use **gotten**.*

He's **made** a lot of money from his business activities.

Your driving has **got** better.

*In the US, **have gotten** expresses an action.*

He's **gotten/made** a lot of money from his business activities.

*Americans also use **gotten** meaning "become".*

Your driving has **gotten** better.

Negatives and questions with have

In Britain there are two different structures.

I **haven't (got)** enough time.

or I **don't have** enough time.

Has Carol **got** a computer?

or **Does** Carol **have** a computer?

*Americans normally use the auxiliary **do**.*

I **don't have** enough time.

Does Carol **have** a computer?

*In the past tense, **did** is usual in both countries.*

We **didn't have** tickets.

Emphatic *do*

*The British can use **do** with an imperative for emphasis.*

Have a piece of cake.

or **Do** have a piece of cake.

***Do** with an imperative is less common in the US.*

Have a piece of cake.

Do for an action

*The British can use **do** to refer to an action already mentioned.*

I don't practise as often as I should (**do**).

You'd better take your pill. ~ / already have (**done**).

*Americans do not use **do** in this way.*

I don't practice as often as I should.

You'd better take your pill ~ **I** already have

Question tags

Both the British and the Americans can use question tags when talking about facts.

Blackpool is in Lancashire, **isn't it**?

Las Vegas is in Nevada, **isn't it**?

*But in general Americans use tags much less often than the British. They do not use tags to persuade or to argue. A sentence like You aren't listening to me, are you? is British but not American. But Americans often use **right**? and **OK**? as tags.*

I'll bring the luggage in, **shall I**?

I'll bring the baggage in, **OK**?

Can't and mustn't

*The British use **can't** to say that something is impossible.*

I rang, but there's no reply. They **can't** be at home.

*Americans can also use **mustn't** to say that something is impossible.*

I called, but there's no reply. They **can't** be home./They **mustn't** be home.

Needn't and don't need to

The British can use either form.

You **needn't** see the inspector.

or You **don't need** to see the inspector.

*Americans do not normally use **needn't**.*

You **don't need** to see the inspector.

Group nouns

In Britain a group noun can usually take either a singular or a plural verb.

The crowd **was/were** getting restless.

Sweden **plays/play** Germany tomorrow.

In the US a group noun takes a singular verb.

The crowd **was** getting restless.

Sweden **plays** Germany tomorrow.

The

*The British use **the** with a musical instrument.*

I can play **the** piano.

*The British say **in hospital**.*

My sister is still **in hospital**.

*Americans can leave out **the**.*

I can play piano/play **the** piano.

*Americans say **in the hospital**.*

My sister is still **in the hospital**.

Numbers

*The British use **and** between **hundred** and the rest of the number.*

six hundred **and** twenty

*Americans can leave out **and**.*

six hundred twenty

or six hundred **and** twenty

Dates

There are a number of different ways of writing and saying dates, but these are the most common.

BRITISH

23 June

“the twenty-third of June”

“June the twenty-third”

AMERICAN

June 23

“June twenty-third”

The British write 23.6.98, and Americans write 6.23.98.

You and one

*The British use **you** for people in general, including the speaker. In more formal English they can use **one**.*

You/One can't be too careful.

*Americans use **you** for people in general. **One** is unusual.*

You can't be too careful

Somewhere and someplace

*In informal American English, **everyplace**, **someplace**, **anyplace** and **no place** can be used as well as **everywhere**, **somewhere**, etc.*

Let's find **somewhere** to eat.

Let's find **somewhere/someplace** to eat.

Adjectives and adverbs

In informal speech we can sometimes use an adjective form instead of an adverb. Americans do this more than the British.

We had some **really** nice weather.

It **certainly** doesn't make things any easier.

We had some **really** nice/some **real** nice weather.

It **certainly/sure** doesn't make things any easier.

Prepositions

There are some differences in prepositions.

BRITISH

round/around the village

towards/toward the west

outside the town

looking **out of** the window

AMERICAN

around the village

toward the west

looking **out** the window/**out of** the window

outside the town/**outside** of the town

*In American English there is a special use of **through** as a preposition of time.*

He'll be on the road from Tuesday **to/till** Friday.

They will stay in Brighton **until** the end of April.

He'll be on the road (**from**) Tuesday **through** Friday.

They will stay in Miami **through** April.

*Note the prepositions after **different**.*

BRITISH

This cup is different **from/to** the others.

AMERICAN

This cup is different **from/than** the others.

Compare these expressions.

BRITISH

in Bond Street

at the weekend, **at** weekends

stay **at** home

a player **in** the team

ten minutes **past** four

twenty **to** seven

write **to** me

talk **to** someone

meet someone

AMERICAN

on Fifth Avenue

on the weekend, **on** weekends

stay home

a player **on** the team
ten minutes **past/after** four
twenty **to/of** seven
write **me**/write **to** me
talk **to/with** someone
meet **with** someone

The subjunctive

*We can use expressions like **I suggest that ...** and **It's important that ...** to talk about what we want to happen. Look at these examples.*

BRITISH

Tim's parents have suggested that he **gets** a job/that he **should** get a job.

It's important that everything **goes**/every thing **should** go according to plan.

*The British normally use the present simple or **should**. (They use the subjunctive only in formal English.)*

AMERICAN

Tim's parents have suggested that he **get** a job.

It's important that everything **go** according to plan.

*Americans normally use a form called the "subjunctive", e.g. **get, go**.*

Go and ...

*Americans can leave out **and** from this structure.*

I'll go **and** buy the tickets.

I'll go buy/I'll go **and** buy the tickets.

In case

***In case** can have different meanings.*

BRITISH

Take an umbrella **in case** it rains. (= because it may rain)

AMERICAN

In case you're sick, you should call the office.

(= if you're sick)

Irregular verbs

*In the past tense some verbs can have either an irregular **t** ending or the regular **ed** ending. These verbs are **burn**, **learn**, **smell**, **spell**, **spill** and **spoil**.*

*The British prefer the **t** ending, although **ed** is also possible.*

They **burnt/burned** the old sofa.

You've **spelt/spelled** this word wrong.

*Americans normally use the **ed** ending.*

They **burned** the old sofa.

You've **spelled** this word wrong.

*But we say e.g. a slice of **burnt** toast in both British and American English.*

*In Britain the verbs **dream**, **lean** and **leap** can be regular, or they can have a **t** ending.*

I **dreamt/dreamed** about you.

I **dreamed** about you.

*The verb **dive** is regular in Britain but can be irregular in the US.*

Craig **dived** into the water.

Craig **dived/dove** into the water.

1.1 Human Rights Education Associates (HREA) - www.hrea.org

British Council (The) - Ukraine (main page) <http://www.britishcouncil.org/ukraine>

Central European and Eurasian Law Initiative <http://www.abanet.org/ceeli>

Central Europe Online <http://www.einnews.com/centraleurope/>

Colleges and Universities - Ukraine <http://www.mit.edu:8001/people/cdemello/ua.html>

Open Society Justice Initiative (ex-COLPI) <http://www.justiceinitiative.org/>

Council of Europe <http://www.coe.int/portalT.Asp>

Council of Europe - Human Rights section http://www.coe.int/T/E/Human_rights

European Court of Human Rights '

<http://www.echr.coe.int> (new judgments appear on the day they are handed down +some

Commission decisions)

DFID Headquarters <http://www.dfid.gov.uk/>
Europe 40+ (Council of Europe Newsletter) (in Ukrainian/Russian)
<http://www.coe.kiev.ua/europe40+.htm>

Full text of the ECEIR
<http://conventions.coe.int/Treaty/EN/CadreListeTraites.htm>
The European Union <http://europa.eu.int>

HRLC, School of Law, University of Nottingham
<http://www.nottingham.ac.uk/law/hrlc.htm>

Human Rights in the administration of Justice <http://hrdatabase.be.kiev.ua/>

Human Rights Watch: Prison Conditions and the Treatment of Prisoners
<http://www.hrw.org/hrw/advocacy/prisons/>

Human Rights Watch: Prison Conditions in Europe and Central Asia
<http://www.hrw.org/hrw/advocacy/prisons/europe.htm>

Internet Law Library: Ukraine
<http://www.priweb.com/internetlawlib/182.htm>

Judgments of the European Court of Human Rights
<http://www.echr.coe.int/eng/Judgments.htm>

KCL: International Centre for Prison Studies
<http://www.kcl.ac.uk/depsta/rel/icps/>

Libraries in Ukraine
<http://sunsite.Berkeley.EDU/Libweb/Ukraine.Html>

The Lord Chancellor's Department - Human Rights <http://www.humanrights.gov.uk/>

Ministry for Internal Affairs (Ukraine) <http://www.mia.gov.ua/>
Organisation for Security and Cooperation in Europe (OSCE) <http://www.osce.org>

Penal Reform International
<http://www.penalreform.org/english/frsetpreen.htm>

Permanent Mission of Ukraine to the United Nations <http://www.uamission.org/>

Probation Unit (UK Home Office) <http://www.homeoffice.gov.uk/cpd/probu/probu.htm>

REENIC (University of Texas) Ukraine links
<http://reenic.utexas.edu/reenic/countries/ukraine.html>

Relief Web - Country Profile: Ukraine (Ukraine Links)
<http://wwwnotes.reliefweb.int/websites/rwdomino.nsf/VBackgroundCountry>

UABA Ukrainian American Bar Association <http://www.uaba.net>

Ukraine Amnesty International (Publications and news releases) <http://www.amnesty.org/ailib/countries/indx450.htm>

Ukrainian Bar Associations & Lawyers <http://brama.com/law/bar-lawvers.htm>

Verkhovna Rada of UKraine - search for Ukrainian legislation <http://www.gov.ua>.

2.1 General Search Engines

There are a variety of Internet search engines (see below) which can be used for searching for information on a particular topic by simply typing in a keyword or phrase. For example, if the human rights issue being researched is “refugees” type in “refugees” + “human rights”. Some general search engines are listed here. However, as a search for human rights information can produce an immense volume of less relevant material, general human rights sites (see below) may be a more efficient starting point.

Website	English Language URL	Ukrainian/Russian Language URL
Google	http://www.google.com	http://www.google.com/ru http://www.google.com/intl/uk/
Lycos	http://www.lycos.com	http://www.lycos.ru , http://www.lycos.com.ua
MavicaNet	http://www.mavicanet.com	http://www.mavicanet.ru , http://www.mavicanet.ru/directory/ukr/
Yahoo	http://www.yahoo.com	
Altavista	http://www.altavista.com	
Weblist		http://weblist.ru/index

Russia on the Net		http://www.ru
Aport		http://www.aport.ru
Yandex		http://www.yandex.ru
Bigmir		http://www.bigmir.net

2.2 Human Rights Web Sites

Some web-sites dedicated to human rights generally contain extensive collections of primary (e.g. International treaties, decisions of international and national courts and other tribunals) and secondary information (e.g. NGO and academic materials etc). These sites are often maintained by Universities or large human rights organisations. The best of these sites present information in clear categories, allowing easy use. Such sites often contain links to other related sites.

A few examples of some comprehensive and regularly updated human right web-sites are included here:

DIANA Project

<http://www.law-lib.utoronto.ca/Diana.htm>

<http://www.umn.edu/humanrts/index.html>

<http://www.vale.edu/lawweb/avalon/diana/>

The Diana project is a comprehensive database of electronic human rights materials. It is the result of collaboration between a number of law librarians, university based human rights centres, and non-governmental human rights organisations. The Diana project is divided between three different web-sites, each one is dedicated to serving a different function.

„The first is the University of Minnesota Human Rights Library, please see description of this web-site (below). The second is the Yale Law School Library which contains a collection of litigation documents used in human rights related cases in US courts. The third collection focuses on women’s rights and international human rights law, and is maintained by the Bora Laskin Law Library (at the University of Toronto). Each of the three websites have simple search engines.

Minnesota Human Rights Library <http://www.umn.edu/humanrts/>

The University of Minnesota Online Human Rights Library contains an extensive collection of human rights documentation. It contains treaties, declarations, resolutions, opinions and decisions from international tribunals and treaty bodies. Materials are divided into searchable sections. The human rights documentation and materials section contains over 10,000 documents. Another section details other human rights search engines. The online Human Rights Library provides an extensive list of links to other sites. Material is accessible in the six official languages of the UN, (Arabic, Chinese, English, French, Spanish and Russian).

Human Rights Internet <http://www.hri.ca>

Founded in 1976, the Human Rights Internet (HRI) is dedicated to empowering the human rights community by providing a means to exchange information. It is practice-oriented, containing information useful to human rights professionals, human rights education materials, and a human rights calendar detailing conferences and events etc.

The HRI also contains an immense amount of information on international human rights law. Central to this is the For the Record (FTR) project, an electronic annual report providing summaries of relevant human rights information which can be found at <http://www.hri.ca/forthe-record2002/forchoice.html>.

The first FTR project focuses on information generated in the United Nations (UN) system. This report assembles all relevant UN documentation regarding the human rights situation in each country. In addition the FTR UN project organises material into thematic categories, which summarises concerns relating to key issues and the UN action taken in response.

The FTR project was expanded in 2000, to include a two-year pilot project focusing on human rights developments within the Council of Europe. For the Record: The European Human Rights System is organized thematically and by country, in parallel to For the Record: the UN Human Rights System. The FTR Europe project is currently interrupted, however, HRI is exploring the possibility of re-releasing it in a different format with revised content.

HURIDOCs <http://www.huridocs.org/index.htm>

Based in Switzerland, Human Rights Information and Documentation Systems is a global network of organisations (including regional networks) specialising in effective ways of using information for the cause of human rights. Its web-site contains a range of human rights publications and training tools etc.

International Service for Human Rights <http://www.ishr.ch/>

Specialising in the UN system, the ISHR web-site is designed to inform human rights defenders and organisations around the world on United Nations proceedings and procedures. Its web-site provides details of activities before UN Treaty and Charter Bodies as well as information on human rights training and events.

3. International Organisations

The general human rights sites above provide an excellent starting point for online human rights research. These sites all include links to International organisations mandated to promote and protect human rights.

3.1 United Nations

As the principal universal human rights organisation the UN web-site provides a vast amount of human rights information. The UN human rights system is complex, and

can be confusing to those without any direct experience of it. The UN can draft and open for signature international human rights treaties. It can also set up (either as part of the treaty, an additional protocol, or by a decision of a UN body) bodies to monitor the implementation of those treaties and establish bodies to examine human rights in general. The UN as an organisation also contains many departments and agencies which have an impact on international human rights law, policy and practice. This section provides an overview of some of the key human rights elements of the UN which can be found online.

United Nations High Commissioner For Human Rights: <http://www.unhchr.ch>

Formerly called the Centre for Human Rights, the HCHR web-site is one of the best sources of UN human rights information on the Internet. It contains full-text versions of the major human rights instruments (while some are available in Russian, many are still only available in English, French and Spanish), various reports and resolutions from UN bodies, as well as online human rights education materials.

Useful features of this site include:

International Human Rights Instrument list:

<http://www.unhchr.ch/html/intlinst.htm>

This list separates international human rights instruments (including treaties, declarations and principles) into useful categories such as rights of the child, human rights and the administration of justice, etc.

Treaty Bodies Database: <http://www.unhchr.ch/tbs/doc.nsf> This provides information generated by the six bodies that have been established to monitor the terms of specific human right treaties.

Human Rights Committee monitoring body of the ICCPR <http://www.unhchr.ch/html/menu2/6/hrc.htm>

Committee on Economic, Social, and Cultural Rights body established to monitor ICESCR <http://www.unhchr.ch/html/menu2/6/cescr.htm>

Committee Against Torture (CAT).

<http://www.unhchr.ch/html/menu2/6/cat.htm>

Committee on the Elimination of Discrimination Against Women (CEDAW).

<http://www.unhchr.ch/html/menu2/6/cedw.htm>

<http://www.un.org/womenwatch/daw/cedaw/committ.htm>

Committee on the Rights of the Child (CRC) <http://www.unhchr.ch/html/menu2/6/crc.htm>

Committee on the Elimination of Racial Discrimination (CERD).

<http://www.unhchr.ch/html/menu2/6/cerd.htm>

Charter Bodies Database:

This database contains information produced by bodies established under the Charter of the United Nations - as opposed to those which have been set up to monitor a specific treaty. These bodies include, the Committee on the Status of Women, the Economic and Social Council (ECOSOC), the General Assembly (GA), the Permanent Forum on Indigenous Issues, the Secretariat, the Security Council, the Sub Commission on the Promotion and Protection of Human Rights, and the Commission on Human rights (which is one of the most active Charter bodies in terms of human rights material) <http://www.unhcr.ch/html/menu2/2/chr.htm>

Thematic Mandates: <http://www.unhcr.ch/html/menu2/7/b/tm.htm> Country Mandates: <http://www.unhcr.ch/html/menu2/7/a/cm.htm>

These pages link to documentation, news and the Special Rapporteur (if applicable) of the country or theme.

United Nations: <http://www.un.org>

The main UN web-page is maintained by the Department of Public Information, and as such provides useful background information to the UN (e.g. history, the UN Charter, list of member states).

There are several pages which may be of interest to the human rights researcher:

- Human Rights page: <http://www.un.org/rights/> which provides more specific UN human rights information and a useful list of list.
- Collection of Documents from the Secretary-General, General Assembly, Security Council and Economic and Social Council: <http://www.un.org/documents/>

United Nations Treaty Collection: <http://untreatv.un.org> This database provides on-line access to all UN treaties and related information such as a treaty reference guide. However, this is now a fee- based service. For subscription information see: <http://untreatv.un.org/English/howtoreg.asp>

United Nations High Commissioner for Refugees (UNHCR): <http://www.unhcr.ch/cgi-bin/texis/vtx/home>

The responsibility of UNHCR for refugees raises many human rights issues with an array of information contained in the Research and Evaluation section of the UNHCR site: <http://www.unhcr.ch/cgi-bin/texis/vtx/home?page=research>

This section divides information on refugees into useful categories: Country of Origin (COI) and Legal Information: <http://www.unhcr.ch/research/rsd.htm> This contains materials, including, reports and documents on COI and legal information, news and maps. Information is arranged by country or subject.

UNHCR Library: <http://www.unhcr.ch/research/librarv.htm> This page allows the UNHCR library catalogues to be searched, by subject, author, title, publisher, year, language, or keyword

Protecting Refugees:

<http://www.unhcr.ch/cgi-bin/texis/vtx/home?page=protect>

This page provides an introduction to the issues affecting the protection of refugees.

It also provides in-depth information on the legal protection of refugees through international law, global consultations and details of capacity building etc.

UNICEF (The United Nations Children Fund) <http://www.unicef.org> UNICEF is a specialised agency of the UN dealing with Children. The UNICEF website is an excellent resource for information concerning children's human rights. It contains several useful features:

About UNICEF: <http://www.unicef.org/about>

This sections provides an introduction to UNICEF, its history and current work.

UNICEF in Action: <http://www.unicef.org/action> This site is divided into sections containing materials relating to the UN Special Session on Children, Child Rights, and Programmes. Of particular interest to researchers will be the:

“Research and Evaluation” section <http://www.unicef.org/reseval> This provides access to statistics on women and children (including national figures, global comparisons and explanations), monitoring methods, database containing abstracts of UNICEF's latest evaluation reports and studies. This section also contains a link to:

UNICEF Research Centre: <http://www.unicef-icdc.org> This centre undertakes research on children's rights and the site provides access to publications and reports.

Information Resources: <http://www.unicef.org/infores> This site provides on-line access to some UNICEF publications and details on how to obtain information.

International Labour Organisation (ILO): <http://www.ilo.org> The establishment of the ILO, a specialised agency of the UN (since 1946), precedes the UN as it was founded in 1919 (as part of the Treaty of Versailles). The ILO has adopted an impressive number of conventions concerned with human rights in the area of protection of the worker, working hours, adequate living wages, recognition of the principle of equal remuneration for work of equal value, freedom of association etc. The main ILO page allows access to the following materials:

International Labour Standards and Human Rights page:
<http://www.ilo.org/public/English/standards/norm/index.htm>

This provides helpful background information on international labour standards and ILO conventions and the ILO's legal information services:

ILOLEX: database on International Labour Standards: <http://ilolex.ilo.ch:1567/public/English/50normes/infleg/iloeng/index.htm>

NATLEX: bibliographic database containing domestic laws relating to labour, social security and human rights: <http://natlex.ilo.org/scripts/natlexcgi.exe?lang=E>

Legislative Information: monthly bulletin of recent labour legislation:

<http://natlex.ilo.org/leginf/english/index.htm> Conventions:

<http://ilolex.ilo.ch:1567/public/English/docs/convdsp.htm> Recommendations:

<http://ilolex.ilo.ch:1567/public/English/docs/recdisp.htm>

United Nations Education, Scientific and Cultural Organisation (UNESCO): <http://www.unesco.org> UNESCO, a specialised agency of the UN, is mandated to contribute to international peace and security by promoting co-operation between States through education, science, culture and communication in order to further universal

respect for justice, for the rule of law and human rights and fundamental freedoms. The main web-page contains details about the organisation, publications, current events, programmes, documents and databases. Features which may be of particular interest are:

The Standard Setting Instruments in Human Rights: http://www.unesco.org/human_rights/hrcontent.htm This provides an introduction to UNESCO's human rights work as well as relevant conventions, recommendations, declarations and other materials.

The Legal Instruments Section: <http://www.unesco.org/general/eng/legal/index.html> contains a selection of conventions and agreements, as well as some full text documents.

Complaints Concerning Violations of Human Rights in UNESCO's fields of competence: <http://www.unesco.org/general/eng/legal/hrights>

This link provides information on the UNESCO human rights complaint procedure.

a. Regional Organisations – Europe

Most of the world's regions have specialised international organisations concerned with human rights. This section will focus solely on the European mechanisms as these will be most relevant to the Ukrainian context. As with the UN, the structure of the European regional systems can be a little daunting, as there are several overlapping organisations, principally the Council of Europe, the European Union and the Organisation for Security and Co-operation in Europe. This section highlights these three organisations as the ones as the longest established organisations and with the most developed internet presence.

The Council of Europe: <http://www.coe.int>

The CoE comprises 46 democratic countries of Europe with the aim of protecting human rights, pluralist democracy and the rule of law. The Council of Europe is distinct from the EU, however all the member States of the EU are also members of the Council of Europe. The Council of Europe's homepage contains links to other sections which may be of interest, these include:

Human Rights section: http://www.coe.int/T/E/Human_rights

This section contains extensive information on CoE activities and programmes, including treaties, declarations, reports and publications, in the following areas: the European Convention on Human Rights and Fundamental Freedoms, the European Court of Human Rights and recent judgments; torture prevention; national minorities; media; equality and men and women; combating racism; police and human rights; and awareness raising.

The Human Rights Commissioner: <http://www.commissioner.coe.int>

The Council of Europe, Human Rights Commissioner is mandated to promote awareness of human rights in Member States, to identify any shortcomings in human rights laws or practice, and to help ensure effective observance of the human rights standards as set out in various CoE instruments. This web-site contains various documents of the Commissioner: reports of official country visits, seminar outcomes, recommendations and opinions.

Directorate of Legal Affairs: <http://www.coe.int/T/E/LegalAffairs>

There are several departments within the Directorate of Legal Affairs which are useful:

The Treaty Office: <http://conventions.coe.int>

This site contains all CoE treaties, information on ratifications and signatures, registered declarations and reservations.

European Commission for Democracy through Law:

<http://www.venice.coe.int/site/interface/english.htm>

This is an independent advisory body providing guidance on constitutional issues. This site also allows access to CODICES database (<http://codices.coe.int>) which contains reports on the case-law of Constitutional Courts and Courts of equivalent jurisdiction in Europe, together with case-law of the European Court of Human Rights and the Court of Justice of the European Communities (EU).

European Court of Human Rights: <http://www.echr.coe.int> The European Court of Human Rights is the judicial body established by the Council of Europe's European Convention on Human Rights, which adjudicates upon alleged human rights violations by member States. This web-site contains:

General Information: <http://www.echr.coe.int/Eng/General.htm> Pending cases:

<http://www.echr.coe.int/Eng/Pending.htm> Judgments and decisions:

<http://www.echr.coe.int/Eng/Judgments.htm> Basic texts:

<http://www.echr.coe.int/Eng/BasicTexts.htm> Press Releases:

<http://www.echr.coe.int/Eng/PressReleases.htm>

Organisation for Security and Co-operation in Europe (OSCE) : <http://www.osce.org> (Formerly known as the Conference on Security and Cooperation in Europe (CSCE))

The OSCE is the world's largest regional security organisation, with 55 participating States from Europe, Central Asia and North America. The OSCE deals with a broad range of security-related issues such as arms control, preventive diplomacy, democratisation, election monitoring and human rights. The homepage contains access to information about current events, news, field programmes, documentation and publications. Two OSCE Departments are particularly relevant to human rights.

Office for Democratic Institutions and Human Rights (ODIHR): <http://www.osce.org/odihr/overview/>

Based in Warsaw, this is the institution of the OSCE responsible for the organisation's 'human dimension'. This page provides access to OSCE documentation on election monitoring, assistance with democratisation and monitoring the development of human rights law and practice and the compliance of members.

The Office of the High Commissioner on National Minorities:

<http://www.osce.org/hcnm/>

Based in The Hague, this independent Office was established to identify and seek early resolution of ethnic tensions that may undermine the peace, stability or friendly relations of OSCE participating States. This site provides access to the High Commissioner's recommendations made to OSCE governments regarding their treatment

of their national minorities.

The European Union: <http://europa.eu.int>

The EU is a regional organisation which has moved from a purely economic mandate to one which operates on many legal-political levels, including human rights. Unlike other European regional organisations, the EU does not have a centralised human rights division. Thus its homepage allows one to explore the policy areas of the EU such as “development”, “equal opportunities” or justice and home affairs”, which include human rights materials.

The Charter of Fundamental Rights of the European Union:

http://www.europarl.eu.int/charter/default_en.htm

While not legally binding, the European Union Charter of Fundamental Rights sets out in a single text, for the first time in the European Union's history, the whole range of civil, political, economic and social rights of European citizens and all persons resident in the EU. The rights are divided into six categories: Dignity, Freedoms, Equality, Solidarity, Citizens' rights, and Justice. The European Parliament web-page on the Charter provides access to the Charter, explanations of its text, NGO contributions and reference texts.

Enlargement and human rights:

<http://www.europa.eu.int/comm/enlargement>

This is an area where the interface between the EU and human rights issues is becoming increasingly important as human rights are one of the key indicators upon which membership is assessed. This web-page includes links to the reports on the acceding States which have significant human rights elements. In this respect the Economic and Social Committee (<http://www.esc.eu.int/pages/en/home.htm>) is also a useful source of information.

The EU's Human Rights and Démocratisation Policy:

http://europa.eu.int/comm/external_relations/human_rights/doc/reportOl.html

The Treaty on European Union 1993 integrated human rights and democratic principles into the work of the EU, and saw the development of a human rights policy. The website dedicated to this policy area contains EU materials on a range of issues such as the rights of minorities, the abolition of torture, as well as the relationship between the EU and international human rights mechanisms. This page also contains access to the EU Annual Human Rights Reports which detail human rights within the EU and international contexts.

The Common Foreign and Security Policy:

<http://www.europa.eu.int/pol/index-en.htm>

One of the stated aims of the EU Common Foreign and Security Policy is to develop and consolidate democracy, the rule of law, and respect for human rights and fundamental freedoms. Details of the implications of this can be found at this link.

3. Non-Governmental Organisations on-line

Non-Governmental Organisations have a key role in human rights protection, acting

as. watchdogs of governments and other international actors by monitoring their human rights practices and policies. Their role has been enhanced by use of the Internet as a tool on their work. As well as providing opportunities for NGOs to share information the Internet also provides opportunities for NGOs to collaborate whether in human rights training or campaigning or otherwise. The reliability of NGO information on the web is obviously dependent on the level of professionalism exhibited and the resources available to maintain and update web-pages. A few well-known international NGOs also have an extensive internet presence.

a. International NGOs

Amnesty International

<http://www.amnesty.org/> (English)

Description: Amnesty International is a non-governmental organization that works on several issues, including: the release of prisoners of conscience; abolition of the death penalty and the use of cruel, inhuman or degrading punishment; securing fair and prompt trials for political prisoners; international justice.

4. Keeping Up to Date

a. News Websites

The internet to keep up to date with human rights developments. General on-line news providers are also central to updating oneself on human rights developments. There are of course issues of media independence, and the need always be aware that news organisations are not always impartial or reliable on human rights or other issues. A selection of international and regional news organisations with extensive web-sites include:

<http://www.bbc.co.uk> <http://www.cnn.com> <http://www.reuters.com> <http://www.russiannewsnetwork.com>
<http://www2.pravda.com.ua/> (Ukrainian newspaper “Ukrainian Truth”)

APPENDIX 6: Dates of ratification of the European Convention on Human Rights and Additional Protocols

Dates of entry into force

States	Conventi on CETS No. 005	Protoc ol No. 1 CETS No. 009	Protoc ol No. 4 CETS No. 046	Protoc ol No. 6 CETS No. 114	Protoco l No. 7	Protoc ol No. 12	Protoco l No. 13
Albania	02/10/96	02/10/96	02/10/96	01/10/00	01/01/97	01/04/05	
Andorra	22/01/96			01/02/96			01/07/03
Armenia	26/04/02	26/04/02	26/04/02	01/10/03	01/07/02	01/04/05	
Austria	03/09/58	03/09/58	18/09/69	01/03/85	01/11/88		01/05/04
Azerbaijan	15/04/02	15/04/02	15/04/02	01/05/02	01/07/02		
Belgium	14/06/55	14/06/55	21/09/70	01/01/99			01/10/03
Bosnia and, Herzegovina	12/07/02	12/07/02	12/07/02	01/08/02	01/10/02	01/04/05	01/11/03
Bulgaria	07/09/92	07/09/92	04/11/00	01/10/99	01/02/01		01/07/03
Croatia	05/11/97	05/11/97	05/11/97	01/12/97	01/02/98	01/04/05	01/07/03
Cyprus	06/10/62	06/10/62	03/10/89	01/02/00	01/12/00	01/04/05	01/07/03
Czech Republic	01/01/93	01/01/93	01/01/93	01/01/93	01/01/93		01/11/04
Denmark	03/09/53	18/05/54	02/05/68	01/03/85	01/11/88		01/07/03
Estonia	16/04/96	16/04/96	16/04/96	01/05/98	01/07/96		01/06/04
Finland	10/05/90	10/05/90	10/05/90	01/06/90	01/08/90	01/04/05	
France	03/05/74	03/05/74	03/05/74	01/03/86	01/11/88		
Georgia	20/05/99	07/06/02	13/04/00	01/05/00	01/07/00	01/04/05	01/09/03

Germany	03/09/53	13/02/57	01/06/68	01/08/89			
Greece	28/11/74	28/11/74		01/10/98	01/11/88		
Hungary	05/11/92	05/11/92	05/11/92	01/12/92	01/02/93		01/11/03
Iceland	03/09/53	18/05/54	02/05/68	01/06/87	01/11/88		
Ireland	03/09/53	18/05/54	29/10/68	01/07/94	01/11/01		01/07/03
Italy ^x	26/10/55	26/10/55	27/05/82	01/01/89	01/02/92		
Latvia	27/06/97	27/06/97	27/06/97	01/06/99	01/09/97		
Liechtenstein	08/09/82	14/11/95		01/12/90	01/05/05		01/07/03
Lithuania	20/06/95	24/05/96	20/06/95	01/08/99	01/09/95		01/05/04
Luxembourg	03/09/53	18/05/54	02/05/68	01/03/85	01/07/89		
Malta	23/01/67	23/01/67	05/06/02	01/04/91	01/04/03		01/07/03
Moldova	12/09/97	12/09/97	12/09/97	01/10/97	01/12/97		
Netherlands	31/08/54	31/08/54	23/06/82	01/05/86			
Norway	03/09/53	18/05/54	02/05/68	01/11/88	01/01/89		01/12/05
Poland	19/01/93	10/10/94	10/10/94	01/11/00	01/03/03		
Portugal	09/11/78	09/11/78	09/11/78	01/11/86			01/02/04
Romania	20/06/94	20/06/94	20/06/94	01/07/94	01/09/94		01/08/03
Russia	05/05/98	05/05/98	05/05/98		01/08/98		
San Marino	22/03/89	22/03/89	22/03/89	01/04/89	01/06/89		01/08/03
Serbia and Montenegro	03/03/04	03/03/04	03/03/04	01/04/04	01/06/04		01/07/04
Slovakia	01/01/93	01/01/93	01/01/93	01/01/93	01/01/93		01/12/05

Slovenia	28/06/94	28/06/94	28/06/94	01/07/94	01/09/94		01/04/04
Spain	04/10/79	27/11/90		01/03/85			
Sweden	03/09/53	18/05/54	02/05/68	01/03/85	01/11/88		01/08/03
Switzerland	28/11/74			01/11/87	01/11/88		01/07/03
The former Yugoslav Republic of Macedonia	10/04/97	10/04/97	10/04/97	01/05/97	01/07/97		01/11/04
Turkey	18/05/54	18/05/54		01/12/03			
Ukraine	11/09/97	17/07/97	11/09/97	01/05/00	01/12/97		01/07/03
United Kingdom	03/09/53	18/05/54		01/06/99			01/02/04

Appendix 7: Substantive articles of the European Convention and Protocols to the Convention.

Convention of 1950 ‘

Article 2 Right to life

Article 3 Prohibition of torture

Article 4 Prohibition of slavery and forced labour

Article 5 Right to liberty and security

Article 6 Right to a fair trial

Article 7 No punishment without law

Article 8 Right to respect for private and family life

Article 9 Freedom of thought, conscience and religion

Article 10 Freedom of expression

Article 11 Freedom of assembly and association

Article 12 Right to marry

Article 13 Right to an effective remedy

Article 14 Prohibition of discrimination

Protocol No. 1

Article 1 Protection of property Article 2 Right to education Article 3 Right to free elections Protocol No. 4

Article 1 Prohibition of imprisonment for debt Article 2 Freedom of movement

Article 3 Prohibition of expulsion of nationals Article 4 Prohibition of collective expulsion of aliens Protocol No. 6

Article 1 Abolition of the death penalty Protocol No. 7

Article 1 Procedural safeguards relating to expulsion of aliens

Article 2 Right of appeal in criminal matters

Article 3 Compensation for wrongful conviction

Article 4 Right not to be tried or punished twice

Article 5 Equality between spouses

Appendix 8: Convention for the Protection of Human Rights and Fundamental Freedoms

Treaty open for signature by the member States of the Council of Europe

Opening for signature

Place: Rome

Date : 4/11/1950

Entry into force

Conditions: 10

Date : 3/9/1953

Ratifications.

Status as of: 29/9/2005

Member States of the Council of Europe

States	Signature	Ratification	Entry into force	Notes
Albania	13/7/1995	2/10/1996	2/10/1996	
Andorra	10/11/1994	22/1/1996	22/1/1996	
Armenia	25/1/2001	26/4/2002	26/4/2002	
Austria	13/12/1957	3/9/1958	3/9/1958	
Azerbaijan	25/1/2001	15/4/2002	15/4/2002	
Belgium	4/11/1950	14/6/1955	14/6/1955	
Bosnia and Herzegovina	24/4/2002	12/7/2002	12/7/2002	
Bulgaria	7/5/1992	7/9/1992	7/9/1992	
Croatia	6/11/1996	5/11/1997	5/11/1997	
Cyprus	16/12/1961	6/10/1962	6/10/1962	
Czech Republic	21/2/1991	18/3/1992	1/1/1993	17
Denmark	4/11/1950	13/4/1953	3/9/1953	
Estonia	14/5/1993	16/4/1996	16/4/1996	
Finland	5/5/1989	10/5/1990	10/5/1990	
France	4/11/1950	3/5/1974	3/5/1974	
Georgia	27/4/1999	20/5/1999	20/5/1999	
Germany	4/11/1950	5/12/1952	3/9/1953	30
Greece	28/11/1950	28/11/1974	28/11/1974	29
Hungary	6/11/1990	5/11/1992	5/11/1992	
Iceland	4/11/1950	29/6/1953	3/9/1953	
Ireland	4/11/1950	25/2/1953	3/9/1953	
Italy	4/11/1950	26/10/1955	26/10/1955	
Latvia	10/2/1995	27/6/1997	27/6/1997	
Liechtenstein	23/11/1978	8/9/1982	8/9/1982	
Lithuania	14/5/1993	20/6/1995	20/6/1995	
Luxembourg	4/11/1950	3/9/1953	3/9/1953	
Malta	12/12/1966	23/1/1967	23/1/1967	
Moldova	13/7/1995	12/9/1997	12/9/1997	
Monaco	5/10/2004			
Netherlands	4/11/1950	31/8/1954	31/8/1954	
Norway	4/11/1950	15/1/1952	3/9/1953	

Poland	26/11/1991	19/1/1993	19/1/1993	
Portugal	22/9/1976	9/11/1978	9/11/1978	
Romania	7/10/1993	20/6/1994	20/6/1994	
Russia	28/2/1996	5/5/1998	5/5/1998	
San Marino	16/11/1988	22/3/1989	22/3/1989	
Serbia and Montenegro	3/4/2003	3/3/2004	3/3/2004	
Slovakia	21/2/1991	18/3/1992	1/1/1993	17
Slovenia	14/5/1993	28/6/1994	28/6/1994	
Spain	24/11/1977	4/10/1979	4/10/1979	
Sweden	28/11/1950	4/2/1952	3/9/1953	
Switzerland	21/12/1972	28/11/1974	28/11/1974	
the former Yugoslav Republic of Macedonia	9/11/1995	10/4/1997	10/4/1997	
Turkey	4/11/1950	18/5/1954	18/5/1954 •	
Ukraine	9/11/1995	11/9/1997	11/9/1997	
United Kingdom	4/11/1950	8/3/1951	3/9/1953	

Total number of signatures not followed by ratifications:	1
Total number of ratifications/accessions:	45

Appendix 9: Ministries, Departments, Committees and Institutions

Агентство з питань банкрутства	Bankruptcy Agency
Агентство з питань спеціальних (вільних) економічних зон	Agency for Special (Free) Economic Zones
Антимонопольний комітет України	Antimonopoly Committee of Ukraine
Асоціація міст України	Association of Ukrainian Cities
Вища атестаційна комісія України	Higher Certification Commission of Ukraine
Головне управління державної служби України	Main Civil Service Administration of Ukraine
Головне контрольно-ревізійне управління України	Main Auditing Administration of Ukraine
Головне управління геодезії, картографії та кадастру	Main Administration for Geodesy, Cartography, and Cadastre
Головне управління Командувача Національної гвардії України	Main Administration of the Commander of the National Guard of Ukraine
Державна адміністрація ядерного регулювання України	State Nuclear Regulatory Administration of Ukraine
Державна адміністрація залізничного транспорту України	State Railway Administration of Ukraine
Державна адміністрація морського і річкового транспорту України	State Administration of Ukraine for Sea and River Transport
Державна адміністрація автомобільного транспорту України	State Motor Transport Administration of Ukraine
Державна комісія з цінних паперів та фондового ринку України	Securities and Stock Market State Commission of Ukraine
Державна авіаційна адміністрація України	State Aviation Administration of Ukraine
Державна гідрографічна служба України	State Hydrographic Service of Ukraine
Державна комісія у справах випробувань і реєстрації засобів захисту та регуляторів росту рослин і добрив	State Commission for the Testing and Registration of Fertilizers and Agents to Protect and Regulate the Growth of Plants
Державна митна служба України	State Customs Service of Ukraine
Державна податкова адміністрація України	State Tax Administration of Ukraine
Державна пробірна палата	State Assay Office
Державна служба експортного контролю України	State Export Control Service of Ukraine
Державне казначейство України	State Treasury of Ukraine
Державний департамент ветеринарної медицини	State Department of Veterinary Medicine

Державний департамент виробництва та переробки дорогоцінних металів	State Department for the Production and Refining of Precious Metals
Державний департамент тракторного і сільськогосподарського машинобудування	State Department for Tractor and Agricultural Machine-building
Державний департамент України з питань виконання покарань	State Department of Ukraine for the Enforcement of Penalties
Державний інвестиційно- кліринговий комітет	State Investments and Clearing Committee
Державний інноваційний фонд	State Innovation Fund
Державний комітет архівів України	State Committee of the Archives of Ukraine
Державний комітет будівництва, архітектури та житлової політики України	State Committee of Ukraine for Construction, Architecture, and Housing Policy
Державний комітет зв'язку та інформатизації України	State Committee of Ukraine for Communications and Informatization
Державний комітет інформаційної політики, телебачення та радіомовлення України	State Committee of Ukraine for Information Policy, Television and Radio Broadcasting
Державний комітет лісового господарства України	State Forestry Committee of Ukraine
Державний комітет молодіжної політики, спорту і туризму України	State Committee of Ukraine for Youth Policy, Sports and Tourism
Державний комітет промислової політики України	State Committee of Ukraine for Industrial Policy
Державний комітет стандартизації, метрології та сертифікації України	State Committee of Ukraine for Standardization, Metrology, and Certification
Державний комітет статистики України	State Statistics Committee of Ukraine
Державний комітет у справах охорони державного кордону України	State Committee of Ukraine for Guarding the State Border
Державний комітет України з енергозбереження	State Committee of Ukraine for Energy Conservation
Державний комітет України з питань регуляторної політики та підприємництва	State Committee of Ukraine for Regulatory Policy and Entrepreneurship
Державний комітет України по водному господарству	State Committee of Ukraine for Water Economy
Державний комітет України по земельних ресурсах	State Committee of Ukraine for Land Resources
Державний комітет України по матеріальних резервах	State Committee of Ukraine for Material Resources

Державний комітет України у справах ветеранів	State Committee of Ukraine for the Affairs of War Veterans
Державний комітет України у справах захисту прав споживачів	State Committee of Ukraine for the Protection of Consumer Rights
Державний комітет України у справах національностей та міграції	State Committee of Ukraine for Nationalities and Migration
Державний комітет України у справах релігій	State Committee of Ukraine for Religions
Комітет водного господарства України	Committee of Ukraine for Water Management
Комітет з медичної та мікробіологічної промисловості України	Committee for the Medical and Microbiological Industry of Ukraine
Комітет з питань садівництва, виноградарства та виноробної промисловості України	Committee for Horticulture, Viticulture, and the Wine Industry of Ukraine
Комітет по нагляду за охороною праці	Committee for the Oversight of Labour Protection
Комітет у справах нагляду за страховою діяльністю	Committee of Ukraine for Supervising Insurance Activities
Комітет України з монополії на виробництво та обіг спирту, алкогольних напоїв і тютюнових виробів	Committee of Ukraine for Monopolies on the Production and Turnover of Alcohol, Alcoholic Beverages, and Tobacco Products
Комітет України з питань геології та використання надр	Committee of Ukraine for Geology and Utilization of Mineral Resources
Комітет України з питань гідрометеорології	Committee of Ukraine for Hydrometeorology
Комітет харчової промисловості України	Committee for the Food Industry of Ukraine
Ліцензійна палата	Licensing Chamber
Міністерство аграрної політики України	Ministry of the Agrarian Policy of Ukraine
Міністерство внутрішніх справ України	Ministry of Internal Affairs of Ukraine
Міністерство екології та природних ресурсів України	Ministry of the Environment and Natural Resources of Ukraine
Міністерство економіки України	Ministry of Economy of Ukraine
Міністерство закордонних справ України	Ministry of Foreign Affairs of Ukraine
Міністерство культури і мистецтв України	Ministry of Culture and the Arts of Ukraine
Міністерство оборони України	Ministry of Defence of Ukraine
Міністерство освіти і науки України	Ministry of Education and Science of Ukraine

Міністерство охорони здоров'я України	Ministry of Health of Ukraine
Міністерство палива та енергетики України	Ministry of Fuel and Energy of Ukraine
Міністерство праці та соціальної політики України	Ministry of Labour and Social Policy of Ukraine
Міністерство транспорту України	Ministry of Transport of Ukraine
Міністерство України з питань надзвичайних ситуацій та у справах захисту населення від наслідків Чорнобильської катастрофи	Ministry for Emergency Situations and Protection of the Population from the Consequences of the Chomobyl Accident of Ukraine
Міністерство фінансів України	Ministry of Finance of Ukraine
Міністерство юстиції України	Ministry of Justice of Ukraine
Національна комісія з питань повернення в Україну культурних цінностей	National Commission for the Return to Ukraine of Cultural Treasures
Національна комісія регулювання електроенергетики України	National Electricity Regulatory Commission of Ukraine
Національне агентство з контролю за якістю та безпекою продуктів харчування, лікарських засобів та виробів медичного призначення	National Agency for Quality Control and Safety of Food, Medicines, and Medical Products
Національне агентство України з питань розвитку та європейської інтеграції	National Agency for Development and European Integration (NADEI)
Національне агентство України з управління державними корпоративними правами	National Agency of Ukraine for the Management of State Corporate Rights
Національне бюро розслідувань України	National Bureau of Investigation of Ukraine
Національне космічне агентство України	National Space Agency of Ukraine
Пенсійний фонд України	Pension Fund of Ukraine
Служба безпеки України	Security Service of Ukraine
Спілка композиторів України	Ukraine Composers' Union
Спілка письменників України	Writers Union of Ukraine
Спілка театральних діячів України	Union of Theatre Artists of Ukraine
Українська асоціація якості	Ukrainian Association for Quality
Український союз промисловців і підприємців	Ukrainian League of Industrialists and Entrepreneurs
Управління державної охорони України	State Guard Department of Ukraine
Фонд державного майна України	State Property Fund of Ukraine

Appendix 10: Glossary of terms related to land and land legislation

земельно-кадастрова документація	land cadastre documentation
визначення територій та використання земель для містобудівних потреб	Identification of territories and use of lands for city construction needs
вилучення із сільськогосподарського обігу земель, що зазнали радіоактивного забруднення	withdrawal of lands exposed to radioactive contamination from agricultural circulation
використання земель	use of lands
використання земель водного фонду	use of lands of water fund
використання земель лісового фонду	use of lands of forest fund
використання земельної ділянки способами, що призводять до зниження родючості ґрунтів	use of a land parcel in the ways resulting in decreasing of soil fertility
використання земельної ділянки способами, що призводять до погіршення екологічної обстановки	use of a land parcel in the ways leading to impairment of environmental situation
використання коштів, що надходять у порядку відшкодування втрат сільськогосподарського і лісогосподарського виробництва	use of funds obtained as recovery of losses of agricultural and forestry production
вилучення(викуп)земель	withdrawal (redemption) of lands
виникнення права власності на земельну ділянку	origin of the right of ownership of a land parcel
виникнення права на користування земельною ділянкою	origin of the right to use a land parcel
вирішення земельних спорів	settlement of land disputes
відмежування в натурі (на місцевості) вилучених (викуплених) і відведених земельних ділянок	delimitation in kind (on site) of withdrawn (redeemed) and allotted land parcels
віднесення земель до категорій	assignment of lands to categories
відповідальність за порушення земельного законодавства	liability for breaches of land legislation
Відтворення родючості ґрунтів	soil fertility restoration
Відчуження земельних ділянок	alienation of land parcels
відшкодування втрат сільськогосподарського і лісогосподарського виробництва	recovery of losses of agricultural and forestry production
відшкодування збитків власникам землі та землекористувачам	damage recovery to land owners and land users
відшкодування збитків, заподіяних порушенням земельного законодавства	recovery of damages caused by a breach of land legislation
власність на землю	ownership of land
гарантії прав власників земельних ділянок і землекористувачів	guarantees of rights of land owners and land users

грунтозахисні насадження	soil protection plantations
дачна ділянка	summer cottage land parcel
державний акт на право приватної власності на землю	state deed certifying the right of private ownership of land
державний акт на право колективної власності на землю	state deed certifying the right of ownership of land
державний акт на право постійного користування землею	state deed certifying the right of permanent use of land
державний земельний кадастр	state land cadastre
державний комітет України по земельних ресурсах	State Committee of Ukraine for Land Resources
Добровільна відмова від земельної ділянки	voluntary refusal from a land parcel
договір оренди землі	contract of land lease
документи, що посвідчують право на земельну ділянку	title deeds certifying the right to a land parcel
Дотримання правил добросусідства	observance of rules of good -neighbour relations
дотримання режиму територій, що особливо охороняються	observance of the regime of especially protected areas
екологічні та санітарно-технічні вимоги щодо розміщення нових і реконструйованих об'єктів, будівель і споруд, впровадження нових технологій	ecological and sanitary-technical requirements concerning the siting of new and reconstructed units, buildings and structures, introduction of new technologies
ерозія ґрунтів	soil erosion
заболочення земель	lands bogging up
забруднення земель хімічними та радіоактивними речовинами, виробничими відходами і стічними водами	land pollution with chemical and radioactive substances, industrial waste and sewage
завдання державного контролю за використанням і охороною земель	tasks of state control of land use and protection
завдання і зміст економічного стимулювання раціонального використання та охорони земель	objectives and essence of economic stimulation of land sustainable use and protection
закінчення строку, на який було надано земельну ділянку	expiry of the term for which a land parcel was granted
засоленість ґрунтів	soils salinity
запобігання негативному впливу на сільськогосподарські, лісові та інші угіддя, розташовані за межами земельних ділянок, переданих у власність або наданих у користування	prevention of adverse effect on agricultural lands, forests and other lands situated beyond the boundaries of land parcels conveyed for ownership or granted for use
застава земельних ділянок	Mortgage of land parcels

захист ґрунтів від ерозії	soils protection from erosion
захист прав власників земельних ділянок і землекористувачів	protection of landowners' and land users' rights
збереження права на земельну ділянку	retention of the title to a land parcel
здійснення державного контролю за використанням і охороною земель	exercising state control over the use and protection of lands
здійснення державного контролю за додержанням земельного законодавства	exercising state control over land legislation observance
земельна реформа	land reform
земельне законодавство	land legislation
земельне право	land law
земельний Кодекс України	Land Code of Ukraine
земельний податок	land tax
земельні ділянки гаражно-будівельних кооперативів	garage construction co-operatives land parcels
земельні ділянки дачно-будівельних кооперативів	summer cottage building cooperatives land parcels
земельні ділянки для городництва	land parcels for vegetable gardening
земельні ділянки для індивідуального гаражного будівництва	land parcels for individual garage construction
земельні ділянки для індивідуального дачного будівництва	land parcels for individual summer cottage construction
земельні ділянки для індивідуального житлового будівництва	land parcels for individual housing construction
земельні ділянки для особистого підсобного господарства	land parcels for individual subsidiary farming
земельні ділянки для садівництва	land parcels for gardening
земельні ділянки, на яких знаходяться автозаправні станції, що реалізують паливно-мастильні матеріали	land parcels on which filling stations selling fuel and lubricants are situated
земельні ділянки для сінокосіння і випасання худоби	land parcels for haymaking and cattle grazing
земельні ділянки для традиційних народних промислів	land parcels for traditional folk handicrafts
земельні ділянки житлових кооперативів	housing cooperative land parcels
земельні ділянки житлово-будівельних кооперативів	housing construction cooperative land parcels
земельні ділянки, зайняті територіями будинків відпочинку	land parcels occupied by territories of rest homes
Пансіонатів	boarding houses
Кемпінгів	campings

туристських баз	tourist centres
стаціонарних туристсько- оздоровчих таборів	stationary tourist health camps
наметових туристсько-оздоровчих таборів	tourist health tent camps
будинків рибалок і мисливців	anglers' and hunters' homes
дитячих туристських станцій	children's tourist centres
Парків	parks
зелених зон навколо міст та інших населених пунктів	green zones around cities and other settlements
навчально-туристських стежок	tourist study paths
маркірованих трас	marked routes
дитячих і спортивних таборів	children's and sport camps'
земельні правовідносини	land law relations
земельні спори, які виникають з права власності на жилий будинок і будівлі	land disputes arising from the right of ownership of a house and outbuildings
Землеустрій	land use planning
землі автомобільного і дорожнього транспорту	lands of motor and road transport
землі археологічних пам'яток	lands of archaeological monuments
землі архітектурних пам'яток	lands of architectural monuments
землі архітектурно-ландшафтних комплексів	lands of architectural and landscape complexes
землі ботанічних садів	lands of botanical gardens
землі внутрішнього водного транспорту	lands of internal water transport
землі водного фонду	lands of water fund
землі водогосподарського і лісогосподарського використання	lands of water economy and forestry use
землі господарств по вирощуванню ефірно-олійних рослин	lands for volatile oil plants growing
землі господарств по вирощуванню лікарських рослин	lands of farms growing medicinal herbs
землі господарств по вирощуванню фруктів і винограду	lands of farms growing fruit and grapes
землі господарств по вирощуванню хмелю	land of farms growing hops
землі громадських об'єднань	lands of public associations
землі дендрологічних парків	lands of dendrological parks
землі державних сільськогосподарських підприємств, установ, організацій	lands of state agricultural enterprises, institutions and organisations
землі державних сортовипробувальних станцій	lands of state brand testing stations

землі для будівництва і експлуатації: а)повітряних ліній зв'язку та проводового мовлення; б)морських кабельних ліній зв'язку	lands for the construction and operation of communication airways and cable telecasting marine communication cable lines
землі для потреб оборони	lands for defence purposes
землі для селянських (фермерських) господарств	lands for peasant (farmers') homesteads
землі елітно-насінницьких господарств	lands of elite seed farms
землі єдиної енергетичної системи	lands of unified power grid
землі єдиної космічної системи	lands of unified space system
землі житлової та громадської забудови	lands of housing and public construction
землі загального використання	lands for common use
землі загального користування населених пунктів:	lands of populated areas for common use:
Майдани	squares
Вулиці	streets
Проїзди	passages
Шляхи	roads
Пасовища	pastures
Сінокоси	-hayfields
Набережні	embankments
Парки	parks
міські ліси	municipal forests
Сквери	public gardens
Бульвари	boulevards
Кладовища	cemeteries
місця знешкодження та утилізації відходів	places of waste disposal and utilisation
землі заказників	nature reserve lands
землі залізничного транспорту	railway transport lands
землі запасу	reserve lands
землі заповідників	lands of sanctuaries
землі заповідних урочищ	lands of specially protected forest areas
землі зв'язку	communication lands
землі зоологічних парків	lands of zoological parks
землі іноземних держав	lands of foreign states
землі іноземних юридичних осіб	lands of foreign legal entities
землі історико-культурних заповідників	lands of historical and cultural conservation areas
землі історико-культурного призначення	lands of cultural and historical designation
землі колективних	lands of collective agricultural enterprises

сільськогосподарських підприємств	
землі конезаводів	lands of horse-breeding farms
землі лісового фонду	lands of forest fund
землі міжнародних об'єднань і	lands of international associations
землі міжнародних організацій	lands of international organisations
землі міст	lands of towns and cities
землі морського транспорту	marine transport lands
землі навчальних господарств навчальних закладів	lands of training farms of educational establishments
землі населених пунктів	lands of populated areas (settlements)
землі насінницьких господарств	lands of seed growing farms
землі національних парків	lands of national parks
землі об'єктів комунального господарства	lands of public utilities
землі пам'яток природи	lands of monuments of nature
землі парків-пам'яток садово- паркового мистецтва	lands of parks - monuments of landscape architecture
землі під кабелі зв'язку при переходах через судноплавні та сплавні річки, озера, водосховища і канали	lands for communication cables in cros- sing navigable and floatable rivers, lakes, water reservoirs and channels /canals/
землі під надземні й підземні підси- лювальні (регенераційні) пункти	lands for overhead and underground amplifying (regenerative) stations
землі під споруди радіорелейних, тро- посферних, супутникових ліній зв'язку	lands for construction of radio relays, troposphere, satellite communication lines
землі підприємств поштового зв'язку	lands for postal communication enterprises
землі підприємств, установ і організацій	lands of enterprises, institutions and organisations
землі підприємств, що повністю належать іноземним інвесторам	lands of enterprises fully belonging to foreign investors
землі племінних заводів	lands of pedigree farms
землі племінних радгоспів	lands of pedigree state farms
землі повітряного транспорту	air transport lands
землі поховань	lands of burial places
землі природоохоронних, рекреацій- них, історико-культурних об'єктів	lands of nature protection, recreation, historical and cultural sites
землі природоохоронного призначення	nature conservation lands
землі промисловості	industry lands
землі транспорту	lands of transport
землі зв'язку	lands of communication
землі оборони	lands of defence
землі радгоспів	state farm lands
землі рекреаційного призначення	lands for recreation purposes

землі релігійних організацій	lands of religious organisations
землі селищ міського типу	lands of urban settlements
землі сільських населених пунктів	lands of rural settlements
землі сільськогосподарських акціонерних товариств	lands of agricultural joint stock companies
землі сільськогосподарських кооперативів	lands of farming co-operatives
землі сільськогосподарських навчальних закладів та їх дослідних господарств	lands of agricultural educational establishments and their pilot farms
землі сільськогосподарських науково-дослідних установ	lands of agricultural research institutions
землі спільних підприємств	lands of joint ventures
землі меморіальних парків	lands of memorial parks
землі транспорту	transport lands
землі трубопровідного транспорту	pipeline transport lands
землі фізичних осіб без громадянства	lands of stateless natural persons
землі, виділені по берегах водойм під смуги відведення	lands on water bodies banks apportioned for allotment zones
землі, зайняті болотами	lands occupied by marshes
землі, зайняті водогосподарськими спорудами	lands of water supply structures
землі, зайняті водоймами	lands occupied by water bodies
землі, зайняті озерами	lands occupied by lakes
землі, зайняті ріками	lands occupied by rivers
зміна цільового призначення земель	change of lands designation
зміст державного земельного кадастру	contents of state land cadastre
знищення або пошкодження гідро-технічних або протиерозійних споруд	destruction of or damage to hydrotechnical or antierosive structures
знищення або пошкодження захисних насаджень	destruction of or damage to protective plantations
знищення межових знаків	demolishing landmarks
зупинення або відстрочення виконання рішень щодо земельних спорів	suspension or deferment of executing decisions concerning land disputes
книга записів (реєстрації) державних актів на право колективної власності на землю	register of state acts certifying the right of collective ownership of land
книга записів (реєстрації) державних актів на право приватної власності на землю	register of state acts certifying the right of private ownership of land
книга записів (реєстрації) державних актів на право постійного користування	register of state acts certifying the right to permanent use of land (by citizens)

землею (громадянами)	
книга записів (реєстрації) державних актів на право тимчасового користування землею (в тому числі на умовах оренди)	register of state acts certifying the right to temporary use of land (including the right on the terms of lease)
регулювання земельних відносин	land relations regulation
компетенція України у галузі регулювання земельних відносин	competence of Ukraine in the sphere of land relations regulation
контроль за використанням земель	control of land use
контроль за охороною земель	control of land protection
користування землею	land use
майнові спори, пов'язані з земельними відносинами	property disputes pertaining to land relations
методика грошової оцінки земель сільськогосподарського призначення та населених пунктів	pecuniary evaluation technique for agricultural lands and lands of populated areas
містобудівний кадастр населених пунктів	city construction cadastre of populated areas
Моніторинг земель	land monitoring
надання земель для несільськогосподарських потреб	land allotment for non-farming purposes
надання земель сільськогосподарського призначення	allotment of farm /agricultural /lands
надання земельних ділянок у власність, користування	allotment of land parcels for ownership, use
невиконання умов знімання, зберігання і нанесення родючого шару ґрунту	failure to comply with the terms of taking off, preserving and distributing fertile layer of soil
невикористання протягом двох років земельної ділянки, наданої для несільськогосподарських потреб	failure to use a land parcel granted for other than farming purposes within a year
невикористання протягом одного року земельної ділянки, наданої для сільськогосподарського виробництва	failure to use a land parcel granted for farming purposes, within a year
недопустимість вилучення земель, зайнятих природними та історико-культурними об'єктами	inadmissibility of withdrawal of lands occupied by natural, historical and cultural sites
недопустимість вилучення особливо цінних продуктивних земель	inadmissibility of withdrawal of especially valuable productive lands
неправильна експлуатація проти-ерозійних і гідротехнічних споруд	faulty operation of anti-erosive and hydrotechnical structures
нераціональне використання земельної ділянки	non-sustainable use of a land parcel
нормативи гранично допустимих	standards of maximum admissible

концентрацій хімічних, радіоактивних та інших шкідливих речовин у ґрунті і порядок їх визначення	concentrations of chemical, radioactive and other harmful substances in soil and procedure for their determination
обов'язки власників земельних ділянок і землекористувачів	duties of land owners and land users
обов'язки підприємств, установ і організацій, що проводять розвідувальні роботи	duties of enterprises, institutions and organisations that conduct prospecting
органи, що здійснюють державне управління у галузі використання і охорони земель	state bodies exercising state administration in the sphere of use and protection of lands
органи, які здійснюють державний контроль за використанням і охороною земель	bodies exercising state control of land use and protection
органи, які розглядають земельні спори	bodies dealing with land disputes
організація раціонального використання земель	organisation of sustainable use of lands
оренда землі	land lease
оскарження рішень Рад щодо земельних спорів	appeals against Radas' decisions on land disputes
особливий порядок вилучення земель для державних і громадських потреб	special procedure for land withdrawal for state and public needs
охорона земель	land protection
паювання земель	lands sharing out
переважне надання земельних ділянок для потреб сільського господарства	pre-emptive granting of lands for farming purposes
переведення земель з однієї категорії до іншої	transference of lands from one category to another one
передача земельних ділянок у власність громадянам за плату	chargeable allotment of land parcels for citizens' ownership
передача земельних ділянок у власність громадянам безплатно	allotment of land parcels for citizens' ownership free of charge
передача земельних ділянок у власність	transference of land parcels for ownership
перекручення даних державного земельного кадастру	distortion of the data of the state land cadastre
перехід права на земельну ділянку при переході права власності на майно селянського (фермерського) господарства	conveyance of the title to a land parcel in the event of transference of the right of ownership of a peasant (farmers') homestead property
перехід права на земельну ділянку при переході права на будівлю і споруду	conveyance of the title to the land parcel in the event of transference of the right to own the building and structure
пільги щодо плати за землю	privileges /exemptions/ with regard to payment for land

план зовнішніх меж земель, переданих у колективну власність	plan of external boundaries of lands conveyed for collective ownership
план зовнішніх меж земельної ділянки	plan of external boundaries of a land parcel
план зовнішніх меж землекористування	plan of external boundaries of land use
плата за використання землі	payment for the use of land
плата за придбання землі	Payment for land acquisition
повернення самовільно зайнятих земельних ділянок	return of land parcels occupied without authorisation
Погодження проектів землеустрою	approval of projects of land use organization
поновлення порушених прав власників земельних ділянок і землекористувачів	restoration of violated rights of land owners and land users
порушення строків вирішення питань про передачу та надання земельних ділянок	breach of terms of making decisions on conveyance and granting of land parcels
порушення строків повернення тимчасово займаних земель	breach of the terms for returning temporarily occupied lands
порушення строків розгляду заяв громадян про передачу та набуття земельних ділянок	breach of terms for considering citizens' applications with regard to conveyance and acquisition of land parcels
порядок ведення державного земельного кадастру	procedure for keeping state land cadastre
порядок визначення та відшкодування збитків власникам землі і землекористувачам	procedure for the determination and recovery of damage to land owners and land users
порядок використання земельних ділянок для розвідувальних робіт	procedure for the use of land parcels for prospecting
порядок встановлення та закріплення меж прибудинкових територій існуючого житлового фонду	procedure for determination and establishment of building sites of the available housing fund
порядок надання у спільне користування або спільну сумісну власність земельних ділянок для спорудження житлових будинків	procedure for granting of land parcels for housing construction for common use or common co- ownership
порядок економічного стимулювання раціонального використання та охорони земель	procedure for economic stimulation of sustainable use of lands and their protection
порядок здійснення державного контролю за використанням і охороною земель	procedure for exercising state control of land use and protection
порядок надання земель для ведення селянського (фермерського)	procedure for granting lands for peasant (farmers') homesteads

господарства	
порядок оформлення тимчасового користування землею	registration procedure for temporary land use
порядок паювання земель, переданих у колективну власність сільськогосподарським підприємствам і організаціям	procedure for sharing out lands transferred for collective ownership to agricultural enterprises and organisations
порядок погодження питань, пов'язаних з вилученням (викупом) земель	procedure for reaching agreement on matters pertaining to land withdrawal (redemption)
порядок припинення права власності на землю	procedure for the termination of the right of ownership of land
порядок припинення права користування земельною ділянкою	procedure for the termination of the right to use a land parcel
порядок розгляду спорів з приводу суміжного землекористування	procedure for settling disputes with regard to the use of adjacent land parcels
порядок розпорядження і використання земельних ділянок громадянами, яким житловий будинок, господарські будівлі та споруди належать на праві спільної (часткової або сумісної) власності	procedure for disposition and use of land parcels by citizens owning a house, outbuildings and other structures by right of (shared or joint) co-ownership
порушення правил використання земель	breach of land use regulations
постійне користування землею	permanent use of land
права власників земельних ділянок і землекористувачів	rights of land parcel owners and land users
права і обов'язки сторін при розгляді земельних спорів	rights and duties of parties in hearing land disputes
право громадян, які ведуть селянське (фермерське) господарство, на надання земельної ділянки у тимчасове користування іншим особам	right of citizens keeping peasant (farmers') homesteads to grant land parcels to other persons for temporary use
право громадян, які ведуть селянське (фермерське) господарство, на компенсацію	right of citizens keeping peasant (farmers') homesteads to compensation
право державної власності на землю	right of state ownership of land
право колективної власності на землю	right of collective ownership of land
право на забудову земельних ділянок, наданих для містобудівних потреб	right to build on land parcels allotted for city construction needs
право приватної власності громадян на землю	right of private ownership of land
приватизація земель	land privatisation
приватизація земельних ділянок під	privatisation of land parcels occupied by

об'єктами незавершеного будівництва	uncompleted construction sites
придбання земельних ділянок у власність	acquisition of land parcels for ownership
землі запасу	reserve lands
Землеустрій	land use planning
спори з приводу суміжного землекористування	disputes with regard to adjacent land use
припинення права колективної та приватної власності на землю	termination of the right of collective and private ownership of land
Припинення права користування землею	termination of the right to use land
приховування або перекручення відомостей про стан екологічної, у тому числі радіаційної обстановки, пов'язаної з забрудненням землі	concealment or distortion of information on environmental situation including the radiation situation pertaining to land pollution
приховування або перекручення даних земельного кадастру	concealment or distortion of land cadastre information
приховування інформації про наявність земель запасу	concealment of information with regard to the availability of reserve lands
псування і забруднення сільськогосподарських та інших земель	deterioration and contamination of agricultural and other lands
Раціональне використання земель	sustainable use of lands
регулювання земельних відносин у містобудуванні	regulation of land relations in city construction
реєстрація договорів оренди землі	registration of contracts of land lease
реєстрація права власності на землю	registration of the right to land ownership
реєстрація права користування землею	registration of the right to land use
резервний фонд земель	reserve land fund
Рілля	tillage
розмір середньої земельної частки (паю)	size of an average land share
розміри земельних ділянок селянських (фермерських) господарств	sizes of land parcels of peasant (farmers') homesteads
розміри і порядок визначення втрат сільськогосподарського і лісгосподарського виробництва, що підлягають відшкодуванню	amount of losses of agricultural and forestry production subject to recovery and procedure for their determination
розміщення об'єктів внутрігосподарського будівництва сільськогосподарських підприємств, установ і організацій	placement of units of internal construction of agricultural enterprises, institutions and organisations
самовільне відхилення від проектів внутрігосподарського землеустрою	unauthorised deviation from projects of internal land use planning
самовільне зайняття земельних ділянок	unauthorised occupation of land

	parcels
сертифікат на право на земельну частку (пай)	certifying the right to a land share
систематичне невнесення земельного податку у строки, встановлені законодавством України	regular arrears on land tax payments within the terms established by the legislation of Ukraine
систематичне невнесення орендної плати у строки, визначені договором оренди	regular arrears on land rent within the terms established by the contract of lease
складання проектів відведення земельних ділянок у власність або користування	drawing up drafts of land parcels allotment for ownership or use
складання проектів створення нових і впорядкування існуючих землеволодінь і землекористувань із урахуванням контурної організації території	drawing up drafts of creation of new land holdings and land uses and arrangement of the available ones with an account of the territory contour organisation
складання схем землеустрою	drawing up schemes of land use planning
спори про розмежування земель населених пунктів	controversies over delimitation of lands of populated areas
стягування плати за землю	levying payments for land
суцільна агрохімічна паспортизація земель сільськогосподарського призначення	comprehensive agrochemical certification of farm lands
тимчасове користування землею	temporary use of land
угоди щодо землі, які визнаються недійсними	land transactions deemed invalid/null and void/
умови відшкодування збитків	terms of damage recovery
умови надання земель для ведення селянського (фермерського) господарства	terms of land allotment for keeping peasant (farmers') homesteads
успадкування земельних ділянок	inheritance of land parcels
здійснення заходів щодо використання і охорони земель	implementing measures designed to use and protect lands
форми власності на землю	forms of ownership of land
якість земель	quality of lands

APENDIX 11: Curriculum Vitae

Taras V. Skarupa

01030, Ukraine,
25, Taras Shevchenko Boulevard, fl. 25,
tel.: (044) 293-6308 (office)
235-9231 (home)

Date of birth: 26 April, 1982

Sex: Male

Nationality: Ukrainian

Education:

M. A. (with honours) Jurisprudence (June, 2005), Faculty of Law, National University of Life And Enviromental Sciences of Ukraine.

B. A. (with honours) Jurisprudence, Law Faculty of Kyiv National University of Life And Enviromental Sciences of Ukraine.

Employment and Relevant Experience:

1. January, 2003 - currently - assistant to an advocate(part-time) Inyurpolis Law Firm
2. May 2002 - currently - Editor-in-Chief of the Ukrainian Law Students Association Newsletter and Law Review (organisation of publication of the Newsletter and Law Review for students, including planning and fund raising);
3. February2001- Vice- President of the Law Students Association, National University of Life And Enviromental Sciences of Ukraine (planning, organisation of activities: seminars, workshops, including planning and fund raising);

Skills:

- Computer - Microsoft Word 7.0, Lotus AmiPro 3.1, WordPerfect 6.0, QuarkXpress 3.31, AppleWorks; internet; e-mail.
- Engaged in educational activities, participated in students' conferences (human rights issues and a workshop onNGO's publications);
- Conducted seminars for University students on the application of the European Convention of Human Rights by courts of Ukraine.

Foreign languages:

- Ukrainian native speaker;
- Russian excellent (native equivalent);
- English fluent; good knowledge of legal terminology;
- French strong reading and comprehension skills, fair conversation skills;
- German basic comprehension and knowledge of legal terminology.

Interests: Sports (track&field, volleyball, soccer, chess); travelling;

reading (science fiction; documentary stories), music.

References available upon request from:

RESUME SAMPLE

Malcolm Gammie
Barrister
Date of call 1977
QC 1997

Education

BALLIOL COLLEGE, OXFORD

Kings College, London
LLM (First Class Hons)

Malcolm Gammie started his career in the City. He was among the first lawyers to work in the tax field with a leading accounting firm. He was the first Director of National Tax Services. Over his career, Malcolm has gained experience in most aspects of taxation and is noted as a leading practitioner in the commercial and international taxation fields.

Scope of Practice

Malcolm advises on all aspects of commercial, European and international taxation, for both incorporated and unincorporated entities, their shareholders and employees. He covers all the main direct taxes, value added tax, and national insurance.

Experience

Malcolm's clients have included many leading UK and foreign multinational companies, banks, insurance companies and other financial institutions.

As a partner in a leading City firm, he has been responsible for the taxation aspects of structuring, financing and implementing major international acquisitions and disposals, mergers and other reorganisations. He also handled negotiations in disputes with the Inland Revenue and Customs & Excise.

Write your own summary using the models above.

Choose the range of work carried out from the list provided below:

Accounting/auditing Administrative Law

Banking, including bills of exchange, capital market, mortgages and pledges, loan agreements, letters of credit.

Building, construction disputes Crime, white collar fraud.

Defamation

Employment and Industrial Relations Law, including breach of confidence, health and safety at work, pension schemes, unfair and wrongful dismissal

Environmental Law

European Union Law

Insolvency

Intellectual Property, including copyright, patents, trade marks Professional
Negligence

Sale and Supply of Goods (domestic and international), including consumer
protection, leasing

Securities, including bonds and shares

Shareholder disputes

Curriculum Vitae of Terry Davis, Secretary General of the Council of Europe

Born in 1938 Married with two children and two grandchildren **Education**

Studied European history, French language and literature and German language and literature to Advanced Level Graduated in law at the University College London Postgraduate Degree in Business Administration (cum summa laude) at the University of Michigan (USA)

Management experience

Leyland Cars: Senior Manager (1974-79) Promoted to General Manager of Jaguar Rover Triumph Parts Division with responsibility for more than 2 000 people
Chrysler Parts UK: Manager (1968-71)
Clarks Shoes: Manager (1965-68)
Esso Oil Company: Internal Auditor (1962-65)

Parliamentary experience

Member of Parliament for 28 years
Official Spokesperson for the Labour Party in Parliament: - Finance and Economic Affairs (3 years) - Trade and Industry (1 year) - Health (3 years)
Her Majesty's Privy Council - appointed for services to the Council of Europe on the recommendation of the Prime Minister Committees:

- Public Accounts Committee (7 years) - examining the efficiency and effectiveness of Government Departments - Public Records Advisory Committee (6 years) - advising on which Government files should be made public - Special Committee of Privy Councillors - which reviewed the Anti- Terrorism, Crime and Security Act including the UK's derogation from the European Convention on Human Rights

Other political experience

Councillor in local government (2 years)
Member of Trade Union for managers, scientists and technicians (29 years)
Chairman of the Independent Commission of Inquiry into the treatment of elderly people in Birmingham (2001-02)
Visiting lecturer at Civil Service College (7 years)

International experience

Parliamentary Assembly of Council of Europe - Member of UK delegation to the Assembly (12 years) - Leader of delegation (5 years) Chairperson of Socialist Group (2 years) - Vice-President of Assembly (5 years) - Member of Bureau (7 years)

Assembly Committees: - Economic Affairs and Development Committee: 1992-99 - Chairperson of Committee (for 3 years) - Political Affairs Committee: 1996-2004 - Chairperson of Committee (for 2 years) - Monitoring Committee: 1997-2004 - Legal Affairs and Human Rights Committee: 2001-04

Rapporteur for the following reports: - European Bank for Reconstruction and Development - North-South Centre - Organisation for Economic Co-operation and

Development - Georgia's admission to the Council of Europe - Monitoring report on Latvia

Other activities: - International Institute for Democracy (5 years) - Attended two Parliamentary Conferences for the Stability Pact for South- Eastern Europe - Observed elections in Albania, Georgia, Latvia and Ukraine Western European Union: - Member of UK delegation to WEU Assembly (12 years) - Leader of UK delegation (5 years) - Vice-President of the Assembly (5 years) - Chairperson of the Socialist Group (4 years) - Rapporteur for several reports on defence and security issues

Organisation for Security and Co-operation in Europe - Member of the UK delegation to the OSCE Assembly (7 years) - Parliamentary Assembly - Leader of UK delegation (2 years)

Inter-Parliamentary Union - Member of Executive Committee of UK Branch - Attended IPU Conference in Moscow

United Nations General Assembly - Attended three UN General Assemblies as a member of UK delegation and participated twice in debates on co-operation between the United Nations and Council of Europe. Non-Governmental Organisations - Member of Amnesty International - United Nations Association - Globe UK - Links Europe.

Curriculum Vitae

Maud de Boer-Buquicchio Deputy Secretary General

Born 28/12/1944 in Hoensbroek (the Netherlands) Married to Gianni Buquicchio, two sons

PROFESSIONAL CAREER

2002 Elected Deputy Secretary General of the Council of Europe by the Organisation's Parliamentary Assembly

1998-2002 Deputy Registrar of the European Court of Human Rights 1992 Secretary to the First Chamber of the European Commission of Human Rights - Deputy to the Secretary of the European Commission of Human Rights

1990 Head of Division in the Secretariat of the European Commission of Human Rights

1977 Principal legal officer in the Secretariat of the European Commission of Human Rights - Case-law and Research Division

1972-1977 Member of the Private Office of the Secretary General of the Council of Europe

1969-1971 Member of the legal Secretariat of the European Commission of Human Rights - Applications Division

EDUCATION

Elementary and secondary education (gymnasium) in Deventer 1963-1965 French language and literature studies at Leiden University 1965-1969 Law studies at Leiden University (private, public and criminal law, law of international organisations, social law)

1969 Law degree: thesis subject on equality of treatment between men and women (Article 119 of the Treaty of Rome)

LANGUAGES

fluent: Dutch, English, French, Italian, German good knowledge: Spanish, Portuguese

PRINCIPAL PUBLICATIONS

- Klarstellung zum Status des Europäischen Gerichtshofs für Menschenrechte und seiner Beziehungen zum Europarat, Grundrechte (2003)
- I componenti bonari nel quadro della Convenzione europea dei diritti dell'uomo (2000), in "Commentario alla Convenzione europea per la protezione dei diritti umani e delle libertà fondamentali", published by CEDAM (Milano)
- Interim Measures by the European Commission on Human Rights (1995), in "the Birth of European Human Rights Law", Nomos Verlagsgesellschaft
- The European Commission on Human Rights, Emory Journal of International dispute Resolution (1987)
- Procedure en Praktijk bij de Europese Commissie voor de Rechten van de Mens, Tijdschrift voor Familie- en Jeugdrecht (1986)
- Informationsfreiheit und die audio-visuelle Revolution, (co-author Mr C. Kriiger),

Rundfunk und Fernsehen, Hans Bredow-Institut (1989)

- Tax matters and the European Convention on Human Rights, Taxation and Human Rights, A survey of case-law, International Fiscal Association (1987)
- Equality between the sexes and the European Convention on Human Rights, Human rights Files No. 14, Council of Europe (1994)
- Racial discrimination and the European Convention on Human Rights, Council of Europe (1989)
- Sexual discrimination and the European Convention on Human Rights, Human Rights Law Journal (1985)
- Les Droits de l'Enfant dans le cadre de la Convention européenne des Droits de l'Homme vus dans la perspective de la Convention des Nations Unies (1997), Revue Droit en Quart Monde (Belgique), n° 17
- The protection of Children's Rights in Europe and the UN Convention on the Rights of the Child (1997), the Protection of Human Rights: the European Perspective, Studies in memory of Rolv Ryssdal (Carl Heymanns)
- The Direct Effect of the European Convention on Human Rights and the Rights of Children in Monitoring Children's Rights, Kluwer Law International (1996)
- The impact of the European Convention on Human Rights on the Rights of Children, Ediciones Universidad, Salamanca (1996)
- Children and the European Convention on Human Rights, Studies in honour of Mr Wiarda, Carl Heymanns Verlag (1988)
- Health and migration (2000), in Health, Migration and Return, TMC Asser press

APPENDIX 12: European Court Of Human Rights
Council of Europe
Strasbourg, France

APPLICATION

under Article 34 of the European Convention on Human Rights and Rules 45 and 47 of the Rules of Court

This application is a formal legal document and may affect your rights and obligations.

I. THE PARTIES

A. THE APPLICANT

(Fill in the following details of the applicant and the representative, if any)

1. Surname First name(s)
2. Sex: male / female
3. Nationality
4. Occupation
5. Date and place of birth
6. Permanent address
7. Tel. No.
8. Present address (if different from 6.)
9. Name of representative*
10. Occupation of representative
- II. Address of representative
12. Tel. No Fax No.

B. THE HIGH CONTRACTING PARTY

(Fill in the name of the State(s) against which the application is directed)

13. If the applicant appoints a representative, attach a form of authority signed by the applicant and his or her representative.

II. STATEMENT OF THE FACTS

14. Continue on a separate sheet if necessary

III. STATEMENT OF ALLEGED VIOLATIONS) OF THE CONVENTION AND/OR

PROTOCOLS AND OF RELEVANT ARGUMENTS

15.

IV. STATEMENT RELATIVE TO ARTICLE 35 § 1 OF THE CONVENTION

16. Final decision (date, court or authority and nature of decision)
17. Other decisions (list in chronological order, giving date, court or authority and nature of decision for each of them)
18. Is there or was there any other appeal or other remedy available to you which you have not used? If so, explain why you have not used it.
Continue on a separate sheet if necessary

V. STATEMENT OF THE OBJECT OF THE APPLICATION
19

VI. STATEMENT CONCERNING OTHER INTERNATIONAL
PROCEEDINGS

20. Have you submitted the above complaints to any other procedure of
international investigation or settlement? If so, give full details.

VII. LIST OF DOCUMENTS (NO ORIGINAL DOCUMENTS,
ONLY PHOTOCOPIES,
DO NOT STAPLE, TAPE OR BIND DOCUMENTS)

Include copies of all decisions referred to in Parts IV and VI above. If you do not
have copies, you should obtain them. If you cannot obtain them, explain why not. No
documents will be returned to you.)

21.

a).....

b).....

c).....

VIII. I hereby declare that, to the best of my knowledge and belief, the information
I have given in the present application form is correct.

Date/Date

(Signature of the applicant or of the representative)

APPENDIX 13.

Постанова Кабінету Міністрів України №55 від 27 січня 2010 р.

Нормативна таблиця для відтворення українських власних назв засобами англійської мови

A	B	C	D	E	
No.	Укр. літери	Лат. літери	Примітки	Приклади застосування	
1	А	A	-	Алушта	Alushta
2	Б	B	-	Борщагівка	Borschahivka
3	В	V	-	Вишгород	Vyshhorod
4	Г	H , gh	H - у більшості випадків gh - при відтвор. -зг-	Гадяч, Згорани	Hadiach, Zghorany
5	Ґ	G	-	Ґалаган	Galagan
6	Д	D	-	Дон	Don
7	Е	E	-	Рівне	Rivne
8	Є	Ye , ie	Ye - на початку слова, ie - в інших позиціях	Єнакієве, Наєнко	Yenakiieve, Naienko
9	Ж	Zh	-	Житомир	Zhytomyr
10	З	Z	-	Закарпаття	Zakarpattia
11	И	Y	-	Медвин	Medvyn
12	І	I	-	Іршава	Irshava
13	Ї	I	Yi - на початку слова, I - в інших позиціях	Їжакевич, Кадіївка	Yizhakevych, Kadiivka
14	Й	Y , i	Y - на початку слова, i - в інших позиціях	Йосипівка, Стрий	Yosypivka, Stryi
15	К	K	-	Київ	Kyiv
16	Л	L	-	Лебедин	Lebedyn
17	М	M	-	Миколаїв	Mykolaiv
18	Н	N	-	Ніжин	Nizhyn
19	О	O	-	Одеса	Odesa
20	П	P	-	Полтава	Poltava
21	Р	R	-	Ромни	Romny
22	С	S	-	Суми	Sumy
23	Т	T	-	Тетерів	Teteriv
24	У	U	-	Ужгород	Uzhhorod
25	Ф	F	-	Фастів	Fastiv
26	Х	Kh	-	Харків	Kharkiv

27	Ц	Ts	-	Біла Церква	Bila Tserkva
28	Ч	Ch	-	Чернівці	Chernivtsi
29	Ш	Sh	-	Шостка	Shostka
30	Щ	Sch	-	Гоща	Hoscha
31	Ь	'	-	Русь, Львів	Rus', L'viv
32	Ю	Yu , iu	Үу - на початку слова, iu - в інших позиціях	Юрій, Крюківка	Yurii, Kriukivka
33	Я	Ya , ia	Үа - на початку слова, ia - в інших позиціях	Яготин, Ічня	Yahotyn, Ichnia
	'	ia	(див. коментар)	Знам'янка	Znamianka