

The decision of the certification committee is of a recommendatory nature. According to the results of the attestation, the employment contract may be terminated not later than two months from the date of certification.

To sum up, applying in practice clause 2 of Art. 40 of Labour Code workers should analyze in sufficient detail all available facts indicating the employee's mismatch in the position or work performed. In addition to the discrepancy found, there must be no fault in the employee's actions. For non-fulfillment of labour duties may be deliberate, then such employee is attracted to disciplinary liability with the application of such disciplinary punishments as reprimand or dismissal, but not for item 2, and for item 3 of Art. 40 of Labour Code.

### ***References:***

1. Labour Code of Ukraine [Electronic resource]. – Access mode: <https://zakon2.rada.gov.ua/laws/show/322-08>
2. Трудове право України: Академічний курс: Підруч. для студ. юрид. спец. вищ. навч. закл. / П. Д. Пилипенко, В. Я. Бурак, З. Я. Козак та ін.; За ред. П. Д. Пилипенка. — 2-е вид., іерероб. і доп. — К.: Видавничий Дім «Ін Юре», 2006. — 544 с.
3. Сучасний англо-український юридичний словник: понад 75 тис. англ. термінів і стійких словосполучень / уклад.: Л. В. Мисик, І. В. Савка; за наук. ред. В. Т. Нора; Львів. нац. ун-т ім. Івана Франка. – К.: Ін Юре, 2018. – 1352 с.

**Maryana Svitlyk**

Research supervisor: Roman Yavorsky

Candidate of Law Sciences, Assistant Lecturer

Language tutor: Natalie Hrynya

Candidate of Philological Sciences, Associate Professor

Ivan Franko National University of Lviv

## **THE RIGHT TO A SAFE AND HEALTHY ENVIRONMENT**

Everything that is necessary for a person's livelihood comes from nature: air, water, raw materials for industry. The human society as a part of nature is known to be in constant interaction with it. Our impact on the environment is usually disastrous, that is why the environmental protection is one of the most acute issues which the society faces with more and more often. The purpose of the research is to find out the rights and duties of the

citizens, state institutions and different organizations in the field of the environmental safety.

The issue of rational use of land, forests, and atmosphere and water resources in Ukraine is regulated by various legal acts. First of all, right to a safe and healthy environment is enshrined in the Constitution of Ukraine which has the highest judicial power on its territory. This provision is further detailed in Law of Ukraine “On Environmental Protection”, “On protection of the Atmospheric Air”, “On Land Protection” and many others. Moreover, Ukraine cooperates with the European Union that also has its impact on the adaptation of the Ukrainian legislation to its standards, which, in their turn, are entrenched in various international treaties, covenants, protocols or even judgements of the European Court of Human Rights.

In the objective sense, the right to a safe and healthy environment is a set of norms that regulates and protects the attitude connected with the use of this right. In the subjective one – a judicially provided opportunity to use and live in such an environment, that meets the established requirements.

The object of the right is the environment itself as a set of natural, man-made and other factors that has an influence on the physical and mental state of a person and determines the living conditions. Taking into account the Constitution of Ukraine, Civil, Land Code and other legal acts, the subject of this right is everyone of us, regardless of the colour of the skin, sex, national or religious affiliation e.g. right to a safe and healthy environment is considered to be inalienable and immutable. Under Articles 3 and 16 of the Ukrainian Constitution, our state is responsible for the protection of this right as the human, its life; health and safety are the main social values that determine the contents and orientation of the activities of the state. Article 50 is dedicated to the right to a safe and healthy environment, however, it should be considered together with Article 27 (“The Right to Life and Protection of Our Own Health”). The composition and list of bodies, the competence of each of these bodies, the order of the information are determined in the Law of Ukraine “On Environmental Protection”. Some of these bodies are known to be the Cabinet of Ministers of Ukraine, the Council of Ministers of Crimea, the Verkhovna Rada, the local councils and other institutions and organizations.

- The competence of the state bodies in this area is the following:
- – the implementation of environmental forecasting and planning;

- the development and approval of environmental standards and norms;
- the organization of the environmental expertise;
- the control and monitoring of the environment;
- providing people with the ecological information;
- the issuance of permits for the special use of natural resources and for the implementation of environmentally harmful activities;
- the certification of various food products, raw materials and many others.

There are different opinions on the content of this right according to the legal literature. However, in common, using the Civil Code of Ukraine and other legal acts we can say that it consists of such specific capabilities as:

- the ability to live in an environment that meets the requirements of environmental safety;
- the opportunity to apply for the assistance of the implementation of this right to the state bodies and local governments, institutions, organizations irrespective of form of ownership, falling within their competence;
- the possibility of receiving and having a free access to the information on the state of the conditions we are living and working in;
- the opportunity to require the observance of such a right from other people;
- the right to the compensation for the damage caused by environmental violations.

If talking about the compensation, it includes the the right to appeal to a court at any time or to protect your right in other way that is forbidden by the legislation. Under Article 69 of the Law “On Environmental Protection” the damage caused as a result of the violation of the legislation on environmental protection must be compensated in full amount.

To sum up, Article 55 of the Constitution of Ukraine guarantees the right to appeal for the protection of the violated rights to the international bodies and organizations, the participant of which is Ukraine, after using all national methods of legal protection. Since 1997, we received an opportunity to file a complaint with the European Court of Human Rights, the decisions of which are binding for the states-participants of the Council of Europe.

### **References:**

1. Civil Code of Ukraine [Electronic resource]. – Access mode: <https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80>
2. <https://context.reverso.net/%D0%BF%D0%B5%D1%80%D0%B5%D0%B2%D0%BE%D0%B4/>
3. Law of Ukraine on Environmental Protection [Electronic resource]. – Access mode: <https://zakon.rada.gov.ua/laws/show/1264-12>
4. The Constitution of Ukraine [Electronic resource]. – Access mode: <https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80>
5. Іванюшин В. В. Право людини і громадянина на безпечне для життя і здоров'я довкілля: поняття та зміст / В. В. Іванюшин. // Цивільне право, Сімейне право. – 2010. – С. 7.
6. Паліюк В. П. Європейський суд з прав людини щодо захисту права на безпечне для життя і здоров'я довкілля, як особистого немайнового права фізичної особи // Науковий вісник Ужгородського національного університету. Серія Право. – 2012. Випуск 20. – Т. 4.
7. Сучасний англо-український юридичний словник: понад 75 тис. англ. термінів і стійких словосполучень / уклад.: Л. В. Мисик, І. В. Савка; за наук. ред. В. Т. Нора; Львів. нац. ун-т ім. Івана Франка. – К.: Ін Юре, 2018. – 1352 с.

### **Vira Verbishchuk**

Research supervisor: Liliana Shevchuk

Candidate of Law Sciences, Associate Professor

Language tutor: Nataliia Hrynya

Candidate of Philological Sciences, Associate Professor

Lviv Ivan Franko National University

## **BOGDAN KHMELNITSKY AS A FOUNDER AND PROMINENT STATESMAN OF THE HETMANATE**

Nowadays in Ukraine and other countries of the world, the concept of war, a military threat is quite close and understandable. In the XXI century, our state suffers from armed, informational and moral aggression on the part of the Russian Federation. In this manner, Ukraine, once again for its existence, is in a state of war. That is why this topic is extremely relevant. It reflects a similar struggle of the Ukrainian nation for its own identity, however, more than 300 years ago and, somewhat, with another enemy. Led by B. Khmelnitsky, in 1648 the National Liberation War began. That time, as today, Ukrainian people, in the person of the Cossacks, tried to prove to