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**FOREIGN LANGUAGES  
IN USE:  
ACADEMIC AND  
PROFESSIONAL ASPECTS**

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Збірник розрахований на наукових та науково-педагогічних працівників вищих навчальних закладів і наукових установ, студентів та аспірантів, практичних працівників і широкий читацький загал.

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## **ENGLISH IN USE BY POLICE DEALING WITH COMBATING CYBERCRIMES**

Cybercrime today is the growing and widely spread type of crimes. The greater part of criminals today enjoy the speed, convenience, anonymity of Internet that give broad possibilities to commit a diverse range of criminal activities that do not know any borders but cause serious harm to victims all over the world. A lot of changes in this type of a global disaster are emerging all the time. Some time ago cybercrimes were committed by individuals or small groups. At present highly complex cybercriminal networks bring together individuals from across the world to commit crimes in a global scale.

Cybercrime has an expansive definition that includes any crime conducted via the Internet, network or digital device. Capturing digital evidence, such as that found on cellular phones, GPS devices, computers, tablets and network servers, is crucial to investigating and solving cybercrimes. Digital evidence now plays a role in virtually every crime, including those thought of as street crimes like homicide, robbery, drug crimes, and theft. Other crimes may occur entirely online, like stalking or identity theft. Strong cybercrime investigative capabilities are necessary for solving both types of crimes.

Cybercrime is a global issue plaguing the world. The definition remains very broad because the word “cyber” is defined as relating to the culture of computers, information technology, and virtual reality. The dominance of English in the Internet needs no arguing. Computers are in any case English-oriented. Netscape and Java are in English, the vocabulary of computing and of the Internet is overwhelmingly English, and most of the texts that are accessed through it are in English. Due to the growing number of people gaining access to the Internet, rapid development of technology, and the globalization of the English language in the world, more of the world population is becoming susceptible to involvement in cybercrime – whether it is a victim or a criminal. Globalization and the growing use of English in the world (estimated percentages of the top 10 million websites using various content languages as of 4 March 2017: English – 52.1%) have given people a motive to learn English and become more knowledgeable as users. As these people learn more, there is a risk that they will use their new intelligence to commit cybercrimes.

Major international and transnational organizations do have a policy of having the English language under their competencies. One of them is Interpol as a global fighter against cybercrime. Most cybercrimes are transnational in nature, so, it can be a partner for any law enforcement agency which investigates crimes on a cooperative level. Interpol can provide local law enforcement with focused cyber intelligence on a global scale.

Another one is Europol which set up the European Cybercrime Centre (EC3) in 2013 to conduct law enforcement responsible to cybercrime in the EU and to help protect European citizens, businesses and government from computer crime. It conducts its activities in such sectors of fighting cybercrimes as: forensics, strategy and operations. EC3 not only draws on Europol’s law-enforcement capacity but also offers EU Member States operational and analytical support in investigating cybercrimes. And the results are evident: in a few years after its establishment EC3 has played its enormous role. It has been involved in tens of high-profile operations, its over 200 operational deployments have resulted in

hundreds of arrests, it has made the analysis of 800,000 files on computer crimes, the vast majority of which have proven to be malicious.

Law enforcement giants FBI, Europol and the National Crime Agency call for an international approach to fighting cyber-crime. The threat is international, the actors operating in it play against the whole world constantly changing the picture of organized crimes. Therefore, the response must be joined up – that's one of the challenges, because threat is the same and the collection and sharing global intelligence and evidence must be coordinated. All the necessary resources must be pulled together.

### **References:**

1. Michael Aaron Dennis. *Cybercrime* [Electronic resource]. – Access mode: <https://www.britannica.com/topic/cybercrime>
2. *Internet World Users by Language* [Electronic resource]. – Access mode: [www.internetworldstats.com](http://www.internetworldstats.com)
3. *Cybercrime* [Electronic resource]. – Access mode: <https://www.interpol.int/Crime-areas/Cybercrime>



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## **ENGLISH AS A GLOBAL LANGUAGE IN INTERCULTURAL COMMUNICATUON**

With the development of globalization in today's world intercultural communication has become more significant. Being an international language, English has played an important role in communication among people from various cultural backgrounds. The ability of representatives of different nationalities to communicate freely guarantees success in exchange of information. There has never been a time when so many nations wished to talk to each other so much.

The history shows that from the 1920s to the 1950s English was famous as world English or international English, but since the mid-1900s it has been known as global English. The labels - world, international, global - are almost synonymous. In this connection, *they indicate* that English was and still continues to be a very important intercultural communication tool used around the world. This language is often compared with Latin in old times.

Many studies indicate that the influence of any language is a combination of the following things: the number of countries using it as their first language or mother-tongue, the number of countries adopting it as their official language, and the number of countries teaching it as their foreign language of choice in school.

*English* is spoken as the *primary language in many countries* such as the USA, Canada, Britain, Ireland, Australia, New Zealand, some Caribbean nations and on other territories. *English* is given a special status in over seventy countries such as Ghana, Nigeria, India, Singapore, Vanuatu, etc. *English* is made a priority in numerous countries'

foreign language teaching. In other words, English is more than a language owned by some specific nations. The ownership of English has been globalized.

According to David Crystal [1], 85% of international organizations use English as one of their working languages, 49% use French and only 10% use Arabic, Spanish or German. Apart from this reason of English spreading, we may claim that more and more international domains use this language: scientific publication, international banking, advertising, trade, international law, technology transfer, education, culture, internet communication and others.

A global language arises mainly due to the political and economic power of its native speakers. When they succeed, on the international stage, their language succeeds. When they fail, their language fails. American dominance and influence worldwide *currently* make English crucially important for developing international markets in all areas of life.

If you want to buy or sell, you have to be able to deal with a diverse range of customers, suppliers, and other business partners. In order *to succeed you should* not count on their ability to share your native language. Companies that fail to devise a language strategy are essentially limiting their growth opportunities to the markets where their language is spoken, clearly putting themselves at a disadvantage to competitors that have adopted English-only policy, since this language acts as a lingua franca and helps people from diverse ethnicities to communicate.

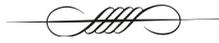
Proficiency in English and occupational skills are highly desirable in the labour market nowadays. Bilingual employees with English as a second language are in great demand. As a result the communicative competence is considered one of the key aims of foreign language teaching.

English is not only the language of business, but also the language of the Internet which is one of the most remarkable things human beings have ever made. The first reason why English prevails over the other languages is a historical one. The Internet was created in the USA which is still the leading user of it. The second reason is that English has been chosen by people of different nations as a common way to communicate. It's estimated that 54% of all web content is in English. Therefore English is useful for communicating through chat rooms, email, instant messaging, forums and social networking sites.

It is not surprising that English is used as worldwide lingua franca in intercultural communication.

### ***References:***

1. *Crystal D. The Cambridge Encyclopedia of the English Language / D. Crystal. – London : Cambridge University Press, 1995. – 202 p.*
2. *Brown H. D. Principles of Language Learning and Teaching / H. D. Brown. – New Jersey: Prentice Hall Regents, 1994. – p. 24–51.*



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### **SPEECH VELOCITY AND INFORMATION IN DIFFERENT LANGUAGES**

It's an almost universal truth that any language you don't understand sounds like it's being spoken at 200 m.p.h. That, we tell ourselves, is simply because the words make no sense to us. Surely our spoken English sounds just as fast to a native speaker of Urdu. And yet it's equally true that some languages seem to zip by faster than others. Spanish blows the doors off French; Japanese leaves German in the dust — or at least that's how they sound.

But how could that be? The dialogue in movies translated from English to Spanish doesn't whiz by in half the original time after all, which is what it should if the same lines were being spoken at double time. Similarly, Spanish films don't take four hours to unspool when they're translated into French. Somewhere among all the languages must be a great equalizer that keeps us conveying information at the same rate even if the speed limits vary from tongue to tongue.

To investigate this puzzle, researchers from the Université de Lyon recruited 59 male and female volunteers who were native speakers of one of seven common languages — English, French, German, Italian, and Japanese, Mandarin and Spanish— and one not so common one: Vietnamese. All of them were instructed to read 20 different texts, including the one about the house cat and the locked door, into a recorder. All of the volunteers read all 20 passages in their native languages. Any silences that lasted longer than 150 milliseconds were edited out, but the recordings were left otherwise untouched.

The investigators next counted all of the syllables in each of the recordings and further analyzed how much meaning was packed into each of those syllables. A single-syllable word like bliss, for example, is rich with meaning — signifying not ordinary happiness but a particularly serene and rapturous kind. The single-syllable word to is less information-dense. And a single syllable like the short i sound, as in the word jubilee, has no independent meaning at all.

With this raw data in hand, the investigators crunched the numbers together to arrive at two critical values for each language: the average information density for each of its syllables and the average number of syllables spoken per second in ordinary speech. Vietnamese was used as a reference language for the other seven, with its syllables (which are considered by linguists to be very information-dense) given an arbitrary value of 1.

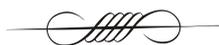
For all of the other languages, the researchers discovered, the more data-dense the average syllable was, the fewer of those syllables had to be spoken per second — and thus the slower the speech. English, with a high information density of .91, was spoken at an average rate of 6.19 syllables per second. Mandarin, which topped the density list at .94, was the spoken slowpoke at 5.18 syllables per second. Spanish, with a low-density .63, ripped along at a syllable-per-second velocity of 7.82. The true speed demon of the group, however, was Japanese, which edged past Spanish at 7.84, thanks to its low density of .49. Despite those differences, at the end of, say, a minute of speech, all of the languages would have conveyed more or less identical amounts of information.

"A trade off is operating between a syllable-based average information density and the rate of transmission of syllables," the researchers wrote. "A dense language will make use of fewer speech chunks than a sparser language for a given amount of semantic

information." In other words, your ears aren't deceiving you: Spaniards really do sprint and Chinese really do stroll, but they will tell you the same story in the same span of time.

### **References:**

1. Wellek R. *Theory of Literature* / R. Wellek, A. Warren. – L.: Penguin Books, 1956. –400 p.
2. Pinker S. *The Language Instinct: How the Mind Creates Language* / S. Pinker. – Harperperennial, 2007. – 517 p.
3. Napoli D. *Language Matters. A Guide to Everyday Questions About Language* / D. Napoli. – L.: Penguin Books, 2010. – 278 p.



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## **THE MODERNISATION OF THE PROCESS OF FOREIGN LANGUAGE LEARNING**

Mobile and qualified people are needed to the social, economic and spiritual development of the government. To solve the problem of modernization of the learning process is made in accordance with the relevant requirements. In particular it is related to foreign languages teaching. Modernization involves changing of goals, the volume of mandatory content, as well as methods and tools for the development of new knowledge. Today there is a tendency to individualize the learning process and the use of new information technologies in the education system.

Modern processes are focused on the saving of fundamental education. In this case, in learning of foreign languages can be traced the problem to strengthen practical and activity orientation. As a result, the traditional system of formation of knowledge and skills is undergoing some changes. Competent-active approach implies changes in the content of education in order to create competence of the student. The development of new knowledge has activity manner, so students are trying in various ways to apply their knowledge in practice. Characteristic features of competencies are:

- Versatility and the ability to use in daily life;
- Interdisciplinary and versatility;
- Forming the basis for the further development of thought, reflection and self-assessment [2].

It can be concluded that formed competences are a valuable asset in the learning process. In the future, the student has the opportunity to develop skills and to analyze new information. To solve the problem, and for the development of student's competences a variety of methods are used. Teachers should organize the learning process taking into account different requirements. They actively implement individual approaches and use a variety of tools to solve key tasks.

The key target in the modernization of the educational process is the introduction of modern information and communication technologies. In our time, they not only help in training, but also become means of communication for millions of people around the world. Anyone faced with innovative technologies in the educational, professional and personal

relationships, so in the process of training particular attention should be paid to them. The computer makes it easy to simulate a situation, gives an access to a variety of educational materials, exercises and multimedia data. Because of this there is a formation of systematical thinking.

In the process of foreign language learning the students are able to use educational programs and to do various exercises. Teachers, in turn, have better control of learning. At various stages of study the students will take advantage of the Internet and various multimedia tools. This makes it easier to use individual methods and cultural studies. Teachers will be able to model problem situations much faster and easier, and students will become more involved in the learning process. With the help of modern technologies it is much easier to gather, analyze and organize information [1].

Many institutions go to a new level of the use of multimedia capabilities for sending and receiving information. The use of computers and other devices determines the success of the whole educational process. Multimedia textbooks and teaching materials are available in digital format. The Internet opens up opportunities to communicate with native speakers virtually anywhere in the world. This was almost impossible even 10-15 years ago. Most teachers today are actively developing these technologies, because it concerns the issue of professionalism and career development [3].

Modern language education aimed at the formation of a multicultural identity, with the skills of self-analysis and systematization of new knowledge. For this purpose, the competence and culturological approaches are used. Information and computer technology can improve efficiency and create the conditions for self-education. Innovative methods are an integral part of the modernization of the whole system of the modernization of the process of foreign language learning. Teachers should familiarize themselves with the most progressive approaches and later combine them and use in teaching their students.

### ***References:***

1. *Druzhinin V.I., Krivolapova N.A. Organization of innovative activity in educational institution. Kurgan: IPKiPRO of Kurgan region. – 2008. – 85 p.*
2. *Galskova N.D. Modern methods of teaching foreign languages. – Moscow: ARKTI, 2003. – 192 p.*
3. *Kashina E.S. Tradition and innovation in the methods of teaching foreign languages. Samara: Univers-Grupp, 2006. – 75 p.*



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## **CROSS-CULTURAL DIFFERENCES IN NONVERBAL COMMUNICATION**

Modern life is impossible without cross-cultural communication. According to experts, a substantial portion of our communication is nonverbal. Nonverbal communication is very important and its importance is multiplied across cultures. To live successfully in our diverse world, we need to be culturally aware and learn how to be effective cross-cultural communicators.

Nonverbal communication can be divided into several categories: greeting, physical space, touching, eye contact, facial expression, hand and arm gestures and physical postures. Here are some noteworthy examples in each of the categories.

Greetings are used worldwide, but types of greeting vary from culture to culture: British verbal greetings may be accompanied by a handshake. A small kiss may be given between females, or perhaps between a female and a male, but not between two males. One common French greeting is a light handshake. Another common greeting is a kiss on the left cheek followed by a kiss on the right cheek. A “Hongi” is a traditional Maori greeting in New Zealand. It means “sharing of breath”. In this greeting, the two people press their noses and foreheads together and inhale. It is used at traditional meetings among Maori people and on major ceremonies. In the USA, a common greeting between males is a firm handshake; it happens between a male and a female too although sometimes just a smile accompanies the greeting in the USA. Women tend to shake hands with one another only at their first meeting, or in business situations. Female friends often greet with a hug. In Mexico, handshakes are common, and may be accompanied by a strong hug and a few hearty pats on the back between men, if they know each other well. A kiss is also a common form of greeting, and is usually just a touching of cheeks with a kissing sound. Unlike the French double-kiss, the kiss greeting in Mexico is just done on one cheek. In Japan, bowing is a common form of greeting.

Greeting is connected with the categories of physical space, touching, eye contact and facial expression. In Latin America and the Middle East the acceptable distance between communicators is much shorter than in most European countries and USA. Touching is also culturally determined. Cultures with high emotional restraint concepts (English, German, Scandinavian, Chinese, Japanese) have little public touch; those which encourage emotion (Latino, Middle-East, Jewish) accept frequent touches. As to eye contact, in Western cultures, it indicates a degree of attention and interest while in Japan people avoid eye contact to show respect. A smile is one of the most common examples of a facial expression in different cultures. While Americans smile friendly at strangers, in Asian cultures a smile is not necessarily an expression of joy but it can be used to convey pain and embarrassment. For many Scandinavians a smile or any facial expression of emotions is not natural because it is considered a weakness to show emotions in these cultures.

There are a lot of examples of nonverbal gestures which have different meanings in different cultures. The “ring” or “OK” gesture indicates “everything is OK” in English speaking countries. In Japan it can mean “money”. In France it can be interpreted as “zero” or “nothing”. In Indonesia this gesture also means “zero”. In the United States, beckoning people to come with the palm is acceptable. But in some parts of Latin America, in Korea and in many other countries, this gesture is considered very rude.

Physical postures are also quite of a difference between cultures. The most common example is the habit of many American executives to rest with their feet on their desk, which in Asia, the Middle East, and Europe is considered highly offensive.

Every day, we respond to thousands of nonverbal cues and behaviors including postures, facial expression, eye gaze, gestures and tone of voice. From our handshakes to our hairstyles, nonverbal details reveal who we are and impact how we relate to other people. As you see, there are a lot of differences in nonverbal communication between cultures. This means that when you need to communicate with people from different cultures, it makes sense to learn in advance about their nonverbal communication.

### **References:**

1. Pease A. & B. *The Definitive Book of Body Language*. – Clays Ltd, GB, London, 2006. – 392 p.



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## **EUROPEAN GOVERNMENTS' EXTRA MEASURES AGAINST TERRORISTS' ATTACKS**

As we all know, terrorists' attacks in Europe in 2010<sup>th</sup> became the first line in all newspapers and Web-resources. First massive attack on the Charlie Hebdo that took place in France in early January 2015 was the event, which drove all European community in shock. The Charlie Hebdo attacks, somewhat paradoxically, have also served as a catharsis in the process of considering existing legal mechanisms pertaining to freedom of expression, especially in a broad comparative context in which one finds significant discrepancies [1, p.3].

As an overview, we can say, that over the last two years, European governments and the European Union (EU) have grown increasingly alarmed by the rise of the Islamic State terrorist organization, its ability to attract European citizens to join the fighting in the Syria-Iraq region, and its use of violent extremist propaganda to inspire others. Security experts view the November 13, 2015, attacks in Paris (which killed 130 people), March 22, 2016, bombings in Brussels (in which 32 people died) and July 14, 2016, truck attack in Nice, France (at least 84 people died in this incident) as indications that the Islamic State's capacity to direct large-scale, coordinated attacks elsewhere in the world, especially in Europe, has increased [2, p. 1].

In most of attacks European governments judges al-Qaeda and Islamic State (IS). For example, the perpetrator, the eldest brother of two terrorists, had spent several months in Yemen in 2011, where he is believed to have been trained by al-Qaeda in the Arabian Peninsula (AQAP). Than on 13 November, a series of complex and synchronized attacks, perpetrated by three teams, were carried out on carefully chosen targets in Paris, France, which included a football stadium, a theatre, cafés and restaurants. The attacks clearly aimed to cause mass casualties. IS claimed responsibility, stating that the attacks were committed in retaliation for French airstrikes on IS targets in Syria and Iraq.

After first terrorists attacks so-called TE-SATs, EU Terrorism Situation and Trend Reports, became the most popular statistic for researchers. According to latest 2016<sup>th</sup> report, in 2015, six EU Member States reported a total of 211 terrorist attacks, of which jihadist attacks resulted in the deaths of 148 people and the injury of more than 350. The total number of terrorist incidents across the EU in 2015 slightly increased compared to 2014 (201). Similar to 2014, the UK reported most attacks (103) representing half of the total of terrorist attacks in the EU for 2015. So what are these extra measures? In 2015, 12 EU Member States reported to have concluded a total of 218 court proceedings in relation to terrorism. The concluded court proceedings concerned 514 individuals. As a result, the total number of verdicts in 2015 was 527. In 2015, the majority of verdicts pronounced were in

relation to jihadist terrorism and most of them for jihadist terrorism concerned offences related to the conflict in Syria and Iraq.

Also to ensure an effective response to IS' antilegal activity, the European Counter Terrorism Centre (ECTC) has been established at Europol, under the authority and direction of the European Council. It builds further on the already established tools and counter terrorism (CT) networks of Europol, but includes a number of new features. These aim at enhancing the CT capabilities and at better facilitating information exchange among CT authorities, to bring cross-border cooperation in this field to a new level. The principal task of the ECTC is to provide operational support upon MS's request for on-going investigations, such as those following the Paris attacks. For a more in-depth analysis, the ECTC works with the counter terrorism analysis work file (AWF). This file provides the framework for operational analytical support with the MS and third partners [3].

The ECTC uses a number of tools to help detect financing of terrorism, one of the most known is TFTP - the Terrorism Finance Tracking Programme. In 2010, the European Parliament adopted the EU-US Terrorist Finance Tracking Programme (TFTP) Agreement. TFTP has proven to be a valuable tool in terrorism-related investigations - it enhances the ability to map out terrorist networks, often filling in missing links in an investigative chain. It is used to track terrorist money flows, allowing authorities to identify and locate operatives and their financiers, and assists in broader efforts to uncover terrorist cells.

So, as we can see, terrorist activity in all spheres is effectively controlled by EU, its members and organs. Positive effects are watched in court proceedings, organization of new antiterrorist's organs and controlling of activities, members and finances of terrorists organizations.

### ***References:***

1. *Introduction: The Charlie Hebdo Attacks and their Aftermath* / Cécile Alduy, Bruno Cornellier, and Dominic Thomas // Arcade, Stanford. [Electronic resource]. – Access mode:  
[http://arcade.stanford.edu/sites/default/files/article\\_pdfs/Occasion\\_v09\\_introduction\\_final.pdf](http://arcade.stanford.edu/sites/default/files/article_pdfs/Occasion_v09_introduction_final.pdf)
2. *European Security and Islamist Terrorism* / Kristin Archick, Paul Belkin. – CRS Insight, July 18, 2016. - 12 p.
3. *European Union Terrorism Situation & Trend Report (Te-Sat) 2016: Report*, - Hague, Netherlands, 2016. [Electronic resource]. – Access mode:  
<https://www.europol.europa.eu/activities-services/main-reports/european-union-terrorism-situation-and-trend-report-te-sat-2016>



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## **THE PROBLEM OF CORRUPTION IN UKRAINE**

Since Ukraine has gained independence, it has been trying to overcome one of the most urgent issues for any country - corruption (defined as is “dishonest or fraudulent conduct by those in power, typically involving bribery” [1, c.1]). A large number of reforms have been carried out for 25 years of our country existence. Unfortunately, no significant improvement in overcoming this problem is observed.

According to the Transparency International rating, our country takes the 131<sup>st</sup> place of corruption – near Guatemala and Nepal [2, c.1]. It proves that this issue is very important and painful for Ukraine. Not surprisingly, many lawyers, researchers and politicians try to find a solution of this problem. Experts of Rasumkov Centre believe that corruption lives among the political elite, and it is caused by unregulated legislation: no one is accountable to anyone and everyone has a right not to explain the source of income [3, c.8-14].

But after enacting the law of Ukraine “On amendments to some legislative acts of Ukraine about the peculiarities of presenting declarations of property, income, expenses and financial obligations by officials in 2016”, dated March 15, 2016, under which every official should declare his or her income and explain the source of it, the idea has not found any confirmation [4, c.1].

So in theory, the level of corruption should decrease in our country. In practice, this fact has not happened, despite energetic activity of the National Anti-Corruption Bureau of Ukraine. By the way, according to the latest data there are 264 legal proceedings, 158 reports on suspicion, 69 indictments persons. 50 cases are sent to courts the amount of damage of crimes of 82.9 billion hryvnas loss. The statistics is not bad, but, unfortunately, the global improvement of the situation in the country has not been approached yet [5, c.1].

And here the question arises: probably we take some wrong steps. To answer, you need to face international experience. And not talking into account developed countries, like the USA or the UK, let's consider the situation in Singapore.

A small state the population of which had 40% of illiterate people in 1950s and could not provide for even drinking water, nowadays, according to the Transparency International rating it takes the 7<sup>th</sup> place by the corruption level, besides Canada and Switzerland [2, c.1]. How has Singapore managed to do it?

Lee Kuan Yew, the head of the state, was confident: “The easiest way to stop corruption is to minimize the possibility of officials to act at their own discretion that is to reduce the number of required signatures on documents. There should be a clear boundary between public duties and private interests”[6, c.1]. So he simplified administration and gave the right to develop the economy without any obstacles. As we can see, the result was an improvement of situation in the state and its rapid development.

To sum up, we can conclude that solving the problem of corruption in Ukraine is possible. And this way must not be connected with the complexity of the legal filed or administration that actually is happening now. We cannot say that this option is ineffective, but as we see it is quite slow and designed for the far future, while Ukraine needs to overcome corruption as soon as possible.

The Singapore experience of releasing the state machine and business is worthwhile applying in our country but in combination with creation of well-planned legislative base. On the one hand, it allows our state to regulate and control all these relationships, and, on the other hand, simplify and facilitate the existence of the market economy in the country.

### **References:**

1. *The Oxford Dictionary*. [Electronic resource]. – Access mode: <https://en.oxforddictionaries.com/definition/corruption>
2. *Результати дослідження міжнародної антикорупційної організації «Transparency International»*. [Electronic resource]. – Access mode: [http://www.transparency.org/news/feature/corruption\\_perceptions\\_index\\_2016](http://www.transparency.org/news/feature/corruption_perceptions_index_2016)
3. *Політична корупція в Україні: суб'єкти, прояви, проблеми протидії* // *Національна безпека і оборона*. – 2009. – № 7. – С. 2–42.
4. *Закон України «Про внесення змін до деяких законодавчих актів України щодо особливостей подання службовими особами декларацій про майно, доходи, витрати і зобов'язання фінансового характеру у 2016 році»*. [Electronic resource]. – Access mode: <http://zakon3.rada.gov.ua/laws/show/1022-19>.
5. *Національне антикорупційне бюро України* [Electronic resource]. – Access mode: <https://nabu.gov.ua/>
6. *Крук О. Країна, яка поборолла корупцію / [Електронний ресурс]. Олег Крук. – // Персонал плюс: Всеукр. загальнополітичний освітянський тижневик. – 2009. – № 26 (328). – 1–7 лп. — Режим доступу: до журналу: <http://www.personal-plus.net/328/5090.html>*



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## **ON THE FUNCTIONAL PURPOSE OF CERAMIC PYSANKA OF KIEVAN RUS**

Today no country, people, social group or individual is considered to be a closed, self-sufficient phenomenon. They are all included into general processes of cultural, ideological and economic globalization. Therefore, scientists and researchers are faced with a task to preserve the authentic Ukrainian culture and study the historical conditions of its formation and development.

From a historical point of view, the adoption of Christianity by Kievan Rus in 988 gave a new impetus to the expansion of cultural relations between the young Slavic state and the Byzantine Empire. As a result of this interaction, the world saw a truly unique example of cultural creativity – made of clay, encaustic egg-shaped product, covered with opaque, glass, coloured glaze and painted with patterns (ornaments) – ceramic pysanka of Kievan Rus.

According to Archeology, on the territory of Kievan Rus ceramic pysankas appear at the very end of the X – at the beginning of the XI century. They are found during archaeological excavations on a vast territory from the Baltic to the Black Sea, from Schleswig to Volga Bulgaria. A large number of scientific research, books and articles are

focused on ceramic pysankas. Scientists have sufficiently studied the period and technology of their production, identified craft centers, and made attempts to classify them [1, 143-144; 2, 48]. However, the issue of their functional purpose still remains debatable. The papers suggest that their manufacture is associated with pagan cults of the ancient Slavs, and some researchers consider them to be ordinary children's toys-rattles [2, 51; 3].

From our point of view, the functional purpose of a thing is primarily determined by its purpose, which is put at its manufacture. At the same time, its actual use, including use in various religious rituals, is secondary to the definition of the functional purpose. Based on scientific evidence, it can be asserted that the ceramic eggs were made in craft workshops, the main production of which was the production of glazed colored ceramic tiles to decorate the floors and walls of the first stone churches. These craft workshops were princely, that is, belonged to the prince of Kiev, as evidenced by the prince's brand on the back of some tiles. The Kiev princes Vladimir and Yaroslav took an active part in the organization of church construction. It should be mentioned that the Church of the Tithes was the first stone building and at the same time the first stone church built in Kievan Rus. Local specialists were not knowledgeable in making such construction, therefore, Prince Vladimir of Kiev invited old hands from Byzantium who organized the production of bricks, ceramic tiles and were also directly engaged in the construction and decoration of temples. It can be said with a high degree of confidence that these invited masters were Christians [4].

Taking into consideration all above mentioned, it is difficult to imagine that craftsmen-Christians in the workshops which were created to provide church construction and belonged to the prince, the ardent advocate of the Christianity, could make objects of pagan worship.

There are reasons to believe that ceramic eggs were made as children's toys. What are the facts supporting this version? First of all, in the descriptions of the ceramic pysankas, the researchers point out that the eggs in the middle were empty and there were small pebbles or balls of clay pounding when shaking. Secondly, archeology knows facts of finding rattles, having an oval (egg-shaped) form, relating to the periods, both before the appearance of ceramic pysankas of Kievan Rus, and after it.

Researchers give another argument in favour of the version about the pagan origin of ceramic pysankas, which consists in the fact that they are often found in children's and women's graves. However, together with the pysankas other items were also found in the burial places: dishes, weapons, ornaments, coins, etc., which from the point of view of pagan beliefs may be necessary for their owners in their after life. These kinds of findings suggest their pagan nature of burials rather than their pagan origin. This is the secondary use of objects, which we have previously mentioned.

Thus, there is every reason to assert that ceramic eggs were made as children's toys-rattles and did not have a clearly expressed cult functional purpose. The use of the term "pysanka" in the name of these items is connected with their external similarity to pysankas – colored bird eggs, on the surface of which an ornament was painted with the help of wax technology.

### ***References:***

1. *Макарова Т.И. О производстве писанок на Руси [Текст] / Т.И. Макарова // Культура Древней Руси. – М., 1966. – С. 141–145.*
2. *Сушко А.О. Давньоруські писанки [Текст] / А.О. Сушко // Археологія, – 2011. – № 2 – С. 46-52.*

3. *Bołsunowski Karol Pisanki jako obiekt kultu bałwochwalczego. (Studium archeologiczne) [Текст] / Karol Bołsunowski // Wiadomości Numizmatyczno-Archeologiczne : organ Towarzystwa Numizmatycznego. – 1906. - R. XVII. – T. V. – nr. 4 (68). – st. 530-531.*
4. *Козюба В. Церква Богородиці Десятинна в Києві (короткий історичний нарис) [Електронний ресурс] /В. Козюба – Режим доступу:<http://mdch.kiev.ua/node/22?keyword>*



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## **LEGAL BASICS FOR REGULATION OF CRIMINALS EXTRADITION IN THE REPUBLIC OF BELARUS**

For effective international cooperation in the fight against crime, one state needs legal assistance from another state. Extradition of criminals is one of the types of international legal assistance in criminal cases.

The most effective results come from interaction, based on the international legal base and developed national legislation. Until now, there is no international convention on extradition. In view of the variety of legal systems, states prefer to conclude regional conventions, as well as bilateral extradition treaties. In 1990, to simplify such a bilateral negotiation process between states, the UN General Assembly approved the Model Treaty on Extradition. It should be acknowledged that the number of such bilateral treaties affecting Belarus is insufficient. This is an agreement on the extradition between the Republic of Belarus and the Republic of India of 2007, an agreement on the transfer of persons sentenced to imprisonment for further serving sentences between the Republic of Belarus and Ukraine of 2009, an agreement on the mutual transfer of persons sentenced to deprivation of freedom for further serving sentences between the Republic of Belarus and Turkmenistan of 2002.

The provisions on the extradition of criminals are contained in treaties on mutual legal assistance in criminal cases. Belarus is one of the first states of the Commonwealth of Independent States which ratified the Minsk Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters (1993) and the 2002 Chisinau Convention of the same name. In the order of legal succession in the Republic of Belarus treaties of the USSR with Hungary, the Italian Republic, the Republic of Cuba, the Czech Republic, the Slovak Republic, the Republic of Cyprus are in effect. Since gaining independence by the Republic of Belarus, agreements on legal assistance and legal relations in civil, family, labor and criminal cases have been concluded with the Republic of Latvia, the Socialist Republic of Vietnam, the Republic of Lithuania, the Republic of Poland, the People's Republic of China, the Republic of India, the Republic of Bulgaria, the Islamic Republic of Iran. In the last decade were signed treaties between the Republic of Belarus and the Bolivarian Republic of Venezuela on mutual legal assistance in criminal cases (2010), between the Republic of Belarus and the Republic of Serbia on legal assistance in civil and criminal cases (2013), between the Republic of Belarus and the Syrian Arab Republic on legal

assistance in civil and criminal cases (2008), between the Republic of Belarus and the Democratic Socialist Republic of Sri Lanka on mutual legal assistance in criminal cases (2013), between the Republic of Belarus and the United Arab Emirates on mutual legal assistance in criminal matters (2014).

Issues of extradition of criminals in national legislation are regulated by Part 3 of Art. 10 of the Constitution of the Republic of Belarus and art. 5 of the Law of the Republic of Belarus "On the Citizenship of the Republic of Belarus", where the principle of non-extradition of Belarusian citizens is proclaimed, unless otherwise stipulated in the international treaty, and art. 7 of the Criminal Code of the Republic of Belarus. This article states that "a foreign citizen or a stateless person who committed crimes outside the Republic of Belarus and located on the territory of the Republic of Belarus may be extradited to a foreign state" in accordance with an international treaty or on the basis of the principle of reciprocity. In the latter case, it is pointed out that it is necessary to comply with the requirements of the Belarusian legislation [2]. The current Code of Criminal Procedure of the Republic of Belarus contains section XV "International legal assistance in criminal cases on the basis of the principle of reciprocity," which includes chapters 50-57, which establish the grounds and conditions for the provision of international legal assistance in criminal cases on the basis of the principle of reciprocity and the bodies authorized to carry out cooperation with criminal prosecution agencies and courts of foreign states (the Prosecutor's Office and the Supreme Court of the Republic of Belarus)[3].

In conclusion, we note that the normative legal regulation of the institution of extradition of criminals is carried out on the basis of the norms of international, criminal and criminal procedural legislation, which predetermines the specifics of its content and implementation mechanism in practice.

### ***References:***

1. *Уголовный кодекс Республики Беларусь [Электронный ресурс]: 9 июля 1999 г., № 275-3: в ред. Закона Респ. Беларусь от 1 июля 2016 г. // ЭТАЛОН. Законодательство Республики Беларусь / Нац. центр правовой информ. Респ. Беларусь. – Минск, 2016.*
2. *Уголовно-исполнительный кодекс Республики Беларусь [Электронный ресурс]: 16 июля 1999 г., № 295-3: в ред. Закона Респ. Беларусь от 22 сентября 2012 г. // ЭТАЛОН. Законодательство Республики Беларусь / Нац. центр правовой информ. Респ. Беларусь. – Минск, 2016.*



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### **JUDICIAL REFORM IN UKRAINE: PROS AND CONS**

Nowadays one of the most important tendencies in Ukrainian politics is fighting with corruption. Due to this, all reformation processes are more or less aimed at it. On June 2, 2016, the Parliament of Ukraine finally adopted important amendments to the Constitution of Ukraine in the sphere of justice and jurisprudence, which had been proposed by the President of Ukraine [1].

There has been little progress in judicial reform process for the last two years since Euromaidan. The main reasons for the low efficiency in this realm are old rules, old faces, and dangerous political influence [2]. The implementation of the judicial reform has passed and finally the law on the legal structure and the status of judges has been adopted by the Verkhovna Rada. In September all of the amendments to the Constitution as well as new law came into force. Ukrainian media asked legal experts to tell their opinion considering the influence and consequences of it, which is actually a very interesting topic to discuss.

Delays in establishing an Anti-Corruption Court, that are taking place, are, probably, one of the most negative aspects considering this reform. As interlocutors in the Presidential administration explained to media, the court will deal with only one exceptional category of cases – hearing cases from detectives of the National Anticorruption Bureau of Ukraine (NABU). The law envisages the establishment of the Anti-Corruption Court, but neither time-frames nor powers of this body have been clearly defined yet. The Anticorruption Action Center has held the action near the Verkhovna Rada, demanding an urgent launch of anti-corruption courts, but it has led to no result. The Anticorruption Action Center considers this situation as delaying the process [1]. It should be noted that the jurisdiction of this court, as well as of the Superior Court on Intellectual property, has not been defined in the Law yet, but is subject to amendments to Ukrainian procedural laws [2].

One more minus is the sabotage of social influence. The law provides for establishment of a Public Council of Honesty, which will submit their conclusions during the qualification assessment of a judge or a candidate for the post of judge. However, the actual role of the council is negated by the legislator. The Supreme Qualification Commission of Judges shall not be required to take the information of the Public Integrity Council under advisement or comment on it [1].

It is worth mentioning that legislation constituting the judicial reform is far not so perfect and contains number of conflicting rules and legal gaps as well as procedures still allowing corruption [3], and reforms, considering the Public Council of Honesty, are in fact the brightest example of it.

Considering all the negative aspects mentioned, the judicial reform definitely is not so bad as it seems. The most visible advantage is that the Constitutional Court will no longer be entitled to provide for official interpretation of parliamentary laws. Its interpretational authority will be limited to the Constitution only. At the same time, the Court's jurisdiction will encompass the constitutionality of questions put on referendum. In addition, individuals shall have the right to lodge a constitutional complaint with the Constitutional Court if a parliamentary law is, in their view, breaching the Constitution. A special parliamentary law shall govern the procedure for exercising this right. This novelty corresponds to the practice of many European countries providing for a constitutional complaint as the last resort of individuals to protect their rights. However, the question remains whether legal entities may exercise this right alongside individuals [2].

Moreover, the reformation of court system stipulates transition from a four-tier court system to a three-tier court system, which is composed of courts of first instance, courts of appeal and the newly established Supreme Court. It is expected that as a result of such simplification court disputes will be resolved within shorter period of time [3].

And, finally, there are some new eligibility requirements to judges. The new provisions have toughened the requirements to a candidate for office of a judge. The minimum age has been increased from 25 to 30 years, whereas professional legal experience – from three to five years (from 10 to 15 years – for judges of the Constitutional Court). The other new mandatory personal criteria of the candidate are honesty (high morale) and

professional competence. It is worth mentioning that the immunity of judges shall be limited only to decisions they take, except for a criminal or disciplinary offence. A judge may be detained without consent of the Supreme Council of Justice if caught in the act of committing a grave criminal offence or immediately after having committed it [2].

The reform is aimed at making judges more professional. It partly limits their immunity from prosecution, which used to be unconditional. From now on they will be appointed by a judicial council rather than parliament, which is intended to shield them from political meddling.

### **References:**

1. *Judicial Reform in Ukraine. Pros and cons.* [Internet resource] // Access mode: <http://uacrisis.org/43835-la-reforme-juridique-en-ukraine>
2. *Legal Alert: Constitutional Judicial Reform in Ukraine.* [Internet resource] // Access mode: <https://www.nobles-law.com/single-post/2016/06/07/Legal-Alert-Constitutional-judicial-reform-in-ukraine>
3. *Ukraine Judicial Reform 2016 - Quick Summary.* [Internet resource] // Access mode: <http://www.contactukraine.com/blog/ukraine-judicial-reform-2016>
4. *Ukraine's corrupt judges targeted in constitutional reforms.* [Internet resource] // Access mode: <http://www.reuters.com/article/us-ukraine-crisis-parliament-reform-idUSKCN0YO1NY>



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## **THE ROLE OF MULTICULTURAL COMPETENCE IN FOREIGN LANGUAGE LEARNING**

In a globalized society relationships among people from different cultures are constant. That is why the ability of being culturally competent is a necessity. In the educational realm, cultural competence has been defined as “the ability to successfully teach students who come from different cultures other than your own” [2]. The ability to be culturally competent is central in increasing understanding and improving relationships across cultures.

Another concept associated with cultural competence is multicultural sensitivity which is “the ability to discriminate and experience relevant cultural differences” [3]. Cultural competence has become essential in all future occupations and cultural settings [2].

Furthermore, education is the indispensable tool by which society ensures the learning of behaviours and values necessary to sustain culture and to encourage cultural awareness. So, culturally competent teachers are, in general, more effective educators as a result of the demanding work essential to acquire the knowledge and the dispositions necessary to relate to students from other cultures and to open minds to different worldviews and learning styles.

In the process of learning a foreign language, students are expected to create a new reality of their experience with the foreign language and the new social context. Therefore,

in every social interaction speakers create a shared social world. Cultural competence can assist in understanding this shared social world.

Change in focus in the conceptualization of the foreign language learners entails a change in the expectations voiced towards foreign language teachers. Teachers are now expected not only to teach the foreign linguistic code but also to “contextualize that code against the socio-cultural background associated with the foreign language and to promote the acquisitions of intercultural communicative competence” [1]. The teacher is expected to mediate between the native language and target language culture(s) to help learners achieve the above mentioned goals.

Thus, to support the intercultural learning process, foreign language teachers need additional knowledge, attitudes, competencies and skills. They need to be acquainted with basic insights from cultural anthropology, culture learning theory and intercultural communication and need to be willing to teach intercultural competence and know how to do so.

### **References:**

1. *Castro P., Sercu L. & Garcia M. Integrating language-and-culture teaching: an investigation of Spanish teachers' perceptions of the objectives of foreign language education. Intercultural Education, 15(1). – 2004. – 91-104.*
2. *Diller J, Moule J. Cultural Competence. Book News, Inc. Portland. – 2005. – p. 2.*
3. *Hammer M., Benet M. & Wiseman R. Measuring intercultural sensitivity: the intercultural development inventory // International Journal of Intercultural Relations. – 2003. – p. 422.*



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## **SELBSTGESTEUERTES FREMDSPRACHENLERNEN**

Wichtig für das Sprachenlernen ist der möglichst direkte Kontakt zur Sprache, das heißt der Kontakt mit Land und Leuten. Die Motivation für das Erlernen der Fremdsprache erwächst aus der möglichst persönlichen Unterhaltung.

Die Anleitung zum selbstständigen Lernen definiert sich neben den bereits genannten Faktoren über die Vermittlung der flexiblen Anwendung von Lernstrategien und die entsprechenden Kontrollprozesse beim Wissenserwerb. Es ergibt sich ein hoch komplexes und kognitiv anspruchsvolles Gefüge: „Selbstgesteuertes Lernen zeichnet sich durch ein dynamisches Zusammenwirken von Wollen, Wissen und Können aus. Es impliziert, dass der Lernende über gut organisierte Wissensbestände verfügt und bereit ist, sein Lernen eigenständig und eigenverantwortlich zu planen, zu organisieren, umzusetzen, zu kontrollieren und zu bewerten, sei es in Lerngruppen, in Lernpartnerschaften oder als Einzeller“ [2].

Der Ruf nach selbstgesteuertem und selbstorganisiertem Lernen wird heute in vielen Bildungsdebatten laut, wobei eine Unterscheidung dieser zwei Begrifflichkeiten nicht immer vorgenommen wird. Dabei muss zwischen beiden Termini durchaus differenziert werden:

- Selbstbestimmtes Lernen ermöglicht den Lernenden, die Auswahl von Inhalten, also was gelernt wird, und die Lernziele eigenständig mitzubestimmen.
- Selbstgesteuertes Lernen bezieht sich auf die Freiheiten der Lernenden, den Weg des Lernens, aber auch wie und wann gelernt wird, bei vorgegebenen Lerninhalten und -zielen eigenständig zu beschreiben.

Selbstbestimmtes und selbstgesteuertes Lernen gelten heutzutage als wichtige Voraussetzungen für Erfolge im Erwachsenenalter. Während der Ausbildungszeit sowie im Berufsleben besteht zunehmend die Notwendigkeit, die eigene Lerngeschichte in die Hand zu nehmen und für das persönliche Lernen Verantwortung zu übernehmen [1].

Diese Entwicklung bereits im Kindergarten, in der Grundschule und Hochschule anzustoßen, ist Aufgabe der pädagogischen Fachkräfte. Sie unterstützen die Jungen und Mädchen dabei, Entscheidungen in Bezug auf ihr individuelles Lernen zu treffen und fördern die Studierenden auf dem Weg zur eigenen Kompetenzentwicklung. Die didaktisch-pädagogischen Orientierungen und Maßnahmen der Studierenden sowie der Institution tragen in großem Maß dazu bei, diese grundlegenden Erfahrungen zu ermöglichen oder aber, im negativen Fall, zu unterbinden. Gerade das Portfoliokonzept ist hervorragend dazu geeignet, kompetenzorientierte Ansätze praktisch umzusetzen. Die mit dieser Methode einhergehende positive Sicht auf Kompetenzförderung und Weiterentwicklung führt weg von der heute noch oft vorherrschenden "Fehlerkultur" hin zu einem offenen Verständnis für persönliche Stärken und Schwächen.

#### ***Literaturverzeichnis:***

1. *Kuwan, H. Selbstgesteuertes Lernen - empirische Ergebnisse zu einem schwer fassbaren Phänomen mit anhaltend hohem Aufmerksamkeitswert // Internationales Jahrbuch der Erwachsenenbildung. Auflage 1. – 2005. - Pages 61-92.*
2. *Straka, G. Lern-lehrtheoretische Didaktik. 2. Auflage // Münster: WaxmanVerlag. - 2005. – Pages 123-167.*



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### **THE PROBLEM OF EARLY MARRIAGE: WORLD AND UKRAINIAN EXPERIENCE**

The international community is concerned with child (or earlier) marriage and the consequences for health and well-being of girls and boys. UNFPA provides a global campaign "Stop child marriage", whose purpose - to inform and prevent early marriage among vulnerable groups. Also, videos of UNFPA social advertising on child marriages have been recently spread in the online networks.[1, c. 1]

Early or child marriage is a union, whether official or not, of two persons, at least one of whom is under 18 years .Child marriage is a gendered phenomenon that affects girls and boys in different ways. Overall, the number of boys, who enter in child marriages around the world is significantly lower than that of girls. [2, c. 1]

Across developing countries, an estimated one in three girls is married before turning eighteen, and one in nine before fifteen. Analysts project that if current trends continue, 142 million girls will marry before adulthood within this decade. [3, c. 2]

International human rights community is convinced that child marriages (which, moreover, can be forced) should recognize the violation of human rights and children's rights. Girl child spouses often experience complications during pregnancy and childbirth, as their bodies are not ready for childbearing. Upon marrying, both boys and girls often have to leave education to enter the workforce and/or take up domestic responsibilities at home. [2, c. 2]

Ukraine has ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CRC), and women's and children's rights are protected under the Constitution of Ukraine, the Family Code, the Code of Laws on Labour, and the Code of Criminal Procedure. In 2012 the Family Code of Ukraine was amended to raise the minimum age for marriage for girls from 17 to 18; the minimum age for boys was already set at 18. [4, c. 2] Although, Ukraine has some legislation on women's and children's rights, but there is a lack of mechanisms to implement it.

According to the statistical evidence available, early marriages in Ukraine are quite rare, and are more typical for villages than cities. Data from the Ukraine Multiple Indicator Cluster Survey (MICS) (2012- 2013) shows that overall, 11 per cent of women surveyed aged 20–49 years were first married/ entered marital union before their 18th birthday. In urban settlements this proportion was 10 per cent, and in rural areas, 14.5 per cent. [4, c. 4]

Early marriages are more typical for women than for men. According to common gender-based stereotypes it is important for Ukrainian women to be married. Also, early marriage and motherhood are connected with early sexual intercourse. Analysis of judgments made in cases where adolescents have applied to the court for permission to marry reveals that pregnancy is generally the main reason given for granting consent to the marriage, when the applicants are aged 16 or 17. According to a survey of public opinion (carried out in February 2013), 7 per cent of respondents reported that they had first had sexual intercourse between the ages of 12 and 15, and 42 per cent between the ages of 16 and 18. [2, c. 5]

While no reliable statistics exist, rates of child marriage are thought to be much higher among the Roma population. Few Roma marriages overall are registered, partly because to register a marriage, both spouses must present a passport (and many Roma do not have a passport), and because many involve spouses under the age of 18. According to birth statistics, in 2011, 141 girls under the age of 15 gave birth in Ukraine; of these, 55 took place in Zakarpatska oblast, which has the largest population of Roma living in Ukraine. [1, c. 4]

Child marriages are explained by members of the Roma community as 'tradition' or 'natural'. Many Roma girls see early marriage as normal, and find it difficult to be critical towards their own 'traditions'.

However, it is important to note that there are significant socioeconomic factors also pushing girls into early marriages. For instance, lack of education and poverty are a factors, which lead to early marriages.

To conclude, a girl should have the right to choose whom and when to marry. Parents want the best for their children and should support the choices and decisions regarding their daughters in marriage. UNFPA believes that also advisable to facilitate investment,

especially into education that will enable girls to develop their capabilities and skills and become a basis for prosperous future.

### **References:**

1. *Martsenyuk Tamara [Electronic resource]. – Access mode: <https://scholar.google.com.ua/citations?user=NiV2UqMAAAAJ&hl=uk&cstart=120&pagesize=20>*
2. *UNFPA [Electronic resource]. – Access mode: [http://www.unfpa.org.ua/files/articles/4/52/Child%20Marriage%20in%20Ukraine\\_Overview.pdf](http://www.unfpa.org.ua/files/articles/4/52/Child%20Marriage%20in%20Ukraine_Overview.pdf)*
3. *UNFPA [Electronic resource]. – Access mode: [http://ukraine.unfpa.org/sites/default/files/pub-pdf/Child%20Marriage%20in%20Ukraine\\_Summary.pdf](http://ukraine.unfpa.org/sites/default/files/pub-pdf/Child%20Marriage%20in%20Ukraine_Summary.pdf)*



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## **ETHNOCULTURAL PECULIARITIES OF PHYTONYMS IN ENGLISH AND UKRAINIAN LINGUISTIC WORLDVIEWS**

Nowadays the priority of the modern science of language is anthropological linguistics – the study of the relations between language and culture and the relations between human biology, cognition and language. In this context the research of phytonymic vocabulary is extremely important as it is characterized by high ethnocultural potential since it expresses original attitude and outlook of the people.

Phytonyms play an important role in the linguistic worldview as flora is one of the factors that shape mentality of people. They reflect their specific traits, cultural and historical traditions. Phytalexemes have symbolic meanings due to the semantic features as polysemy, figurativeness and implicitness.

The analysis of phytonyms suggests that in addition to denotative meanings phytonyms possess symbolic meanings, expressing originality of attitude and outlook of the people.

The results of the semantic analysis show that the studied phytonyms of the English linguistic worldview can be classified into the following semantic groups:

1) human traits (positive - simplicity, goodness and spiritual purity (daffodil), loyalty (pink), chastity (snowdrop), free-thinking (hyacinth); negative - indecision (cowslip), hypocrisy (lily, orchid));

2) human relations (family problems (burdock), adultery (nettle, violet), illegitimate children (nettle) or love (forget-me-not);

3) feelings and emotions (joy and good mood (celandine), fear (cowslip);

4) human appearance (beauty (rose, orchid));

5) philosophical aspects of life (beginning of a new stage in life (carnation), immortality and rebirth (crocus)).

The comparison of ethnocultural components of English and Ukrainian phytonyms reveals both universal and national-specific components. The universal cultural component of phytonyms is conditioned by their role in folklore, religious, literary and other traditions

characteristic of European cultures as mythology and the tradition of Classical antiquity and European Middle Ages are the most active sources of the universal components.

A large number of symbolic meanings of phytonyms are highly specific and caused by differences between the linguistic worldviews of English and Ukrainian peoples related to cultural and historical traditions as well as linguistic and cultural factors such as the etymology of phytonyms, figurative meanings, phraseology, quotations, traditions, rituals and folklore.

We can see it in the following examples.

The poppy in English worldview is a symbol of grief to remember the fallen soldiers in two World Wars and other pointless conflicts. A vivid example is Tower of London poppy installation that consists of 888.000 ceramic flowers honouring war dead that captured the world's imagination this year. In Ukraine this flower is a symbol of a beautiful girl (*гарна дівка, як маківка*). At the same time it is connected with death (*маку наївся; на мак розбився*).

The oak in English culture is the symbol of patriotism, victory and triumph. Like palm branches in Ancient Greece, the leaves of the oak were worn in chaplets by winners in England. That is why now the official name of the Royal Navy march is "Heart of Oak". In addition, the oak is the tree symbol of England. However, in Ukraine other plants such as *willow, poplar and cherry* symbolize patriotism. Although some of the meanings of this phytonym are the same in both cultures such as strength and endurance (*сильний як дуб; as strong as an oak; mighty oaks from little acorns grow*).

A very interesting example is the narcissus and daffodil. This flower used to symbolize death in many countries. Now only in Germany people bring these flowers to graves. It is connected with the legend of Narcissus who loved only himself and died tragically. Thus, this flower gained the symbolic connotation of egoism.

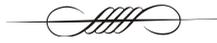
In England there are two phytonyms denoting this plant. The daffodil for modern Englishmen symbolizes purity and honesty, spring and sunshine (*as virginal as the first daffodil of spring*). White daffodils represent a female image, especially a young unmarried girl.

In Ukraine this flower has only a male image and sometimes symbolizes spring and purity, but the main connotation is connected with the ancient legend. It is interesting that in English culture only the narcissus but not daffodil has the connotative meaning of egoism, self-admiration and arrogance. These differences in meanings can lead to inaccurate understanding of the plant's symbolism.

Thus, the study of ethnocultural features of phytonyms, especially cultural-specific components, makes it possible to identify ethnocultural differences for better understanding the culture of the people that is important in intercultural communication in general and translation activities in particular.

### **References:**

1. *Art Symbols Dictionary: Flowers and Plants Symbols. The meanings associated with various flowers and plants.* – [Електронний ресурс]. – Режим доступу: <http://painting.about.com/cs/inspiration/a/symbolsflowers.htm>.



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## **SAFETY FIRST: MOBBING**

In our time the international community pays considerable attention to the providing of the complex of fundamental human rights and freedoms. In our opinion, one of the most important is the right to respect for human's dignity. But have you ever heard about the facts of cases of moral pressure at work or so-called «mobbing»?

1. It is worth saying that, the phenomenon of mobbing is peculiar to any state, including Ukraine. Workplace mobbing is recognized as an offense to human dignity in Europe, where the Charter of Fundamental Rights of the European Union states that every worker has the right to working conditions that respect his or her health, safety and dignity. [1]

2. Mobbing, in the context of human beings, means bullying of an individual by a group at the workplace. The World Health Organisation (WHO) defines workplace violence as 'intentional use of physical force or power, threatened or actual, against oneself, another person or against a group or community that either results in, or has a high likelihood of resulting in, injury, death, psychological harm, wrong development or deprivation. [2; p. 2] The WHO says workplace violence includes acts arising out of power relations, including threats and intimidation. For the first time this problem was explored in the work of scientist H. Leyman «The content and development of mobbing at work». [3] He thought that mobbing is a kind of psychological pressure in the form of harassment an employee by his colleagues or supervisor, usually in order to release. Experts claim that the phenomenon of mobbing also negatively affects the state economy. According to estimates of the German scientists, the financial loss is because of mobbing can reach to 25-75 thousand Euros per year. [4] For companies the consequences of mobbing are no less harmful, because unhealthy climate in the workplace hinders work and creates a permanent tension among employees, dramatically reduces the productivity and quality of work. But most of all mobbing affects the employee who has become a victim of it. This provokes the deterioration of health, both physical (increased pressure, headaches, etc.) and mental - provokes mental disorders affect self-esteem. Mostly mobbing is the reason or a means of "extra" workers dismissal, who can't be dismissed by a legitimate reason.

3. How to protect yourself? Unfortunately, in our country there are no legal regulatory mechanisms to protect individuals from the psychological terror at work. Such person has the right to defend himself in court claiming that it was defamation; but it is unlikely to win such a trial without witnesses and evidence as it is impossible to find them in practice. Nowadays many civilized countries try to do their best in order to prevent such an awful thing. So, what can we do in Ukraine taking into account experience of other countries which are struggling with mobbing for decades?

### ***4. Here are some examples of foreign experience in solving the problem.***

**IRELAND:** Ireland first passed a law ("Code of Practice on the Prevention and Resolution of Bullying at Work.") aimed at preventing mobbing. The Code requires employers to manage work activities to prevent improper behaviour in the workplace and lays out a formal procedure to deal with mobbing disputes. It requires employers to provide preventive training.

**AUSTRALIA:** Workers who believe they have been the victim of mobbing can complain to the federal Fair Work Commission (FWC), the nation's national workplace relations tribunal. The FWC will deal with the matter as a priority and can issue an order in response to the complaint and/or refer the matter to the relevant state safety regulator. Perpetrators face civil penalties and fines (up to approximately \$34,000).

**SPAIN:** The Labour Inspectorate has taken the lead internationally in framing mobbing as an occupational health and safety hazard and in developing a Code of Practice for the labour inspectorate. Various legal remedies exist and a Spanish court held in 2001 that workers were entitled to receive compensation for an "industrial accident" caused by moral harassment.

**UNITED KINGDOM:** This country has no special legislation concerning mobbing. But UK courts interpreted the existing standards and developed some recommendations for the prevention of mobbing. It is interesting that the court recently awarded a record compensation. The case concerned the former employee of bank branch (Svetlana Lochowa), who received the compensation in the amount of 3.2 million pounds.

*So, undoubtedly mobbing is an important problem of modern times and we should develop a system of measures to solve this problem.*

#### **References:**

1. *The Charter of Fundamental Rights of the European Union: international document on December 7, 2000 [electronic resource]. - Access: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12012P%2FTXT>*
2. *Management of workplace violence victims: ILO/ICN/WHO/PSI Joint Programme –Jon Richards. – Geneva 2003. – 41 p.*
3. *The Content and Development of Mobbing at Work – Leymann, Heinz. – European Journal of Work and Organizational Psychology – pp.165-184.*
4. *Problems of mobbing in labor collectives – Marenych A.I., Mehedi N.G. // Bulletin of the University of Banking NBU. - Number 3 (9) December. – 2010. - 326-328p.*



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#### **ANIMAL CRUELTY. PROTECTION LAWS IN THE USA**

We all know somebody who has a pet; it might be your neighbour, your friend or even yourself! Owning an animal is a big responsibility; it requires you to feed it, make sure it remains healthy and lastly, smother it with love and care. I have researched and analysed many news stories about animals, their owners and their various personalities. Amongst many people, there are some that unfortunately do not recognize animals as worthy of affection. Instead, they use their power as humans to lash out their emotions on these creatures. This kind of behaviour is a phenomenon which has developed itself over the years; it goes by the name of Animal Cruelty.

Cruelty to animals, also called animal abuse or animal neglect, is the intentional infliction by humans of suffering or harm upon any non-human animal, regardless of whether the act is against the law. More narrowly, it can be the causing of harm or suffering for specific gain, such as killing animals for food or for their fur; opinions differ about the

extent of cruelty associated with a given method of slaughter. Cruelty to animals sometimes encompasses inflicting harm or suffering for personal amusement, as in zoosadism [1].

We can see animal cruelty in almost all spheres of human activity: farming, TV and film making, circuses, sport, cultural rituals etc. One of the most infamous examples of animal cruelty in film was Michael Cimino's legendary film *Heaven's Gate* (1980), in which numerous animals were brutalized and even killed during production. Cimino allegedly killed chickens and bled horses from the neck to gather samples of their blood to smear on actors for *Heaven's Gate*, and also allegedly had a horse blown up with dynamite while shooting a battle sequence, the shot of which made it into the film. One more example is bullfighting. Bullfighting is criticized by animal rights or animal welfare activists, referring to it as a cruel or barbaric blood sport in which the bull suffers severe stress and a slow, torturous death.

Laws concerning animal cruelty are designed to prevent the needless cruelty. Divergent approaches to such laws occur in different jurisdictions throughout the world. For example, some laws govern methods of killing animals for food, clothing, or other products, and other laws concern the keeping of animals for entertainment, education, research, or pets.

In broad terms, there are three conceptual approaches to the issue of cruelty to animals. The animal welfare position holds that there is nothing inherently wrong with using animals for human purposes, such as food, clothing, entertainment, and research, but that it should be done in a way that minimizes unnecessary pain and suffering, sometimes referred to as "humane" treatment.

Cases involving animal cruelty can fall into several broad categories, each of which may involve different laws and require a different response. Among them:

1. Simple or gross neglect;
2. Intentional abuse and torture (physical abuse);
3. Organized animal abuse (dog- and cock-fighting);
4. Animal sexual abuse (also known as zoophilia) [2, p. 19].

The USA has enacted statutes which forbid cruelty to some animals. The primary federal law relating to animal care and conditions is the Animal Welfare Act of 1966, amended in 1970, 1976, 1985, 1990, 2002 and 2007. It is the only Federal law in the United States that regulates the treatment of animals in research, exhibition, transport, and by dealers. Other laws, policies, and guidelines may include additional species coverage or specifications for animal care and use, but all refer to the Animal Welfare Act as the minimum acceptable standard.

This act has been criticized by animal rights groups for excluding birds, rats and mice bred for research, and animals raised for food or fiber as well as all cold-blooded animals.

The Animal Legal Defense Fund releases an annual report ranking the animal protection laws of every state based on their relative strength and general comprehensiveness. In 2013's report, the top five states for their strong anti-cruelty laws were Illinois, Maine, Michigan, Oregon, and California. The five states with the weakest animal cruelty laws in 2013 were Kentucky, Iowa, South Dakota, New Mexico, and Wyoming.

In the United States, ear cropping, tail docking, rodeo sports, and other acts are legal and sometimes condoned. Penalties for cruelty can be minimal, if pursued. Currently, 46 of the 50 states have enacted felony penalties for certain forms of animal abuse. However, in most jurisdictions, animal cruelty is most commonly charged as a misdemeanor offense.

Animal cruelty is increasingly viewed as a serious issue by professionals in law enforcement and mental health—as well as by the general public. Animals are part of the majority of American families, and their victimization is of concern to millions. The effective prosecution of animal abuse has many benefits. It can provide an early and timely response to those who are, or who are at risk of becoming, a threat to the safety of others. It can provide an added tool for the protection of those who are victims of family violence. It can provide an opportunity for prosecutors to develop new, strong and helpful allies in the protection of their communities. Finally, it can bring personal satisfaction in developing new skills and new understanding, and in helping build a truly compassionate society [3, p. 198]

#### **References:**

1. Gangil, Deepali: *Cruelty to animals* [online] — Available at: <http://journal.lawmantra.co.in/wp-content/uploads/2016/11/6.pdf> [Accessed 10 Nov. 2016]
2. Lockwood R. *Animal Cruelty Prosecution: Opportunities for Early Response to Crime and Interpersonal Violence* / R. Lockwood. – 2006. – 51
3. Perdue A, Lockwood R. *Animal cruelty and freedom of speech: when words collude* / Abigail Perdue, Rendell Lockwood. – 2014. – 260



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### **HUMAN RIGHTS SITUATION IN THE TERRITORIES NOT CONTROLLED BY THE GOVERNMENT OF UKRAINE**

The military conflict in Ukraine has primarily brought about violations of human rights and fundamental freedoms which became a regular occurrence in the occupied territories – Crimea and eastern Ukraine. In addition, although positive developments in human rights aspects (constitutional amendments related to the rights, freedoms, and duties of individuals and citizens) are underway or under reflection, some aspects are still unreformed. In particular, there are some abuses of individual and economic rights, and the right to a fair trial. The issue of internally displaced persons (‘IDPs’), participants of anti-terrorist operation (‘ATO’) is unresolved.

Therefore, the comprehensive overview of the observance of human rights is important to ensure adequate and timely response to any abuses in this field.

Another burning issue is human rights violations justified by the so-called *revolutionary expediency* or *military necessity*. Unfortunately, the manipulation of public opinion to pressurize political opponents has become commonplace. Thus, the presumption of innocence is completely disregarded, and public opinion is often sufficient to establish person’s guilt.

The mentioned shortcomings could be to some extent justified by their temporary effect and application during the transitional period, the absence of bodies of power. However, such an argument would be weak as nothing has been improved considerably during these two years, which casts a shadow on the effectiveness of state institutions and the genuine values the authorities.

The human rights and fundamental freedoms situation is the worst in the Eastern Ukraine. Serious human rights violations and abuses persist in Eastern Ukraine, including shelling, executions, arbitrary and illegal detentions, torture, ill-treatment, human trafficking and the lack of justice and accountability, as well as deprivation of economic and social rights, deeply affecting the 5 million people living in the conflict-affected areas.

According to the UN report, between mid-April 2014 and 30 May 2015, at least, 6.417 people, including at least 626 women and girls, have been documented as killed and 15.962 as wounded in the conflict zone of eastern Ukraine. There are also accounts of torture and ill-treatment in detention, both by armed groups and Ukrainian law enforcers.

Although today we see a decrease in indiscriminate shelling after the adoption of the 12 February Package of Measures for the Implementation of the Minsk Agreements, but the shelling has not stopped completely, nor have armed hostilities between Ukrainian armed forces and armed groups, meaning that civilians continue to live in fear. In addition, civilian casualties from landmines and unexploded ordnance are still considerable.

Serious human rights abuses, intimidation and harassment of the local population perpetrated by the armed groups supported by Russia continued to be reported. Moreover, the monitoring missions receive new allegations of killings, torture, and ill-treatment, as well as cases of illegal deprivation of liberty, forced labor, looting, ransom demands and extortion of money on the territories controlled by the armed groups.

So, as we can see, the impact of the conflict on the economic and social rights of civilians is dramatic. The interruption of access to basic services is life-threatening and can have a life-long impact on a large portion of the population, hindering the post-conflict recovery of the society.

### ***References:***

1. *Organization for Security and Co-operation in Europe. 24 January 2015. - 2015.*
2. *Human rights in Ukraine. Human Rights Report Organizations / Pod Society. Ed.: AP Bushchenko, A. Martynenko /Ukrainian Helsinki Human Rights Union. - K, KIT, 2016.*
3. *The report on situation with human rights in Ukraine 16 February / Management of the High Commissioner of UN human rights. - 15 May 2016.*



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## **TRADITIONAL LAW OF MUSLIM COUNTRIES**

Islamic law has a great value, but in a completely different sense when comparing it with the German, English or French law. In contrast, it is not positive law of a great country, and it possesses just a historical value. As an integral part of the Muslim religion, it was always applied in most of the Islamic civilization in Africa and Asia.

Today Islamic empire does not exist, but nation states that emerged in its place have a distinctive modern law. The place of Islamic law in the legal systems of these countries varies: in some countries it is significantly down, while others remain dominant.

Islamic law – Sharia (the right way, direct regulations, the law set as mandatory) is a compulsory teaching of Islamic way of life of all believers, a set of regulations binding on

Muslim and embodied primarily in major sources such as “Koran” and “Sunnah”. In these regulations, different questions are raised: dogma and ethics that define religious belief, conscience, and responsibility, Muslim believer’s duties toward God, the government of the country in which he lives, family members and other persons who are also believers and decent Muslims, including disadvantaged people, especially the poor and so on.

Islamic law is not only one of the oldest and most common religious and legal systems and legal cultures of the world. It is an archaic law, which appeared in the tenth century and had not been influenced by major radical changes until modern time .

The origins of Islamic law are related to the prophet Mohammed, who in his sermons to the multitude outlined the general system of religious and legal norms and beliefs, allegedly to live through God Allah.

Muhammad ibn Idris was concerned about the variety of doctrines and sought to limit the sources of law and a common methodology for all schools of Islamic law. His efforts led to the systematization of Usul al-fiqh, these four sources of Islamic law:

- Koran;
- sunna or traditions of the prophet;
- kyyas or analogies;
- ydzhma or unanimous consent .

Therefore, having analyzed legal literature, we can reach the conclusion that Islam was a long way during his Millennial Development and has become one of the most widespread religions in the world. Islam is a part of sharia – Islamic law, legal order, inseparable from the theology of Islam; it is closely related to its religious and mystical ideas. Islam is not only religion, but it also forms the basis of legal, economic, political and social life of Muslims.

### **References:**

1. Ткаченко В. Д. Порівняльне правознавство: підручник / В. Д. Ткаченко, С. П. Погребняк, Д. В. Лук’янов. – Х. : Право, 2003. – 274 с.
2. Скакун О. Ф. Теорія держави і права : підручник / О. Ф. Скакун. – Харків: Консум, 2001. – 656с. // [Електронний ресурс]. – Режим доступу: <http://ukrkniga.org.ua/ukrkniga-text/687/>
3. Міма І. В. Окремі аспекти визначення місця релігійних норм у системі джерел мусульманського права / І. В. Міма // Всеукраїнська студентська наук. - практ. конференція [“Проблеми та перспективи реформування права України очима молодих вчених”], (Запоріжжя, 23 березня 2007 р.) / Запорізький нац. ун-т.: тези доповідей. – Запоріжжя: ЗНУ, 2007. – С. 15–17.
4. *Intellectual Background: Islamic Sources of Information and their Development into Islamic Law* // [Електронний ресурс]. – Режим доступу: <http://www.mwluca.org/topics/sources/sources.html>



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## **INFLUENCE OF ENGLISH ON THE UKRAINIAN LEGAL TERMS**

One of the most specific characteristics of the modern world is a global bilingualism, when English and national languages exist side by side in many countries. Despite the fact that many scientists have expressed anxiety about the large number of English borrowings in the Ukrainian language, such words exchange is the result of cultural interchange between nations.

The question about a specific of the foreign language is one of the main problems in scientific terminology. It has always attracted the attention of researchers. Borrowing from other languages is one of the most active sources of terminology renewal of any language. Each separate language terminology system differs from other layers of vocabulary by large number of borrowings from other languages.

The democratization of social and political spheres of life and liberalization of moral, ethical and aesthetic principles of society with the enlarging of the Ukrainian language social functions caused many changes at all structural levels of the language and renewed its stylistic norms. The example of the impact of globalization on society is language development because the language as a chief means of communication first felt all the processes taking place in the modern world.

The process of borrowing from English has become global now. The enriching vocabulary by borrowing takes place today in all modern languages, including Ukrainian. Integration of Ukraine into the EU, globalization of the economy, focus on the West led to the close cultural, political and social and economic cooperation of the Ukrainians with the peoples all over the world. That was reflected on the linguistic level, in the way of increasing the number of Anglicisms.

The researchers emphasize that the Ukrainian language was mainly influenced by English through lexical borrowings (exact reproduction of the English term with the help of the Ukrainian language, for example, *gamburger* - *hamburger*); through semantic changes Ukrainian lexical items which were referred as semantic tracing, for example, the word "control" means to check in Ukrainian, but under the influence of his English counterpart the meaning "to command" has appeared [4, c.52].

Among other changes we can observe changes in additional shades of meaning. Such words as "aggressive", "ambitious" have lost the negative shades they had before.

The main feature of the modern process of borrowing is phonetic, graphic, grammatical, semantic and derivational adaptation of new borrowings from English in Ukrainian. The process of lexical and semantic evolution of English words in the Ukrainian language is the most significant in the overall process of words borrowing. The lexical and semantic system the language source is the system that encourages the further development or disappearance of words from lexical fund of the language that borrows. The existence of many reasons causing lexical borrowings enables penetration of almost any English word in Ukrainian. [3, c.60].

Most Ukrainian language functional styles are influenced by the English language. Globalization gives great impulse to the reconstruction and development of the Ukrainian language, improve its information resources and the expansion of its functional area.

Legal terminology is an important and informative part of the Law language. It is impossible to express legal opinion without certain terms. Besides, with the help of legal terminology one can optimize the accuracy of the legal text. The changes taking place in the society has a direct impact on legal terminology, which is the most important part of the language of Law. The origin of legal terminology is connected with the emergence of Law. The written language of Law was originally Latin and English. Latin was the highest priority and gradually it gained new positions because Latin was the language of official documents. It was a kind of legal language, which contained many Latinized English and Old French words. For example, the Old English “morder” - the secret murder has become “murdrum”, and later - modern “murder” [1].

Speaking about main features of legal terminology it should be mentioned the following:

- the vast majority of legal terms are borrowings (internationalisms) that have one origin. For example “agent”, “lawyer”, “law” came from Latin; “amnesty” – from Greek; “arbitration”, “passport” – from French, etc. And Ukrainian term are used as well as borrowings. Examples are “interrogation”, “crime”, “witness” etc. [1].

- Legal terminology is full of words that have a special legal meaning (search, concepts, cheat, court evidence); abbreviations. For example “mitigate” means to make the punishment less severe; “article” is a certain part of the text in a legal document; “organizer” is the initiator of the offense; “episode” means a part of criminal acts.

- According to the meaning, all legal terms should be classified into common terms, special, purely legal and technical.

The main factors of legal terminology renewal with English borrowings at the modern stage of its development is a social and political process taking part in Ukraine. Increasing influence of English is caused by the international status of English, its role as the language of international science and the expansion of connections with English-speaking countries and the increasing number of Ukrainian-English bilinguals, English-speaking scientists, lawyers caused by foreign policy guidelines of our state.

### ***References:***

1. Г. Сергеева. Глобалізація та лінгвістичні проблеми взаємодії національно-правових мовних картин світу (на матеріалі англомовних запозичень в українській правничій термінології) — Режим доступа : [periodicals.karazin.ua/philology/article/viewFile/1822/1722](http://periodicals.karazin.ua/philology/article/viewFile/1822/1722).
2. Фаріон І. Англомовний наступ в українській дійсності [Текст] / І. Фаріон // Сучасність. — 2000. — № 3. — С.150–157.
3. Misechko O. *Historical-logical aspect of penetration of English borrowings into the modern Ukrainian language* / O. Misechko. — Kiev: Osvita, 2000. — 234 p.
4. Polyarush V. *The Influence of English on Ukrainian with a Focus on the Language of Youth. A thesis submitted to the Graduate School of Social Sciences of Middle East Technical University* / V. Polyarush. — M.A.: Department of English Language Teaching, 2010. — 215 p.



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## **PROJECT METHOD AS A MEANS OF FORMING THE STUDENTS ENGLISH-SPEAKING COMPETENCE**

Modern requirement for teaching English, causes the necessity to implement the teaching methods that can show the students' potential, their intellectual, creative and moral qualities, promote the rise of English learning motivation, make them active participants in cognitive activity, impel the students to creative work and self-perfection. The project method is one of the effective methods of organizing the language communication and forming the student English speaking competence. This method is a new one in Pedagogical science.

The project method is a system of communicative exercises that provide for an independent creative English-speaking communication, solving a specific problem that leads to the final result. The main purpose of this method is to give student the opportunities for self-education, to obtain knowledge while achieving practical tasks.

The students learn how to plan their work, to predict possible results, to use a lot of information sources, to select and accumulate the material, to analyze and compare the facts, to reason their idea, to make a decision and to create the final product. It may be a lecture, an essay, a calendar, booklet etc. The students also learn how to present their project to the audience and to appreciate at its true value themselves and other students.

The project method is used not only to obtain knowledge on Country-study but also to control the language skills level on the topic.

As to the activities, projects are divided into: research, creative, role and play, information and practically-oriented projects.

As to the contest, projects are distinguished into subject and inter-subject projects.

As to the communicative character they are classified into home, regional and international projects.

Any project can be made by one person, by two people or by a group of people.

As to their duration, projects can be short-term, medium-term and long-term.

The work at the project consists of the following stages: preparation, material selection, presentation and analysis.

Preparation stage includes the selection and discussion of the project subject, formulating the idea, debating the fulfillment process, working out the emphasizing the major information, assigning duties to the participants of the project, discussion of the final results and their presentation.

During the second stage the students select the information, read texts, work with reference book, conduct questioning, accumulate the material, find additional information as well as discuss the primary results in groups.

This stage is held as an individual and group activity and collective debates. The presentation stage is aimed at the students' preparation for entrance exams. This stage includes the final arrangement of the projects, making multimedia presentations, video etc. and is organized as an individual and group activity.

The main purpose of the final stage is the analysis and project appraisal. The students discuss the results of the project activity in small groups and estimate each student's work.

As mentioned above, this method binds independent, individual and group work. While working at the project the students interact with each other and with the teacher whose role changes: the teacher-inspector becomes the students' partner and adviser.

Project method as a teaching technique prompts the students to use problematic, experimental and search approaches while student has the opportunity to integrate knowledge from different fields. The search activity is given the highest priority in the project method.

While working at the project the teacher helps the students to find and select the information. The teacher himself is as a source of information and a conductor of the project making process.

Besides, the project method establishes more close contact between the language and the culture, promotes the effective development of intercultural communication, which is the main goal of teaching English at present time.

### **References:**

1. *Brown A. Distributed expertise in the classroom / A. Brown // Distributed cognitions: Psychological and educational considerations, Ed. by G. Salomon. – Cambridge: Cambridge University Press, 1993. – P. 188–228.*
2. *Fragoulis I. Project-Based Learning in the Teaching of English as A Foreign Language: From Theory to Practice / Iosif Fragoulis. -Hellenic Open University, 2004. – 7 p.*
3. *Method of Project in Teaching Foreign Languages [Електронний ресурс]. – Режим доступу: <http://oldconf.neasmo.org.ua/node/3097>*



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## **PROVIDING CONVICTS WITH INTERNET SERVICE**

Computers and Internet are a valuable tool for prison authorities in providing prisons with a wider range of resources for delivering effective education and training courses, offering prisoners opportunities for the acquisition of new skills. Over the past years, the development of penitentiary Internet services has coincided with an equally widely discussed campaign for the general improvement of government services (so-called e-government). The use of Internet technologies in the penitentiary as an aspect «modernizing» government services has opened up a field of potential synchronic and diachronic comparisons into the relationship between punishment and the media.

Denial of computers and Internet to prisoners is thus part of a wider picture and serves a broader purpose. Viewed within a raft of increasingly punitive practices of punishment which are legislated by states, administered by private corporations, and justified by political and media rhetoric, the framing of Internet use in prisons as a privilege that undeserving offenders have no entitlement to perpetuates a broader discourse about prisoners. It encourages the public to accept increasingly repressive forms of social control.

Fearful people are more dependent, more easily manipulated, more susceptible to deceptively simple, strong, tough measures. They may accept and even welcome repression if it promises to relieve their insecurities and other anxieties [4, c. 85].

Many prisoners believe that the restricted access they have to communication technologies and, in particular, the absence of computers and Internet access in most prisons is a form of censure that renders them second-class citizens in the Information Age. They feel impoverished by their lack of technological hardware and by their inability to exchange information that have become common for the rest of people. Prisoners are also largely immune from the transformations of time and space that have arisen from media technologies. While most of people are acclimatized to a world where time is speeded up, slowed down, suspended, repacked, reordered, and re-experienced through digital and satellite technologies, most prison inmates experience time in a more traditional, chronological sense and exist through time in a much more linear fashion, almost as if in a pre-media age.

Being separated from family and friends is one of the greatest pains faced by most prisoners and is felt especially acutely by young prisoners for whom family is a vital form of support. Loss of contact with families and, in particular, damaged or severed relationships with children is a high-risk factor in suicidal behavior and self-harm and has also been identified as one of the primary factors in recidivism. In this context, computer-mediated communications could be an immensely valuable tool in allowing prisoners to sustain relationships with family and friends as well as tutors and lawyers. They would permit parents in prison to stay in touch with their children via email or social networking sites such a Facebook and would give children and young people in custody a familiar cyberspace. Even short periods of confinement can entail the disruption of family relationships and employment opportunities that create feelings of being «held back» and can act as a breeding ground for future criminality [1, c. 64].

Many prisoners are incarcerated a long way from their family homes and consequently receive few or no visits. Letter writing frequently involves delays and does not come easily to all prisoners, given that 80 percent of prisoners in the UK have writing skills at or below the level of an eleven-year-old child. Giving prisoners access to the Internet and email would diminish all these problems and allow them a form of communication that is interactive, and part of most young people's everyday lives [3, c. 12].

Access to the Internet would also allow users in prison to interact with potential employers, public sector organizations that might help with particular issues such as housing prior to release, and increased contact with tutors, lawyers, and family. Official attempts to thwart Internet access may be underpinned by entirely different motives and considerations, but political justifications are founded on perceptions of the technology's inherent insecurity, a rationalization that is difficult to counter within a system of governance characterized by audit, accountability, and assessments of risk. Specifically, official resistance to prison Internet access centers primarily on the possibility that it will be used by prisoners to view pornography, contact victims, intimidate witnesses, and plot escapes. Internet use in prisons could be managed and utilized. Alternative constructions of Internet access- which might include a humanitarian approach underpinned by the belief that prisoners possess human rights that must be respected is a profoundly important matter of rehabilitation and resettlement [1, c. 64].

For many of us in the «free» world, new technologies such as tablets are making televisions and computers increasingly obsolete; we communicate with friends, family, and colleagues (and sometimes with people we do not know and are never likely to meet), play

games, watch TV and movies, listen to music, read newspapers and magazines, do our shopping, book our holidays, write academic papers, check the weather forecast, and countless other things besides, on a single, highly portable gadget. Consequently, even allowing prisoners Internet access and email, which are likely to be subject to heavy restrictions and monitoring, seems like a timid move; a step that most of us took so long ago that we can barely remember life without it.

Prisoners are thus not only places of isolation; the gulf between prisons and society – to which the vast majority of prisoners will at some stage return- is growing. As Johnson has argued, the pace of change in society, powered and driven by technology, has far outstripped any change remotely possible in today`s prisons; setting in which communications technologies have largely been ignored, rejected, or deployed to maintain control rather than promote change, innovation, or connection to others.

### **References:**

1. *Farrall S. Desistence / S. Farrall // Dictionary of Prison and Punishment edited by Y. Jewkes, J. Bennett. – Cullompton: William, 2008. – P. 64–66.*
2. *Johnson R. Brave New Prisons: The Growing Social Isolation of Modern Penal Institution / R. Johnson // The Effect of Imprisonment edited by A. Liebling, S. Maruna. – Cullompton, UK :Willan, 2005. – P. 255–284.*
3. *Reducing Re-Offending by Ex-Prisoners. – London: Office of the Deputy Prime Minister, Social Exclusion Unit, 2002. – 12 p.*
4. *Signorelli N. Television`s Mean and Dangerous World: A Communication of the Cultural Indicators Project /N. Signorelli // Cultivation Analysis: New Direction in Media Effects Research edited by N. Signorelli, M.J. Morgan. – Newbury Park : Saga, 1990. – P. 85–106.*



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### **FOREIGN INVESTMENTS IN LVIV REGION: TODAY AND TOMORROW**

The geo-political position of Lviv region, the level of its socio-economic development, labour and natural resources as well as the presence of business opportunities contribute to the region`s openness to foreign investments of any kind.

Lviv region is mostly industrial and agrarian type of economy as over 80% of the total commodity production account for industrial production. In terms of the national division of labour, the main industries are machine-building, chemistry, fuel, energy, timber, woodworking and pulp-paper, light and food industry, combined with diversified agriculture and resort management. Lviv region allocated manufacture loaders, conveyors outboard bearing, mopeds and cutting bits (100% Ukrainian production), buses (97.1%), automobile cranes (86.9%), forge-press machines (26.8%), TV-sets (28.1%), instrumentation, automation and spare parts (20.6%), potash (59%), sulphur (98.2%), cement (12.7%), pair (33 %) and cardboard (23.6%), T-hosiery (21.7%), furniture (7.2%) and others. In the structure of the industry, a leading role is played by machine-building and

metal manufacture (43.4% of commodity products), food (16.8%) and light (13%) industries; a significant place is occupied by fuel-energy (8.2%), chemical and petrochemical (7.7%), timber, pulp-paper and woodworking (4.5%), building materials (3%) industries [1].

Lviv region is rich in minerals providing raw materials for mainly the fuel-energy and chemical industries. Fossil fuels are represented by oil and natural gas (the so-called oil and gas Pre-Carpathian region), coal (Lviv - Volyn basin), peat. There also are significant deposits of potash and rock salt (saliferous Carpathian basin, including the Stebnyk deposit of potassium salt), sulphur (Carpathian sulphur pool), wax (Boryslav wax deposit). The region possesses important reserves of natural building materials (gypsum, limestone, marl, sandstone, clay, including cement). There is a large variety of mineral waters and mud [1].

Over the past two years, the GDP of Ukraine reduced more than 20%, which led to a decreased interest of Western investors. The main reasons for the fear foreign businessmen have to invest their funds into Ukrainian industries are political and economic instability, uncertainty of Ukrainian legislation, war conflicts in the east of the country, etc., all of them being the so-called "internal processes". Despite these facts, the data analysis shows slightly positive trends are seen giving the hope of promising changes. During 2016, Lviv economy got 58.6 m USD foreign direct investment (equity) comparing to 27.5 m USD in 2015. EU countries invested in the regional economy 50m USD, or 85.3% of total investments (in 2015 - 25.6 million, or 93.1%). In the structure of direct foreign investment, the share of financial contributions was 48.7%, including 26.1% in the form of securities, and 25.1% in the real estate sector. The 2016 investments in the regional economy were made by investors from 33 countries. The largest inflows came from our Polish partners- 20.5 m USD, and also Germany - 8,7 m USD, Austria - 5,9 m USD, Cyprus - 5.4 m USD, Turkey - 5,1 m USD, Spain - 4 m USD and Denmark - 3.6 m USD. The above-mentioned countries accounted for 90.6% of total revenues in the region [3].

Foreign direct investment received in 2016 were mostly directed into industry - 28.8 m USD (49.1% of the total revenue), financial and insurance activities - 16.9 m USD (28.9%), transportation, storage, postal and courier activities - 5.4 m USD (9.1%), professional, scientific and technical activities - 2.9 m USD (4.9%) [3].

In 2016, most foreign investments were invested in enterprises of Lviv city – 32 million USD (54.6% of total revenues), yet significant amounts of foreign capital were allocated into the economy of Zhydachiv - 5.5 m USD (9.3%), Peremyshlyany - 5.4 m USD (9.2%), Zhovkva - 3.4 m USD (5.8%) and Horodok districts - 2.1 m USD (3.5%) [3].

Priority spheres for investment in Lviv region are the IT, processing and food industry, energy, construction, agriculture, transport and logistics, tourism and recreation, industrial property and land plots, machine building, manufacture of components [2, 26].

Roman Matys, head of the Investment Policy Department of Lviv Regional State Administration, made certain comments in an interview of his: “During 2016 more than 50 companies were opened, which were brought completely from scratch with our assistance in the project. Those companies created 12 thousand new work places and it is planned, according to the statistics aggregated figures, the income brought next year should reach about 50 m USD” [4].

### **References:**

1. *Economic and geographic characteristics Lviv region [Web resource]. - Access mode: [www.bur.com.ua/referaty/open.738.page.3.html](http://www.bur.com.ua/referaty/open.738.page.3.html)*

2. *Investment passport of Lviv oblast [Text] // State agency for investment and national projects of Ukraine, Lviv regional state administration, Lviv regional center for investment and development. – Lviv, 2013. – 32 p.*
3. *Investments of foreign economic activity in the Lviv region in 2016 [Web resource] - Access mode: [www.lv.ukrstat.gov.ua/ukr/si/express/2017/v0404\\_48.pdf](http://www.lv.ukrstat.gov.ua/ukr/si/express/2017/v0404_48.pdf)*



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### **SOME PROBLEMS OF WOMEN'S EMPLOYMENT IN THE REPUBLIC OF BELARUS**

Social attitude to the role of women lags much behind the law. This attitude which considers women fit for certain jobs and not others colors those who recruit employees. Thus women find employment easily as nurses, doctors, teachers the caring and nurturing sectors, secretaries or in assembling jobs-the routine submissive sectors. But even if well qualified women engineers or managers or geologists are available, preference will be given to a male of equal qualification. A gender bias creates an obstacle at the recruitment stage itself [4].

The lack of both a comprehensive anti-discrimination law in Belarus and a special law on equality of men and women make it extremely difficult to combat gender discrimination. Judicial practice to protect women from discrimination is practically non-existent. Despite the existence of a number of anti-discrimination articles in the Belarusian legislation, there is a discrepancy between the statutory law and its practical implementation.

In my opinion, it is necessary to adopt an anti-discrimination law, where a clear definition, including gender discrimination, of additional protection mechanisms against discrimination, as well as responsibility for gender discrimination, should be provided. We also need separate laws that affirm equality of men and women, equal pay, equal opportunities for professional self-realization and career [1].

The list of banned occupations for women should be completely abolished and discontinued. The creation of working conditions that do not harm women's health can only be welcomed, but women should not be given free choice of a profession and career on an equal basis with men, but women should not be denied employment in any specialties on the grounds of "harm to the reproductive health of women"[2]. All restrictions associated with the gender of applicants in higher education institutions, different quotas for men and women when enrolling in universities [3], different payment conditions and opportunities for further employment in the specialty must be abolished.

It is important to promote the legal education of women, give them the necessary knowledge about the rights and opportunities for legal protection. It is necessary to engage working women in legal education, as well as employers. It should include specific knowledge about possible manifestations of discrimination and shape attitudes towards them as unacceptable and socially dangerous phenomena.

This mobilization will allow Belarusian women's and other human rights organizations to contribute to the development of democracy in our country. After all, in the

final analysis, democracy is the procedures for ensuring equal rights, freedoms and equal opportunities for all citizens (women and men).

### **References:**

1. *Национальный статистический комитет Республики Беларусь. Официальный сайт. [Электронный ресурс]. — Режим доступа: <http://belstat.gov.by/> — Дата доступа: 18.01.2017.*
2. *Об установлении списка тяжелых работ и работ с вредными и (или) опасными условиями труда, на которых запрещается привлечение к труду женщин [Электронный ресурс]: постановление Министерства труда и социальной защиты Респ. Беларусь, 12 июня 2014 г., № 35 // Нац. правовой Интернет-портал Респ. Беларусь. — 24.07.2014. — 8/28913.*
3. *Кодекс Республики Беларусь об образовании [Электронный ресурс]: принят Палатой представителей 2 дек. 2010 г. : одобрен Советом Республики 22 дек. 2010 г.: с изм. и доп.: текст Кодекса по состоянию на 4 янв. 2014 г. // Нац. правовой Интернет-портал Респ. Беларусь. — 17.01.2014. — 2/2124.*
4. *The problem of old age in India [internet resource]. - Access mode: [http://www.azadindia.org/social -issues/problems\\_of\\_working\\_women.html](http://www.azadindia.org/social -issues/problems_of_working_women.html).*



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## **THE CLASSIFICATION OF PHRASE - SEMANTIC MICROFIELD "MENTAL HUMAN'S ACTIVITY"**

This thesis investigates studying of the phraseology from the anthropocentric modern linguistics point of view and special peculiarities of the phraseological language structure. Nowadays it is relevant because the modern linguistics studies language in connection with people and their mental activity.

There is profound interrelation between the language, mentality and reality. The functioning of language in the process of learning and communication is significant. The language is the form of the mental activity. The sphere of language and the sphere of human mentality are interrelated. O. L. Selivanova believes that the semantics of language and language units are inscribed in the sense. A concept is a bunch of the senses. The concept of meaning is important for many spheres of science, such as psychology, cognitive linguistics, philosophy, logic, because it touches the issues related with studying and life [3].

Mental activity includes the specific distinctive qualities and characteristics that are relevant to recognizing mental skills, such as perception, memory, thinking, behavior, attention, learning ability, logic and intuition. Due to A.V. Kunin, phraseological units as stable combinations of words with full or partial redefined value [4], can refer to any sort of human activities. On the basis of their specific features we may classify them into the following phrase-semantic fields and microfields.

The first field is the ability of mind. This field is classified into three microfields, such as "Positive mental characteristics", "Negative mental characteristics" and "Functional

disorders of mental activity." Each microfield has its groups and subgroups that are semantically close sets of idioms and integrated in the test field.

The microfield "Positive mental activity" includes the following groups: "the high level of mental activity," "the high level of understanding," "the high level of knowledge", "the high level of the analytical and synthetic activities," "good memory", "good intuition".

The following microfield "Negative mental characteristics" is formed by such groups as "the low level of mental activity", "the low level of understanding," "the lack of knowledge", "the low level of analytical and synthetic activity".

The groups "madness", "the violation of mental health," "the offensive state of madness" make up the next microfield "Functional violation of mental activity".

Some examples of mentioned above microfields are presented in Table 1:

Table 1

**Classification of the phrase - semantic field "The ability of mind"**

Positive mental characteristics	Negative mental characteristics	Functional violation of mental activity
Be quick on the uptake – to be quick to understand new ideas [1]; have a mind like a steel trap – to be able to think very quickly, clearly and intelligently, have a mind like a steel trap – to be able to think very quickly, clearly and intelligently [2];	Not have a clue – be completely ignorant, not have the faintest idea [2]; to run one's head against a post – to behave stupidly as though one has no sense [1]; to be still wet behind the ears – to be naïve and inexperienced [1];	Not be fullquid – to be slightly crazy or stupid [2]; wander in one's wits – to be a little peculiar, mentally [1]; as crazy as a loon – very silly, completely insane [2]; be stark raving / staring mad – to be completely crazy[1].

So, the distinctive feature of the phraseological unit implies the phraseological meaning, a complex of the semantic structure which can be represented as a set of two macro components: denotative and connotative meanings. The leading role in the phraseological meaning is given by connotative macro component, which is a unity of such components as evaluation, emotional, stylistic and imaginative. The image that differs by capacity and information is the basis of formation of emotional-evaluative value of the phraseology.

**References:**

1. Дубровин М. И. Русские и английские идиомы / М. И. Дубровин. – М.: «АСТ», 2009. – 315с.
2. Кунин А. В. Большой англо-русский фразеологический словарь /А.В. Кунин. – М.: Советская Энциклопедия, 1967. – 738с.
3. Селіванова О. Л. Сучасна лінгвістика. Термінологічна енциклопедія / О.Л.Селіванова. – Полтава : «Довкілля», 2006 – 715 с.
4. Теля В. Н. Что такое фразеология / В. Н. Теля. – М.: Наука, 1966. – 86 с.



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## **PHONETIC AND SYNTACTIC MEANS OF FIGURATIVENESS IN MODERN ENGLISH SOCIAL ADVERTISING TEXTS**

Along with the rapid development of social economy, advertising is becoming extremely popular. In the contemporary society, people are engulfed with thousands of advertising messages on a daily basis and therefore are unable to remember all the advertisements. In most cases people just tend to ignore the messages, because they are bored of its huge amount and can't percept most of advertising texts at all.

Nowadays, advertising is the most discussed issue. There are various kinds of advertising texts, but social is believed to be the most effective one.

It doesn't matter how tired and irritated we might be about the immense flow of advertising texts around us, *social ads* still manage to catch our attention and shock us fairly easily. It includes such issues of public interest like healthy lifestyle, the environment protection, human and animal rights, abuse of children, and disrespect for elders that always strike a deep chord in our hearts and conscience.

As the advertising message is usually limited by space and time, it is very significant for advertisers to use effective language in order to attract the audience and make them react to the advertisement in a positive way. In accordance with Kannan and Tyagi [2] points of view «language has a powerful influence over people and their behaviour».

Advertising belongs to the most popular research subjects in modern linguistics. We have investigated a lot of social advertising texts and found out a lot of tools, *i.e. phonetic, stylistic, syntactic and morphological*.

Among the *sound techniques* most often used in English advertising messages are the following: *alliteration, assonance and rhyme*.

**Alliteration** is a phonetic stylistic device which aims at imparting a melodic effect to the utterance. In his book, Cuddon[1, p.23] defines alliteration as «a figure of speech in which consonants, especially at the beginning of words, or stressed syllables, are repeated». E.g. «*Know your unit, know your limit*» – the author uses alliteration sound [t]; it is a slogan of the anti-alcohol campaign that deals with alcoholism.

**Assonance** consists of the repetition of similar vowel sounds, usually close together, to achieve a particular effect of euphony [1, p.58]. It's often used in advertising messages, especially in slogans. E.g. «*After a stroke from smoking, get used to losing your independence*».

**Rhyme** is the repetition of identical or similar terminal sound combination of words. Rhyming words are generally placed at a regular distance from each other. According to Leech's [3] view, rhyme makes the slogans and headlines appear striking and easier to remember. E.g. «*Join woodsy owl. Give a hoot! Don't pollute. Tooty our hooter on pollution, now!*» – the use of rhyme *hoot-pollute* increases the message distinctiveness. In the last sentence the author used assonance – repetition of vowel sound [u:]: *toot-hooter-pollution*. Assonance provides advertising with rhythm and helps to remember the text better.

Among the *syntactic peculiarities* of English social advertising texts are *repetition (anaphora and epiphora), imperative, interrogative and exclamatory sentences*.

**Repetition**, according to Cuddon [1, p.742], is «an essential unifying element in nearly all poetry and much prose. It may consist of sounds, particular syllables and words, phrases, stanzas, metrical patterns, ideas, allusions and shapes».

The type of repetition when words or word groups in successive clauses are repeated, is a rhetorical device called **anaphora** [1, p.37]. It is used to appeal to the emotions of the audience in order to persuade and motivate them. E.g. «**No one** should have **no one**. Give your friend a hug!» – it concerns lonely people and calls us to help them. «**Save paper – Save the planet**» – draws attention to the problems of environment protection. «**Drive carefully. You're tough, but you're not invincible**» – concerns uniform traffic Code and asks drivers to be attentive.

The repetition of the same word or words at the end of successive phrases, clauses or sentences is called **epiphora**. E.g. «**Stop, no. Stop please, no, please. Please stop taking unbooked minicabs**» – asks us to be careful and don't sit in an unknown taxi even if we're in a hurry; «**Filter your life. Stop burning our life**» – the author encourages people to quit smoking.

There are a lot of advertisements in the form of imperative, exclamatory and interrogative sentences to catch audience attention and add variety to the writing. Interrogatives are questions primarily used to seek information on a specific issue. E.g. «**Think of both sides**» – warns people to be careful and avoid accidents; «**Give animals a voice. Stop animal abuse**» – calls us to respect, help and love animals; «**Give a hand to wildlife**», «**Lend a hand – care for the land!**» – deal with protection of the environment; «**How about sharing with those in need?**» – asks people to help their neighbors in need; «**This is your brain. This is your brain on drugs. Any questions?**», «**You are not a sketch! Say no anorexia!**» – apply for healthy lifestyle.

Sentence length is an important criterion of the readability and realizing of a text, especially in advertising messages. E.g. «**Slower is better**», «**Animals are not clowns**».

Social advertising is very powerful and effective tool that force people to think about their conduct and lifestyle. It has many special rules of being so influential on our minds. Moreover, the figurative language and different stylistic devices make any advertising messages memorable and emotionally coloured.

### **References:**

1. Cuddon J. A. *The Penguin Dictionary of Literary Terms and Literary Theory*/ J. A. Cuddon. – London: Penguin Books Ltd, 1999.
2. Kannan R., Tyagi S. *Use of language in advertisements, English for Specific Purposes World* / R. Kannan, 2013.
3. Leech G. *English in Advertising* / Geoffrey Leech. – London: Longman, 1966.



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## **IRONY IN ENGLISH LITERARY DISCOURSE**

Of recent, linguists have shown considerable interest in the status of irony, its linguistic nature and mechanism of its creation, because of its prominent usage in literary discourse.

Irony emerges as one of the first way of human reflection. The term "irony" is interpreted differently by different scientists, because the concept is considered in terms of aesthetics, literary criticism and linguistics. Modern researchers define irony as a stylistic device that simultaneously realizes two meanings, vocabulary and contextual, which are contrary to each other. [4, c. 214].

The basis of irony is a sense of superiority over the speaker, what or whom he says. The character of irony is dependent on the personality of the author, his social status, political beliefs, aesthetic views, ethical ideas — this is reflected in the ratio of irony expressed only through language, and irony expressed predominantly extra-linguistic tools that are still not sufficiently investigated and needs to be further developed for deeper interpretation of literary thinking writer [3].

Irony does not exist outside the context, which varies from the minimal - a word combination, as in J. Steinbeck's "She turned with the sweet smile of an alligator," - to the context of a whole book, as in Ch. Dickens, where one of the remarks of Mr. Micawber, known for his complex, highly bookish and elaborate style of speaking about the most trivial things, is introduced by the author's words "...Mr. Micawber said in his usual plain manner" [1]. In both examples the words "sweet" and "plain" reverse their positive meaning into the negative one due to the context, micro- in the first, macro- in the second case.

Though irony is a contextual stylistic device, there exist words and word-combinations which convey ironical meaning out of context: *too clever by half, a young hopeful, head cook and bottle washer, to orate, to oratorize*. In order to help the addressee decode irony the speaker often resorts to appropriate intonation and gestures.

Irony is a wide-ranging phenomenon and may be achieved both by linguistic and extra-linguistic means. Three kinds of irony are usually distinguished. They are as following: verbal (linguistic) irony; dramatic irony; irony of situation (irony of life);

Verbal (or linguistic) irony is a figure of speech involving discrepancy between what is said and what is meant. The context is arranged so that the qualifying word reverses the direction of the evaluation, and the word positively charged is understood as a negative qualification and (much rarer) vice versa. Irony is generally used to convey a negative meaning or emotion: irritation, regret, dissatisfaction, disappointment, displeasure, etc.

In cases of extra-linguistic irony it is usually extended over a whole story.

In dramatic irony the contrast is between what a character says and what the reader knows to be true. The value of this kind of irony lies in the comment it implies on the speaker or the speaker's expectations.

In irony of situation (or irony of life) the discrepancy is between appearance and reality, or between expectation and fulfillment, or between what is and what would seem appropriate [2].

Irony plays an important role as it provides the literary discourse with the additional content, specific stylistic coloring. This phenomenon reflects author's dissatisfaction with the world. It lies in the fact that the author ridicules the negative phenomena, speaking about them in a feigningly positive way. Hatim B. and Mason I., who are the famous scientists in the sphere of translation, emphasize that when the speaker uses irony, he does not virtually believe in what he says. So, the speaker expresses his attitude to a direct interpretation of the statement [5].

The mocking intonation provides the text with the special emphasis on irony, because even a written text "sounds", while reading it. Other markers of irony usage in the literary discourse are style violations, repetitions, direct denotes in the text ("He smiled ironically"), facial expressions of the character (raised eyebrows, smile) etc.

So, as a conclusion, irony brings about some added meanings to a situation. Ironical statements and situations in literature develop readers' interest. Irony makes a work of literature more intriguing and forces the readers to use their imagination and comprehend the underlying meanings of the texts.

### **References:**

1. Кухаренко В.А. *Практикум з стилістики англійської мови: Підручник*. – Вінниця. «Нова книга», 2000 - 160 с.
2. Мороховский А. Н., Воробьева О. П., Лихошерст Н. И., Тимошенко З. В. *Стилистика английского языка*. – К.: Вища шк., 1991. – 272 с.
3. Салихова Н. К. *Языковая природа и функциональная характеристика стилистического приема иронии (на материале английской и американской литературы XVIII-XIX в.): автореф. дис. ... канд. филол. наук.: спец. 10.02.04 "Германские языки" / Н. К. Салихова*. – М., 1976. – 24 с.
4. Тараненко О. О. «Українська мова»: *Енциклопедія*. [редкол.: Русанівський В. М., Тараненко О. О. та ін.] – 2-ге вид. — К. : Вид-во «Укр. енцикл.» ім. М. П. Бажана, 2004. – 824 с.
5. Hatim B. *Discourse and the Translator / B. Hatim, I. Mason*. – L. and N.Y.: Longman, 1990. – P. 258.



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## **ILLEGAL VS LEGAL IMMIGRATION IS A GLOBAL ISSUE**

Human migration is not a new phenomenon. For centuries, people have left their homes in search of better lives elsewhere. The world has become increasingly global and interconnected in the past 10-15 years. Today, it is estimated that more than 200 million people globally live outside their home countries, a number that has increased by more than 40% in the past decade, according to the United Nations. Immigrants now comprise 3.1% of the world's population, up from 2.9% in 1990.

In the last decade, the process of globalization has caused an unprecedented amount of migration from the least developed countries of Asia, Africa, Latin America and Eastern Europe to Western Europe, Australia and North America. Today, across the globe, while the nationalities of the migrants may be different, governments in developed nations are facing huge local public pressure to increase border enforcement and security.

The problem many countries face today is illegal immigration that has no true regulation and generally invites immigrants who often include the criminal element trying to escape from the pursuit of the authorities back home. No one knows for sure how many of the global immigrant population is illegal, but the International Organization for Migration in Geneva estimates the number to be between 15% and 20%.

The Center for Media and Democracy stated: "Illegal immigration refers to the migration of people across national borders in a way that violates the immigration laws of the destined country" [1].

Demetrios G. Papademetriou, PhD, Director of the Migration Policy Institute, offered the following explanation: "Illegal immigration takes several forms, four of which are the most common:

1. Undocumented/unauthorized entrants: These are nationals of one state who enter another state clandestinely. In all instances, the entrant manages to avoid detection and hence, inspection.

2. Individuals who are inspected upon entry into another state, but gain admission by using fraudulent documents. A variant of this class of entries involves the making of fraudulent asylum claims where issues of identity, documentation, and the narrative in support of the asylum claim may be falsified.

3. Violators of the duration of a visa: These include individuals who enter another state properly but 'willfully' overstay their period of legal stay, thus lapsing into irregular status.

4. Violators of the terms and conditions of a visa: Nationals of one state who enter another state with the proper documents and procedures, but at some point violate the terms of their visa" [2].

Irregular migration is not a new issue, but is one that has taken on new proportions in recent years. Currently, conflict and economic instability appear to be the main reasons for the illegal movement of migrants throughout the world, and many migrants are refugees or asylum seekers.

Illegal immigration causes substantial harm to citizens and legal immigrants of many countries, particularly those in the most vulnerable sectors of their population — the poor, minorities, and children. Illegal immigration causes an enormous drain on public funds. The seminal study of the costs of immigration by the National Academy of Sciences (the USA) found that the taxes paid by immigrants do not begin to cover the cost of services received by them. The quality of education, health care and other services for Americans are undermined by the needs of endless numbers of poor, unskilled illegal entrants. Additionally, job competition by waves of illegal immigrants desperate for any job unfairly depresses the wages and working conditions offered to American workers, hitting hardest at minority workers and those without high school degrees.

Illegal immigration also contributes to the dramatic population growth in some countries, for example, overwhelming communities across America — crowding school classrooms, consuming already limited affordable housing, and increasing the strain on precious natural resources like water, energy, and forestland. Until the recent economic

recession and high unemployment, the immigration authorities estimated that the population of illegal aliens was increasing by an estimated half million people annually.

Many citizens see the negative impact of illegal immigration on the infrastructure of their country. It's a fact that schools, medical facilities, police, related local services and other community resources are stretched well beyond capacity today even without the added burdens of illegal immigration.

Due to more restrictive immigration policies in destination countries and improved technology to monitor border crossings, willing illegal migrants rely increasingly on the help of organized people smugglers. The flow of migrants across borders is sometimes controlled by criminal networks.

Linked to people smuggling and human trafficking are other crimes such as illicit money flows and the use of fraudulent travel documents.

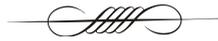
While most illegal immigrants may come only to seek work and a better economic opportunity, their presence outside the law furnishes an opportunity for terrorists to blend into the same shadows while they target the public for their terrorist crimes. Some people advocate giving illegal aliens legal status to bring them out of the shadows, but, if we accommodate illegal immigration by offering legal status, this will be seen abroad as a message that we condone illegal immigration, and we will forever be faced with the problem.

The fact is illegal immigration needs to be stopped and stopped now. If we are going to be global, we need legal immigration; but, first and foremost, we need immigration that's legal, measured and that meets country's long-term needs and strategic priorities. There must be a comprehensive effort to end illegal immigration. That requires ensuring that illegal aliens will not be able to obtain employment, public assistance benefits, public education, public housing, or any other taxpayer-funded benefit without detection.

The three major components of immigration control — deterrence, apprehension and removal. Controlling illegal immigration requires a balanced approach with a full range of enforcement improvements that go far beyond the border. These include many procedural reforms, beefed up investigation capacity, asylum reform, documents improvements, major improvements in detention and deportation procedures, limitations on judicial review, improved intelligence capacity, greatly improved interstate cooperation, and added resources.

### ***References:***

1. *The Center for Media and Democracy, in an article, "Illegal Immigration US," – sourcewatch.org. - Aug. 10, 2008. - [Web resource]. - Access mode: Center for Media and Democracy*
2. *Demetrios G. Papademetriou, PhD, Director of the Migration Policy Institute (MPI), Migration Policy Institute essay entitled "The Global Struggle with Illegal Migration: No End in Sight," Sep. 1, 2005. - [Web resource]. - Access mode: - Demetrios Papademetriou, PhD*
3. *Elsbeth Guild and Stefanie Grant. What role for the EU in the UN negotiations on a Global Compact on Migration? - [Web resource]. - Access mode: www.ceps.eu No 2017/05.*



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## **A COURT PRECEDENT AS A SOURCE OF ENGLISH LAW**

A unique feature of English law is the doctrine of judicial precedents – where the reported decisions of the courts form a binding source of law for future decisions. A judge is bound by the decisions of superior courts but not necessarily by those of inferior courts.

In the modern legal system, the term precedent refers to a rule, or principle of law, that has been established by a previous ruling by a court of higher authority, such as an appeal court, or a supreme court. Courts in the U.S. legal system place a high value on making judgements based on consistent rules in similar cases. In such a system, cases based on similar facts have a fair and predictable outcome. To explore this concept, consider the following precedent definition.

Legal precedent means that a decision on a certain principle or question of law has already been made by a court of higher authority, such as an appeal or Supreme Court. Following such a decision, lower courts defer to, or adhere to, that prior decision in similar cases. The decisions of lower courts may be used as precedent for courts of similar jurisdiction, but higher courts are not bound by the decisions of lower courts.

In legal systems based on common law, a precedent, or authority, is a principle or rule established in a previous legal case that is either binding on or persuasive for a court or other tribunal when deciding subsequent cases with similar issues or facts. Common law legal systems place great value on deciding cases according to consistent principled rules so that similar facts will yield similar and predictable outcomes, and observance of precedent is the mechanism by which that goal is attained. The principle by which judges are bound to precedents is known as ‘stare decisis’. Black's Law Dictionary defines "precedent" as a "rule of law established for the first time by a court for a particular type of case and thereafter referred to in deciding similar cases"[1]. Common law precedent is a third kind of law, on equal footing with statutory law (statutes and codes enacted by legislative bodies), and Delegated legislation (in U.K. parlance) or regulatory law (in U.S. parlance) (regulations promulgated by executive branch agencies).

Case law, in common law jurisdictions, is the set of decisions of adjudicatory tribunals or other rulings that can be cited as precedent. In most countries, including most European countries, the term is applied to any set of rulings on law which is guided by previous rulings, for example, previous decisions of a government agency.

In the U.S. legal system, there is a principle that compels judges to respect the precedent established by prior decisions on similar cases. This principle is known as “stare decisis” (Latin). This means that courts should adhere to precedent, and not stir the pot on matters already settled.

In the common law tradition, courts decide the law applicable to a case by interpreting statutes and applying precedent which record how and why prior cases have been decided. Unlike most civil law systems, common law systems follow the doctrine of stare decisis, by which most courts are bound by their own previous decisions in similar cases, and all lower courts should make decisions consistent with previous decisions of

higher courts[2]. For example, in England, the High Court and the Court of Appeal are each bound by their own previous decisions, but the Supreme Court of the United Kingdom is able to deviate from its earlier decisions, although in practice it rarely does so.

Generally speaking, higher courts do not have direct oversight over day-to-day proceedings in lower courts, in that they cannot reach out on their own initiative (*sua sponte*) at any time to reverse or overrule judgments of the lower courts. Normally, the burden rests with litigants to appeal rulings (including those in clear violation of established case law) to the higher courts. If a judge acts against precedent and the case is not appealed, the decision will stand.

A lower court may not rule against a binding precedent, even if the lower court feels that the precedent is unjust; the lower court may only express the hope that a higher court or the legislature will reform the rule in question. If the court believes that developments or trends in legal reasoning render the precedent unhelpful, and wishes to evade it and help the law evolve, the court may either hold that the precedent is inconsistent with subsequent authority, or that the precedent should be distinguished by some material difference between the facts of the cases. If that judgment goes to appeal, the appellate court will have the opportunity to review both the precedent and the case under appeal, perhaps overruling the previous case law by setting a new precedent of higher authority.

### **Types of precedent**

There are two types of precedent: binding precedents and persuasive precedents. As the names suggest, a binding precedent obliges a court to follow its decision, while a persuasive precedent can influence or inform a decision but not compel or restrict it. This system is complex and difficult to understand but it allows the law to function with consistency, while retaining enough flexibility to accommodate change and development. The effective functioning of precedent requires three things. First, it needs a clear and well defined court hierarchy, so the function and status of each court is clear. Second, it needs close adherence to the principle of *stare decisis* by judges and magistrates. Third, it requires a thorough system of law reporting, so that records about other decisions and precedents are available to all judges.

*Stare decisis* applies to the holding of a case, rather than to *obiter dicta* ("things said by the way"). The United States Supreme Court has put it: "dicta may be followed if sufficiently persuasive but are not binding" [3].

In the United States Supreme Court, the principle of *stare decisis* is most flexible in constitutional cases:

*Stare decisis* is usually the wise policy, because in most matters it is more important that the applicable rule of law be settled than that it be settled right. ... But in cases involving the Federal Constitution, where correction through legislative action is practically impossible, this Court has often overruled its earlier decisions. ... This is strikingly true of cases under the due process clause [4].

For example, in the years 1946–1992, the U.S. Supreme Court reversed itself in about 130 cases. The U.S. Supreme Court has further explained as follows:

When convinced of former error, this Court has never felt constrained to follow precedent. In constitutional questions, where correction depends upon amendment, and not upon legislative action, this Court throughout its history has freely exercised its power to re-examine the basis of its constitutional decisions.

The United States Supreme Court has stated that where a court gives multiple reasons for a given result, each alternative reason that is "explicitly" labelled by the court as an "independent" ground for the decision is not treated as "simply a dictum." [5]

The doctrine of binding precedent or stare decisis is basic to the English legal system. Special features of the English legal system include the following:

1. The Supreme Court's ability to override its own precedent
2. Distinguishing precedent on legal (rather than fact) grounds

#### **References:**

1. *Black's Law Dictionary*. - (5th ed. 1979). - 1059 p.
2. *Central Green Co. v. United States*, 531 U.S. 425 (2001), quoting *Humphrey's Executor v. United States*, 295 U. S. 602, 627. - 1935. – 34 p.
3. *Guide to Law Online* [Электронный ресурс]. – Режим доступа: <https://www.loc.gov/law/help/guide.php>
4. *Precedent Definition* [Электронный ресурс]. – Режим доступа: <http://legal-dictionary.thefreedictionary.com/precedent>



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### **CYBERCRIME IN ALL ITS MANIFESTATIONS: CONCEPT, TYPES, CAUSES OF PROPAGATION AND MECHANISMS OF RESISTANCE**

Cybercrime is a fast-growing area of crime. More and more criminals are using the speed, convenience and anonymity of the Internet to commit a diverse range of criminal activities that know no borders, either physical or virtual, cause serious harm and create very real threats to users worldwide.

Cybercrime, or computer crime, is crime that involves a computer and a network. The computer may have been used while committing a crime or it may be a target for committing a crime [1].

Debarati Halder and K. Jaishankar define cybercrimes as ‘Offences that are committed against individuals or groups of individuals with a criminal motive to intentionally harm the reputation of the victim or cause physical or mental harm, or loss, to the victim directly or indirectly, using modern telecommunication networks such as Internet (networks including but not limited to Chat rooms, emails, notice boards and groups) and mobile phones (Bluetooth/SMS/MMS)" [2, p. 15].

Cybercrime is quite complex and multidimensional phenomenon, so it is quite difficult to find a comprehensive legal definition. In general, there is a wide range of cybercrimes which include crimes committed in order to obtain financial benefit, crimes connected with the use of the information stored in the computer and offences against the confidentiality, integrity and availability of computer data and systems. [3, p. 8].

For the first time the world learned about computer crimes in the early 70's, when a large number of such acts had been discovered in the US. In 1979 the American Bar Association's Dallas Conference stated the following offenses in the IT sector:

- use or an attempt to use a computer, computer system (computing system) or computer network in order to obtain money, property or services by faking codes or posing yourself as another person;

- deliberate unsanctioned action that aims to change, damage, destroy or steal software or data stored in a computer, computer system, computer network or system of mathematical software;
- deliberate illegal breach of connection between computers, computer systems or computer networks [4].

In 1994 the UN published UN Manual on the Prevention and Control of Computer-Related Crime. Appealing to the history, scale and complexity of the nature of this phenomenon, the manual attempts to provide a broad overview of the newest forms of computer crimes and crimes associated with the use of computers [5].

Foreign experts have developed different methods of classification. Here there are some of them made by Interpol General Secretariat.

QA - Unauthorised access and interception

QD - Change of computer data

QF - Computer fraud

QR - Illegal copying

QS - Computer sabotage

QZ - Other computer crimes

All codes that characterize computer crimes have its identifier that begins with the letter «Q». For description of crime, up to five codes can be used arranged in descending order according to the relevance of the offense. The group QA, for example includes QAH – «hacking», access to a computer or network without permission, or QAI – «interception», interception by technical means, without the authorized access.

But the most striking example of QD group is QDV - «virus» - the change of data or computer programs by introduction or spreading a computer virus without authorized access [6, C. 150-152].

Cybercrime is the fifth type of economic crime in Ukraine by its size after misappropriation of property, corruption and bribery, unfair competition and manipulation concerning financial reporting. In 2014 the combating cybercrime department of the Ministry of Internal Affairs registered 4,800 crimes in IT sphere, while in 2015 there were 6025.

The main causes of such spreading are:

- openness of society and state. Internet is a handy infrastructure for international delivery of goods, service, money transfer between individuals and legal persons; storing information in the Internet and connecting computers to this net simultaneously provides opportunities for cybercrime;

- high speed and low cost of crime. According to Kaspersky Lab data, cybercriminals' income, on average, is more than 20 times bigger than expenses to prepare such crimes [7].

- complicated character of the crime. Besides the fact that cybercriminals receive financial or other material benefits of the crime, they use computer technology, information and communication networks based on social and psychological reasons, including the discrediting of governments and states, placing websites with terrorist context (orientation), damaging and destroying the key systems by attaching of falsified data to them or permanent output of these systems from working condition. The example of such crime is hacking attack on government websites in Ukraine in December 2016 and on the internal network of state organs, leading to massive delays budgetary payments [8].

- anonymity of crime. Criminals are attracted by the absence of physical contact with the victim and by the relative softness of the punishment in several countries; it also makes

it more difficult for law enforcement agencies to trace them. Online identity theft is difficult to track because it can take months for victims to realise that their identity has been stolen. When victims discover the crime and report about it, the thief has already disappeared.

- transnationality of crime. A feature of this type of crime is that the preparation and commission of a crime, if you have access to the Internet, can be made from almost any location. For example, an ordinary 16 year old teenager, known as “Craska”, from his home in the UK, hacked personal mailbox of heads of the FBI and CIA and published the personal information of 20,000 FBI employees and 9,000 agents of United States Department of Homeland Security[9].

The international community, considering possible negative consequences of this phenomenon, is in constant search of measures that allow to minimize the impact of cyber threats on the society. Currently, adopted in 2001 Budapest Convention is the foundation for the development of legislation in fighting against cybercrimes.

The Budapest Convention requires states:

- to treat as criminal attacks on computer data and systems as well as an offense concerning using computers;
- to improve legislation on combating cybercrime;
- to expand international cooperation with other member-countries to the Convention [10].

Cybercrime Convention Committee (T-CY) was created to help member countries to share information and to consider the need for amendments or protocols to the Convention. Furthermore, in 2006 the Council of Europe launched an international project to combat cybercrime, which is designed to help countries in matters of cyber security. Since January 2013 under the auspices of Europol new European cybercrime center has begun its activity.

The wheels of progress never stop turning and Ukraine is no exception, since November 10, 2015 according to the order of the National Police # 85 dated 10.11.2015 the Department of Kiberpolice was established as interregional territorial body of the National Police. In addition there is National Cybersecurity Coordination Centre attached to the National Security and Defense Council of Ukraine (NSDC). On 15 March 2015 the President of Ukraine approved the Decree "Cybersecurity Strategy of Ukraine"[11].

The CERT-UA division is successful enough in its activity. For example, during the pre-term presidential elections in Ukraine in 2014, due to CERT-UA experts hacker attacks on the automated system "Vybory" were neutralized [12].

So, rapid development of information technology is gradually transforming the world. Open and free cyberspace expands the freedom and opportunities of people. At the same time the advantages of modern digital world and the development of information technology led to the emergence of new threats to national and international security to which states must react timely and adequately. However, nowadays there is no effective fight against cybercrime in Ukraine. High technological processes, extremely fast development of information technologies and complexity in this area, as well as relatively long development of normative legal regulations leads to a significant backlog of measures to prevent and combat cybercrime. Moreover, it is necessary to have terabytes of electronic and millions of financial resources in order to get a positive result. For example, in 2016 the US spent on cyber security 14 billion dollars. Unfortunately, our state is unable to afford such costs. Despite the lack of funding and limited resources, Ukraine has some potential which includes first of all human capital i.e. invaluable intellectual abilities of Ukrainians, either schoolchildren who master computer and cyberspace in a fast and deep way or

students, teachers, professors and specialists in cyber sphere in different academic and branch institutes of our country.

### **References:**

1. Moore, R. (2005) *Cybercrime: Investigating High-Technology Computer Crime*, / Cleveland, Mississippi: Anderson Publishing.
2. Halder, D., & Jaishankar, K. (2011) *Cybercrime and the Victimization of Women: Laws, Rights, and Regulations*. – 267 с.
3. Департамент фінансових розслідувань Державна служба фінансового моніторингу України – «Кіберзлочинність та відмивання коштів»
4. Засади інформаційної безпеки. курс лекцій, - Є.Л. Стрельцов, докт. юрид. наук, докт. теології, проф., вчений секретар Південного наукового центру НАПрН України
5. *UN Manual on the Prevention and Control of Computer-Related Crime* [Електронний ресурс]. – Режим доступу: [http://www.unodc.org/pdf/Manual\\_ComputerRelatedCrime.PDF](http://www.unodc.org/pdf/Manual_ComputerRelatedCrime.PDF)
6. Комп'ютерна злочинність: Навчальний посібник / П. Д. Біленчук, Б. В. Романюк, В. С. Цимбалюк та ін. – К.: Атіка, 2012
7. Счет в пользу хакеров: сколько зарабатывают киберпреступники на потерях пользователей [Електронний ресурс]. – Режим доступу: <http://www.kaspersky.ru/about/news/virus/2014/schet-v-polzu-hackerov>
8. Перелік кібератак [Електронний ресурс]. – [https://uk.wikipedia.org/wiki/Перелік\\_кібератак](https://uk.wikipedia.org/wiki/Перелік_кібератак)
9. *The Daily Dot* // U.K. police arrest teenage hacker who allegedly broke into CIA director's email [Електронний ресурс]. – Режим доступу: <http://www.dailydot.com/layer8/cracka-hacker-cia-john-brennan-email-arrested/>
10. Конвенція про кіберзлочинність від 23.11.2001 [Електронний ресурс]. – Режим доступу: [http://zakon0.rada.gov.ua/laws/show/994\\_575](http://zakon0.rada.gov.ua/laws/show/994_575)
11. Указ Президента України Про рішення Ради національної безпеки і оборони України від 27 січня 2016 року "Про Стратегію кібербезпеки України" [Електронний ресурс]. – <http://zakon0.rada.gov.ua/laws/show/96/2016>
12. Коментар Держспецзв'язку щодо інциденту в ЦВК [Електронний ресурс]. – <http://www.webcitation.org/6Q0jjsfiE>
13. *CYBER SECURITY STATISTICS IN 2016* [Електронний ресурс]. – Режим доступу: <https://www.ekransystem.com/en/blog/cyber-security-statistics-2016>



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### **PROFILING VS SERIAL KILLERS**

*“If you stare into the abyss, the abyss stares back at you”.*

*F. Nietzsche*

What is the definition of a crime? It is more than an ordinary misdemeanor, it is a revelation, a work of art. All the attempts to eradicate the crime are in vain. The society in his judgments is driven by the fear of loss of order, destruction. True nature of crime is still undiscovered.

The actions of a serial killer are systematic and easy to predict. Therefore, serial killers are the most notable representatives of the criminal world. According to Robert Ressler, one of the most famous FBI profilers, a serial killer is someone who commits more than three murders in 30 days with emotional cooling periods, while the motivation for killing is most often based on achieving the psychological satisfaction of the killer. Serial killer has a number of unique features such as the choice of the weapon, the appearance of the victim, the period of the day in which the murder occurs. All these aspects are studied and allow identifying two types of a serial killer.

The first one is intelligent and able of self-control. He looks after himself and can be considered as charming, though he shows disrespect to manners of behavior adopted by the society. He is a sociopath. His victims have a certain image, and the crimes are planned in advance. He would not kill immediately; he would certainly return to the crime scene, may contact the police. The organized non-social type of a serial killer is romanticized and captured in many books and films. On the other hand, the public ignores the second, disorganized antisocial killer. He is stupid, has a variety of health issues. With high probability, such a person had been abused in his or her childhood. He does not comprehend himself and his crimes; he is an antipode to the first type [2].

Profilers stand out in opposition to the plans of serial killers. Bad or good, their work is not limited to a simple division into two. Each individual case contains exceptions, contradictions and ambiguities. The question of determining the motive occupies an important place in the search, identification and detention of a serial killer. Among them, you can meet "missionaries", God's ambassadors, power-hungry, hedonists chasing after a sense of contentment.

The use of the deductive method and the particularity of a kind, that most accurately can characterize the method of profiling. To supplement the idea of the method it can directly use, which each of us can do, of course, not only in the matter of investigation. The process this approach uses to determine offender characteristics involves:

An assimilation phase (from *assimilare*– likening) where all information is available concerning the crime scene, victim and witnesses is examined. This may include photographs of the crime scene, autopsy reports, victim profiles, police reports, and witness statements. The "classification stage" integrates the information, it is organized in the form of a murderer as "organized" or "disorganized". In the following stage of profilers attempt to reconstruct the behavioral sequence of the crime, in particular, attempting to reconstruct the offender's *modus operandi* (mode of action) or method of committing the crime. Profilers also examine closely the offender's "signature" which is identifiable from the crime scene and is more idiosyncratic than the *modus operandi*—this is the signature of the crime. From further consideration of the *modus operandi*, the offender's signature at the crime scene, and also an inspection for the presence of any staging of the crime, the profiler moves on to generate a profile. This profile may contain detailed information on the offender's demographic characteristics, family characteristics, military background, education, personality characteristics, and it may also be appropriate to the interrogation techniques too [1].

Extraordinary talent, intelligence, curiosity. It is hard to figure out who is the hunter in this deadly game. Modernity popularized danger and cult. The mask of normality becomes the most terrible mask in the street. Complete identity, mass culture, facelessness does not allow to distinguish the enemy from the friend at first sight. And even looking in the mirror, we do not admit to ourselves that in reflection we see black unfolded abyss of soul.

### **References:**

1. *Criminal profiling from crime scene analysis. Behavioral Sciences and the Law [Electronic resource] – Access mode: <http://www.ravenndragon.net/montgomery/crimprofiling.pdf>*
2. *FBI Records: The Vault [Electronic resource] – Access mode: <https://vault.fbi.gov/Criminal%20Profiling>*



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## **THE PRINCIPLE OF POPULAR SOVEREIGNTY IN THE EUROPEAN COUNTRIES' CONSTITUTIONS AND THE MANNER OF PHRASING IT**

The principles of the European countries' systems embodied in their constitutions may be similar, yet can differ due to the language they are expressed in and the manner of phrasing them. The way of stating the principles may be long and descriptive or succinct and concise; similar words may have different meaning ranges depending on the language. In some cases a principle might undoubtedly function in a certain country despite not being directly articulated in the constitution. I would like to elaborate on the concept of the constitutional principles as well as specify the principle of popular sovereignty in the Constitution of the Republic of Poland and confront it with the rules from the constitutions of the French Republic, the Italian Republic and the Federal Republic of Germany.

The constitutional principles are ideas and values of the utmost importance for the country and the society expressed as rules of law that either are concluded directly in the constitution, can be derived from its specific provisions or emerge from fixed constitutional conventions. On the one hand, they create the basics of other regulations, and on the other hand, they characterize a country by highlighting the most important features of its political organization or the political regime functioning in that country.

One of the most important principles stated in the Polish Constitution is popular sovereignty (also called the sovereignty of the people's rule). It means that the authority of a state and its government is created and sustained by the consent of its people, who are the source of all political power. The essence of this principle is that it empowers the nation to make independent decisions considering itself and its matters definitively; the people are the highest power in a country. Nowadays, the principle of popular sovereignty is a basic indicator of the democratic system.

Article 4 of the Polish constitution states that 'supreme power (*władza zwierzchnia*) in the Republic of Poland shall be vested in (*należy do*) the Nation (*Narodu*)'. It defines the notion of 'sovereignty' as 'supreme power'. By writing the word 'Nation' with the capital letter, the legislator further emphasizes its importance. The notion of people refers to the political, not ethnic, category, therefore it includes all people with the Polish citizenship, regardless of a person's place of residence or origin. 'The Nation' means a community of citizens with equal rights, a pluralistic society organized in its own structures and therefore capable of operating and expressing its volition. The principle of the sovereignty of the people's rule empowers the nation to choose the authorities, to express its opinions concerning the governing of the country, and to make decisions alongside the political

organs in the process of governing. The main function of the nation as the sovereign comes down to appointing the authorities and giving direction to the country's politics.

According to Article 3 of the French constitution, 'national sovereignty (*la souveraineté nationale*) shall vest in (*appartient au*) the people (*peuple*)'. The phrase 'national sovereignty' indicates *the nation as the bearer of sovereignty, though it is* 'the people' who are stated as the collective entity in whom the sovereignty is vested. That means that the notion of 'people' is therefore equivalent to 'the nation'.

The Italian Constitution phrases this principle in its Article 1, which says that 'sovereignty (*la sovranità*) belongs to (*appartiene al*) the people (*popolo*)'. That provision introduces the subject of the discussed principle succinctly and concisely. As stated in Article 20 of the German Constitution, 'all state authority (*alle Staatsgewalt*) emanates from (*geht vom*) the people (*Volke*)'. Contrary to the aforementioned regulations, this one states that the authority 'emanates from' the people. While words such as 'vest' and 'belong' underline the permanent character of the sovereignty, the phrase 'emanates from' might suggest that the sovereignty is not as well-founded. However, it is highlighted in the legal literature that the provisions stating that the power 'belongs to', 'vests in' or 'emanates from' the nation do not bear the consequences that might influence the status of the nation as *the bearer of sovereignty*.

To sum up, as presented on the example of the principle of popular sovereignty, the constitutional principles of the Republic of Poland, the French Republic, the Italian Republic and the Federal Republic of Germany are to some extent similar. In most cases the constitutional provisions bear similar meanings even though the way they are expressed in differs. While one country elaborates on a principle, another may state it in a minimalistic manner. Sometimes there can be no doubt as to a principle's functioning in a country despite it not being directly expressed in its constitution. Although the constitutional principles of the European countries' systems may seem distinctive due to the different manner of stating them, plenty of similarities may be observed as well, presumably due to their common European legal culture.

### **References:**

1. Gebethner S., *Rzeczpospolita w świetle postanowień rozdziału pierwszego Konstytucji z 1997 r.*, [in:] *Podstawowe pojęcia pierwszego rozdziału Konstytucji RP*, red. E. Zwierzchowski, M. Mączyński, Katowice 2000.
2. Granat M., *Konstrukcja zasady reprezentacji politycznej w Konstytucji RP z 1997 roku*, [in:] *Podstawowe pojęcia pierwszego rozdziału Konstytucji RP*, red. E. Zwierzchowski, M. Mączyński, Katowice 2000.
3. Kudej M., *Problematyka konstytucyjnej zasady suwerenności narodu*, [in:] *Podstawowe pojęcia pierwszego rozdziału Konstytucji RP*, red. E. Zwierzchowski, M. Mączyński, Katowice 2000.
4. Majchrowski J., Winczorek P., *Ustrój Konstytucyjny Rzeczypospolitej Polskiej*, Warszawa 1998.
5. Nagel K., *Przyrodzona godność człowieka fundamentem państwa prawa*, [in:] *Filozoficzne i teoretyczne zagadnienia demokratycznego państwa prawa*, red. M. Andruszkiewicz, A. Breczko, S. Oliwniak, Białystok 2015.
6. Patyra S., *Podstawowe zasady ustroju w Konstytucji Rzeczypospolitej Polskiej*, [in:] *Konstytucyjny system organów państwowych*, red. E. Gdulewicz, Lublin 2015.
7. Sarnecki P., *Ustroje konstytucyjne państw współczesnych*, Warszawa 2013.

8. Smolak M., *Między koncepcją państwa socjalnego a koncepcją Rechtsstaat*, [in:] *Polskie dyskusje o państwie prawa*, red. S. Wronkowska, Warszawa 1995.
9. Wronkowska S., *Zarys koncepcji państwa prawnego w polskiej literaturze politycznej i prawnej*, [in:] *Polskie dyskusje o państwie prawa*, red. S. Wronkowska, Warszawa 1995.
10. Zmierczak M., *Koncepcja państwa prawnego jako ograniczenie władzy narodu*, [in:] *Zasada demokratycznego państwa prawnego w Konstytucji RP*, red. S. Wronkowska, Warszawa 2006.



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## **MODAL WORDS IN THE NOVEL 'THE LOST SYMBOL' BY DAN BROWN**

The problem of modal words is connected with modality as a whole. They are devoid of correlation characteristics because they refer only to the utterance to which they are attached.

Modal words are not utilized in the text as connectors between the sentences. The scope of action of modal words is only the sentences in which they are used. They show speaker's personal attitude to his own statement. [2, c. 84]

If the modal word in each of the sentences is eliminated, the whole thought will lose the modal colouring imparted to it by the modal word, and will appear to be stated as a fact, without any specific mention of the speaker's attitude. However, occasionally a modal word may refer to some one word or phrase only, and have no connection with the rest of the sentence.

Generally, modal words are grouped according to their meaning:

- expressing certainty
- expressing doubt [3, c 164]

The attitude of the speaker to what he/she is saying may be different kinds:

- evaluation of the statement  $\Rightarrow$  evaluative modal words: *fortunately, luckily, happily, unfortunately, foolishly, regrettably, etc.*
- degree of probability  $\Rightarrow$  suppositional modal words: *admittedly, apparently, possibly, evidently, surely, certainly, maybe, probably, presumable, obviously, seemingly, etc.*
- the speaker may find it necessary to provide his/her viewpoint, opinion or commentary remarks  $\Rightarrow$  commentary modal words: *significantly, frankly, naturally, curiously, surprisingly, normally, importantly, hopefully, etc.* [2, c. 83]

Modals are traditionally classified as follows according to:

1. Modal words/phrases expressing various shades of certainty: certainly, of course, surely, no doubt, assuredly, indeed, undoubtedly:

*Of course it is, Mal'akh thought. You convinced me of that beyond a doubt.* [5, p. 239]

2. Modal words expressing various degrees of probability: *maybe, perhaps, possibly, probably:*

*Maybe this collective truth is responsible for the similarity in all of our stories.* [5, p. 214]

3. Modal words expressing various shades of desirability (fortunately, unfortunately)

*Unfortunately, Langdon was drawing a total blank.*

*He probed his memory banks for anything that could possibly fit the time line.* [5, p. 198]

4. Modal words expressing doubt, uncertainty and coinciding in form with the modal words denoting probability (maybe, perhaps, probably) [4, c. 259]:

*Maybe it's not time?* [5, p. 129]

According to classification which is given in book 'A COURSE IN THEORETICAL ENGLISH GRAMMAR' of M. Y. Blokh here belong the functional words of probability (*probably, perhaps, etc.*), of qualitative evaluation (*fortunately, unfortunately, luckily, etc.*), and also of affirmation and negation.

The modal word, occupying in the sentence a more pronounced or less pronounced detached position, expressing the attitude of the speaker to the reflected situation and its parts [1, c. 40].

Having analyzed modal words, we concluded that they express the speaker's evaluation of the relation between the statement made in the sentence and reality. They can express degrees of doubt, certainty of the action.

### **References:**

1. Блох М. Я. Теоретическая грамматика английского языка / Марк Яковлевич Блох. – Москва: Высшая школа, 1983. – 383 с.
2. Волкова Л. М. Теоретична граматика англійської мови: Сучасний підхід/ Лідія Михайлівна Волкова. – Київ: Освіта України, 2009. – 256 с.
3. Ильин Б. А. Строй современного английского языка/ Борис Александрович Ильин. – Ленинград: ПРОСВЕЩЕНИЕ, 1971. – 365 с.
4. Корунець І. В. Порівняльна типологія англійської та української мов/ Ілько Вакулович Корунець. - Вінниця: Нова Книга, 2003. – 464 с.
5. Brown Dan. *The Lost Symbol* / D. Brown, 2009, - 266 p. [Електронний ресурс]-<http://sducc.sandau.edu.cn/G2S/eWebEditor/uploadfile/20131114192543009.pdf>



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## **LEGAL NATURE OF A VOW OF THE SOLICITOR – SELECTED ISSUES**

Pursuant to the provisions of art. 27 of the Act of 6 July 1982 on Legal Advisors, the prospective legal advisor (advocate/solicitor) is obliged to make a vow of the instant content. The aforementioned refers to the trainees of the legal advisors as well. Therefore, there are many doubts in compliance to the regulations mentioned, especially as the legal nature of such a vow is concerned. It is necessary to determine properly the legal character of the act of a vow because the aforementioned is connected with the admissibility or non-admissibility of a claim to the district administrative court while the body of self – government is passive and does not act in statutory regulated dates. What is more, during the analysis of the subject mentioned, the problem of the legal advisor's trainee and legal

advisor's status appeared. It is crucial to decide if the legal trainee, who does not make the vow, but passes the legal exam, may represent the party in a legal procedure. The same legal problem applies to the legal advisor/solicitor/advocate.

As far as the research led shown, there are no legal encumbrances to make an assumption that the claim on the passiveness of the self – government body to the district administrative court is acceptable. What is more, such an act falls into the judiciary control. Therefore, these acts (resolutions and decisions) may protect the public interest. To sum up, the matters mentioned are crucial not only to the practice of the legal professionals but also to the doctrine and courts that faced to reach uniformity during the process of the judiciary review.

#### **References:**

1. *Adamiak B., Borkowski J., Glosa do wyroku Naczelnego Sądu Administracyjnego z dnia 26 stycznia 1993 r., sygn. akt: II SA 930/92, LEX el.*
2. *Adamiak B., Borkowski J., Kodeks postępowania administracyjnego. Komentarz, Warszawa. - 2012.*
3. *Adamiak B., Borkowski J., Postępowanie administracyjne i sądownictwo administracyjne, Warszawa. - 2015.*
4. *Kotulski M., Zaskarżalność bezczynności i przewlekłości do sądu administracyjnego, CASUS. - 2014, Nr 73.*



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### **PROBLEMS OF TACKLING CRIME**

The five services which make up the formal criminal justice system – police, courts, prosecution, probation and prisons – must always provide the first response to crime. It is their job to demonstrate that crime, particularly serious, violent crime, cannot be tolerated, by prosecuting those who break the law and ensuring the guilty are punished.

But the formal services cannot always prevent crimes being committed in the first place, or ease the harm done to the victim. A partnership with the wider community can, however, open up new possibilities in these areas. This partnership involves many other services, businesses, voluntary organizations and everyone as citizens.

Designing the strategy to tackle crime must begin with knowledge of the nature of crime: who commits it, where, and how it is changing.

Crime is a complex and fragmented phenomenon. Crime needs to be broken down into its component parts to see which regions or neighborhoods are particularly. Crime prevention is an essential component of Government's general policy of encouragement for the cities [2, c. 12].

Where crime has occurred, the law has to be enforced. The Government and parliament must provide the police and courts with the powers and penalties they need, and must respond to the changing nature of crime with fresh legislation and procedures which enable them to deal with it effectively.

The police enforce the law. Police have to investigate, identify suspects and bring defendants to court. They must also maintain public order. These tasks are difficult and expensive, and police officers need sensitivity, skill and courage to carry them out. As crime changes its nature and becomes more international, as new tasks are given to the police, there is fresh thinking about their role and the best way of setting about it. About all the police need the continued confidence and co-operation of the public [1].

Once a suspect has been charged he or she has to be brought to court to be tried. Once an offender has been convicted the court has to decide on the proper sentence. A wide range of options are available to the courts – absolute discharges, conditional discharges, fines, attendance centers, probation, community service, and the ultimate sanction, prison. Courts have to take into account the protection of the public, the need for justice to be seen to be done and the best means of ensuring the offender does not offend again. They must also make sure the victim receives compensation whenever possible.

Long prison sentences are needed for the most serious offenders, especially those who have caused serious injury to their victims. But any loss of liberty is a severe sanction and many offenders, in particular those convicted of property offences and young people who need to be diverted from starting a criminal career, can be dealt with more effectively by rigorous and demanding programs in the community [2, c. 24].

Imprisonment is ultimate sanction. Prisons have suffered from overcrowding for many years and had been badly neglected before the present programme of building and refurbishment began. Overcrowding leads to serious problems of management and control, which in turn touches on underlying issues about the nature of prison regimes and the type of experience which prison should provide for the offender.

Criminal justice system contains a wide range of services and institutions, with different functions, funding and forms of accountability. But they all have a common objective: tackling crime. To do this they have work together, and to support and complement one another, while at the same time retaining their identity [3, c. 4].

Serious problems remain because crime is continuing to rise. In responding to crime, the criminal justice system needs to operate as a whole, with a coherent and systematic approach. Many of the issues described in this paper demand and are receiving a collective approach – the range of initiatives to reduce and prevent crime, action to reduce delays before trial, the programmes for dealing with drug and alcohol abuse, and support for victims are some examples. Co-operation and co-ordination are vital to the smooth working of the system.

Crime is a persistent problem: it has been increasing all over the world.

### ***References:***

1. *Preventing and tackling crime* [Электронный ресурс]. – Режим доступа. - <https://northyorkshire.police.uk/what-we-do/tackling-crime/>
2. Sampson R. *Tackling Crime and Other Public-Safety Problems: Case Studies in Problem-Solving* / Rana Sampson, Michael S. Scot. Washington, D.C.: U.S. Department of Justice, Office of Community Oriented Policing Services, 1999. – 50 p.
3. *Tackling Crime through Problem-Oriented Partnerships. A London Councils Member Briefing.* – London Councils, 2011. – 4 p.



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## **ROLE OF WOMEN IN SOCIETY**

With changing times, the role of women in society has acquired new dimensions. This article takes a look at some of the important women in history and the issues that challenge the women of 21st century.

While we tend to think that the role of women in today's society is as important as that of men when it comes to legal, educational, socio-economic, or religious matters, we often tend to employ different yardsticks. Traditionally, chauvinists have always looked upon women as inferior to men. In the past, the norm was that men would work and women would stay at home and raise the kids, do the household chores, etc. Women did not have access to education, had no say in the matters that impacted them the most, and the role of women in marriage was insignificant, with parents selecting a groom for them. Altogether, the role of women in society was to make sure that they were obedient wives and caring mothers.

Women who were the most dormant segment of society population have now become active participants in all walks of life. Till now, they were only unit of the family organization. Now, women are becoming not only a significant unit of the society but also influencing the course of social change in society.

The role of women in modern society rises because of the ongoing changes in social, political and economic spheres. These changes are accompanied by breaking of stereotypes.

The modern society has started recognizing the individual identity of women. She is believed to have her aspiration, abilities and qualities as a man does have and it is also agreed that she should have the opportunities to develop her faculties and to express them according to her own choice.

Women can help the society in various ways. They can engage in social activities and work for the betterment of the society.

Young educated girls can get engaged in a profession of her choice. We need more doctors, engineers, software developers, and social workers. The world cannot grow at good pace unless women come forward and take initiative for the development works.

They can contribute enormously in the field of health care. Women education will also improve the level of sanitation and hygiene.

As a mother, her role in the development of the emotional psychological aspect of the new born child has been also very significant. She was not only the creator and maintainer of her child but an educator and disciplinarian as well.

The woman is now an important instrument of social change. The extent of woman's participation in the corporate life is thus the measure of social change in India.

Women's interest and participation in social life is increasing. This development is also the result of women's education and secularization of social values. Women are participating in social organizations and are developing taste for leading a life of social involvement. Their interest in social and cultural activities is increasing. They have growing interest in travel and literary activities.

Women comprise more than 50 percent of contemporary Ukraine society. However, the number of women taking part in the country's political, economic and civic life shows that women are restricted in the spheres of politics and government. Women's salaries are on average lower than men's, and women are likewise far more likely to fall victim to violence and unemployment. According to United Nations Gender Organization data, 67 percent of those unemployed in Russia are women. A lack of state financing in social programs has caused further tightening in the labor market, particularly for women. Female unemployment is rising at a catastrophically high rate. Women have less access to retraining programs than men, while women entrepreneurs are a rarity. Women's social status is a serious problem. Few female decision-makers can be found in positions of social importance. This strengthens the stereotype of "male superiority" and hinders the creation of true partnerships between men and women.

In history there are pretty good examples of women occupying leading positions in society and making great contributions to the history and development of the country.

Princess Diana and Mother Theresa are two women who attracted a lot of attention while they were alive. But they were not political leaders. Indira Ghandi and Benazir Bhutto were political leaders of India and Pakistan before they were assassinated.

Margaret Thatcher of Great Britain made her mark in her time and maybe Senator Hillary Clinton will make a mark in these times. But these are not the only women political leaders; there are many all over the world.

Federal Chancellor Angela Merkel, Germany - Merkel is the first woman to become chancellor of Germany and the first woman to lead Germany since it became a modern nation-state in 1871. She is interested in reforms to improve Germany's economy especially by reducing costs and red tape and raising sales tax.

President Tarja Halonen, Finland, is the eleventh and current President of Finland. She began her first six-year term of office in 2000 and was re-elected on January 29, 2006.

President Mary McAleese, Ireland McAleese is Ireland's second female president and the first woman to succeed another woman as an elected head of state. She was first elected president in 1997 and was re-elected to another seven-year term in 2004.

Ukraine also has its famous women, who became known not only in Ukraine but all over the world, such as: Solomiya Krushelnytska, Lina Kostenko, Ekaterina, Yana Klochkova, Ruslana Lyzhychko, Jamala.

Thus, the modern role of women in society growing more and more every day. Hard for us to imagine a society in which women would be involved in bringing up children and household chores. Through perseverance and hard work of women in most countries of the world they take place alongside men in politics, business, medicine, education, law, but certain stereotypes still may time in society. It is the overcoming of such stereotypes and beliefs should be a goal for each person and for society as a whole

### ***References:***

1. *Woman's Health, A. Documentova, Moscow, Publishers – EKSMO, 2005.*
2. "Adams, John Quincy" ", *Encyclopedia Britannica, Vol.1 Macropedia, Pg.86, Chicago: Encyclopedia Britannica Inc., 1926.*
3. "American Missionary Association", *Encyclopedia Britannica, Vol.1 Macropedia, Pg.333, Chicago: Encyclopedia Britannica Inc., 1926.*
4. Atkinson, Diane. "Historian on Suffragettes.", *Museum of London, 1988.*
5. Uglow, Jennifer S. "Fawcett, Dame Millicent Garrett", *The International Dictionary of Women's Biography. Pg. 171, New York: Continuum, 1982.*

6. Uglow, Jennifer S. "Pankurst", *The International Dictionary of Women's Biography*. Pgs. 357-360, New York: Continuum, 1982.
7. "Women's Suffrage" *Encyclopedia Britannica*. Vol.12 *Macropedia*, Pg. 733-734, Chicago: *Encyclopedia Britannica Inc.*, 1926



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## **DOMESTIC VIOLENCE: ANALYSING THE CONCEPTS**

Domestic violence, also called intimate partner violence, happens in many forms including physical, emotional and economic violence, and can affect people of any age. It does not have to be within the home to be classified as domestic violence. It is a form of violence that can occur within any relationship (family or intimate partner).

On average, nearly 20 people per minute are physically abused by an intimate partner in the United States. During one year, this equates to more than 10 million women and men. 1 in 3 women and 1 in 4 men have been victims of [some form of] physical violence by an intimate partner within their lifetime. 1 in 4 women and 1 in 7 men have been victims of severe physical violence by an intimate partner in their lifetime. 1 in 7 women and 1 in 18 men have been stalked by an intimate partner during their lifetime to the point in which they felt very fearful or believed that they or someone close to them would be harmed or killed.

On a typical day, there are more than 20,000 phone calls placed to domestic violence hotlines nationwide. The presence of a gun in a domestic violence situation increases the risk of homicide by 500%. Intimate partner violence accounts for 15% of all violent crime. Women between the ages of 18-24 are most commonly abused by an intimate partner. 19% of domestic violence involves a weapon. Domestic victimization is correlated with a higher rate of depression and suicidal behavior. Only 34% of people who are injured by intimate partners receive medical care for their injuries [4].

Domestic violence is about power and control and there are many ways this control can be expressed. If someone is hurting you it can be very scary and it may be hard to know how you can stop it. It is important to remember that no one has the right to be violent towards you and there are people out there who can help.

Below are some of the forms that domestic violence may take.

**Physical violence** If someone is hurting you, or threatening to hurt you, a loved one or a pet, then you will need to take some action.

**Economic violence** Having money and being able to make decisions about it, is one means of being independent. If someone is controlling your money, keeping you financially dependent, or making you ask for money unreasonably, then this is a form of violence.

**Social violence** occurs in relationships that often include other forms of violence. If someone is insulting you or teasing you in front of other people, keeping you isolated from family and friends, controlling what you do and where you go, then they are being violent and you may need to take some action.

**Spiritual violence** involves a situation where you are not allowed to have your own opinions about religion, cultural beliefs, and values, or your spirituality is manipulated to keep you feeling powerless.

***Emotional violence*** is often unrecognized and can be very hurtful.

What are the symptoms of domestic violence? Abusive relationships have a powerful psychological impact on the victims. And while domestic violence is not a mental health condition formally recognized by mental health professionals as warranting its own diagnosis, victims of domestic abuse can have many of the following symptoms. Many victims of domestic violence may qualify for a mental health diagnosis, such as depression or post-traumatic stress disorder (PTSD). The longer domestic violence occurs for, the more likely a victim will qualify for a mental disorder diagnosis as its negative effects continue to grow. The best thing a victim of domestic violence can do for themselves is to recognize the signs and get help.

Victims of an abusive relationship may experience some of the following emotions and behaviors:

- agitation, anxiety and chronic apprehension;
- constant state of alertness that makes it difficult for them to relax or sleep;
- a sense of hopelessness, helplessness or despair because the victim believes they will never escape the control of their abuser;
- fear that one cannot protect oneself or one's children. This person will turn down the assistance offered by relatives, friends or professionals;
- feeling paralyzed by fear to make decisions or protect oneself;
- a belief that one deserves the abuse;
- a belief that one is responsible for the abuse;
- flashbacks, recurrent thoughts and memories of the violence and nightmares of the violence;
- emotional reactions to reminders of domestic violence[2]

Across the world—in rich and poor countries alike—women are being beaten, trafficked, raped and killed. These human rights abuses not only inflict great harm and suffering on individuals—they tear at the fabric of entire societies.

The world is responding. There is a growing global momentum to stop violence against women. In 2008, the Secretary-General launched a multi-year global campaign called UNiTE to End Violence against Women. He is appealing to all partners to join forces to eliminate this scourge. The Campaign recognizes the power of the law: one of its five key goals is for all countries to adopt and enforce, by 2015, national laws that address and punish all forms of such violence, in line with international human rights standards.

Over the past two decades, many States in the USA have adopted or improved legislation to prevent and respond to violence against women. Laws increasingly criminalize such violence, ensure the prosecution and punishment of perpetrators, empower and support victims, and strengthen prevention. Victims are also benefiting from civil remedies.

But significant gaps in legal frameworks remain. Many countries throughout the world are still failing to live up to their international obligations and commitments to prevent and address violence against women. Too many perpetrators are not held accountable. Impunity persists. Women continue to be re-victimized through the legal process.

Comprehensive legislation provides the foundation for a holistic and effective response. Such legislation must be consistently enforced and monitored, and adequate resources must be allocated to address the problem. Personnel and officials working in the field must have the skills, capacity and sensitivity to apply the spirit and letter of the law. Laws must inform a concerted effort that includes education, awareness raising and community mobilization. They must also contribute to tackling discriminatory stereotypes

and attitudes, and they must mandate the research and knowledge-building that are necessary to support policy development [3]

### **References:**

1. *Definition of violence* [Электронный ресурс]. – Режим доступа: <http://www.au.reachout.com/what-is-domestic-violence>
2. *The Physical & Emotional Injuries of Domestic Violence* [Электронный ресурс]. – Режим доступа: <https://psychcentral.com/lib/symptoms-of-domestic-violence/>
3. *Handbook for Legislation on Violence against Women* - [Электронный ресурс]. – Режим доступа: <http://www.un.org/womenwatch/daw/vaw/handbook/Handbook%20for%20legislation%20on%20violence%20against%20women.pdf>
4. *National Statistics Domestic Violence Fact Sheet* [Электронный ресурс]. – Режим доступа: <http://ncadv.org/learn-more/statistics>
5. *Types of violence* [Электронный ресурс]. – Режим доступа: <http://www.criminaldefenselawyer.com/legal-encyclopedia/domestic-violence-laws-penalties.html>



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## **PROBLEMS OF WOMEN'S HEALTH IN PENAL INSTITUTIONS OF EUROPEAN COUNTRIES**

The status of women in prison is not still clearly articulated and completely solved in Ukraine and other countries of the world. According to the World Health Organization, currently there are about half a million women prisoners in the world. This figure is 4 to 5% of all prisoners.

Women constitute a special group within prisons because of their sex. Although the characteristics and corresponding needs of women prisoners can vary considerably between countries, several factors are common to most. These include many mental disorders, a high level of drug or alcohol dependence, many women experiencing sexual and physical abuse and violence before or in prison, the neglect of gender-specific health care needs and additional issues related to the women's responsibility for children and families. Women's rights while in prison are the same as men's rights, but women seldom have equal access to these rights. As prison systems have been primarily designed for men, who comprise more than 95% of the prison population in most countries, prison policies and procedures do not often address women's health needs. Data on the health of women in prison and the health care provided for them are rare, because most prison data are not gender specific. The health status of prisoners is generally much poorer than that of the general population, and women's health needs can be seriously neglected in a male-dominated prison system. Many women in prison have a background of physical and sexual abuse and of alcohol and drug dependence. Many did not receive adequate health care before incarceration. Women in prison generally have more mental health problems than women in the general population. This frequently stems from prior victimization. Mental illness is often both a cause and a

consequence of imprisonment, and the rates of self-harm and suicide are noticeably higher among female than among male prisoners. Both rates are higher than in the outside community.

In order to improve the situation of women in prison one should consider the following objectives of a declaration on female's health in prison:

1) to raise awareness among the countries within the WHO European Region of the current situation regarding the health of and health care provided for women in European prisons;

2) to call for marked improvements in the current situation by the implementation of WHO recommendations for:

- the amount and quality of health care to be provided within prisons, which should be at least broadly equivalent to the health care provided in the community.
- the establishment of satisfactory methods for ensuring the continuity of care.
- a general approach that creates a more acceptable and gender-sensitive criminal justice system, with special attention to the rights of any women and children involved.

There are some scientific evidence and recommendations by international health agencies, scholars and other experts on the health of women in prison.

Although women are a minority in national prison populations all over the world, the female prison population is increasing. This increase in women's imprisonment is part of a global trend towards the increasing popularity and use of imprisonment and a corresponding underuse of constructive alternative, non-custodial sanctions. This applies particularly to drug offences and non-violent theft [3, c. 10].

Most female drug offenders could be dealt with more effectively by alternatives to imprisonment specifically targeting the drug problem rather than by imprisonment [2, c. 15]. For instance, in England and Wales, the number of women in prison has increased by more than 200% in the past 10 years versus a 50% increase in the number of men in prison during the same period [5, c. 12]. Some of the increase is the result of global displacement of women due to war, social unrest, economic crises and gender-insensitive criminal justice systems. Many women in prison serve a short sentence, which means that the turnover rate is high. Most offences for which women are imprisoned are non-violent, property or drug-related [6, c. 9]. Worldwide, women are more often imprisoned for drug offences than for any other crime. Drug couriers frequently use women, often from low-income countries, to smuggle drugs across borders for a small amount of money [2, c. 20].

Women are also more pregnable to sexual violence. Rape and forced sexual activity harm not only psychological trauma for women. These forms of sexual violence also increase the risk of unwanted pregnancy, AIDS and other diseases, sexually transmitted diseases.

Women have special medical needs, firstly, due to the peculiarities of their reproductive health. These requirements depend on the age and health of the woman. The needs of the young girl, a pregnant woman, a woman who had just had a baby, a mother caring for young children, and elderly women are different from each other. Some of the specific needs of women in prison should be tackled by taking advantage of the time they are in prison to provide education about preventing illness and maintaining good health, especially HIV and other sexually transmitted infections. Further, vocational and job training programmes should be offered. As a result of the chaotic lifestyles of many of the women who enter prison, their time in prison may be the first time in their life they have access to health care, social support and counseling. Information, prevention and screening

programmes for women in prison are therefore essential, and particular attention should be given to different groups of women and their specific needs.

All prison officers working with women in prison should have attended a gender-sensitive training and training on the specific health needs of women in prison. The safety and privacy of women in prison should not be impaired by the use of male officers in certain duties or by allowing male officers to perform certain tasks, such as pat searching [4, c. 34]. Concern for the safety and privacy of women also applies to transport arrangements between prisons and between prisons and hospitals. In the criminal justice system as a whole, court staff, advocates and judges need to be educated about existing health care in prisons and the specific health needs of women and be able to take this into account when sentencing and defending women in the trial process. Women in prison need free access to a full range of health and dental services, as outlined in *Health in prisons: a WHO guide to the essentials in prison health* [5, c. 29].

Many women in prison have young children for whom they were often the primary or sole career before they entered prison.

When women enter prison, they are dislocated from their families and their social support network. One of the challenges for people when they return to the community after release from prison is to get those relationships operating again. So, facilitating visits is a very important part of that [5, c. 33]. Women prisoners are often faced with the problem of rejection by their families and society as a whole. If a woman is isolated from her family, she is unable to receive food from relatives or sanitary equipment.

Prison policies often overlook the special needs of women and their health. Many women in prison have high levels of mental illness and drug or alcohol dependence as well as sexual and physical abuse and violence. Issues arising from gender-specific health care needs and family responsibilities are also frequently neglected. Although women represent a small percentage of the total prison population, their numbers are increasing and the rate of increase is much greater than that of men. The rise and rapid spread of HIV infection, the resurgence of other serious communicable diseases such as tuberculosis and hepatitis and the increasing recognition that prisons are inappropriate receptacles for people with drug or alcohol dependence and mental health problems have thrust prison health high on the public health agenda. As WHO has emphasized, any national health strategy must include prison policies that address these serious health problems. Health is a fundamental human right, especially for individuals held in the custody of the state. Health systems must include penitentiary health policies that integrate women's health needs in all phases of planning and implementation.

### ***References:***

1. *Bromley Briefings Prison Fact file // Prison Reform Trust. – London, 2011. – 80 p.*
2. *Handbook for Prison Managers and Policymakers on Women and Imprisonment [Text] // United Nations Office on Drugs and Crime UNODC. – United Nations Publication, Vienna, 2007. – 128 p.*
3. *Penal Reform International. Women in prison: incarcerated in a man's world [Text] // Report on the fifty-first session (26 February – 9 March 2007). – UK, 2007. – 12 p.*
4. *Weinstein C. Men's hands off women prisoners // C. Weinstein. Oakland: California Prison Focus, 2005. – 95 p.*
5. *Women's Health in Prison: Correcting gender inequity in prison health // The Regional Office for Europe of the World Health Organization. – Copenhagen, 2009. – 57 p.*

6. *Women in prison: a Review of the Conditions in Member States of the Council of Europe.* – Brussels: Quaker Council for European Affairs, 2011. – 18 p.



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## **THE MEANS OF EXPRESSING THE CONCEPT “FEAR” IN THE ORIGINAL AND TRANSLATION OF THE NOVELS BY STEPHEN KING**

The study of emotions has always been a sphere of interests of psychology. However, nowadays the study of the so called emotional concepts takes a special place in the modern linguistics. In particular, this issue is being investigated by such present-day linguists as O. O. Borysov, N. N. Boldyrev, Y. V. Kryvonis and others.

A concept is a contemporary term used in a great amount of the humanities. N. N. Boldyrev who is a supporter of the cognitive method of interpretation of this term, suggests the following definition: “ Concepts are “quanta of knowledge”, the perfect and abstract units, meanings that reflect the content of the experience, knowledge, results of all human creativity and are being used by people” [1, p. 26].

Having analyzed the extremely popular thriller novels by Stephen King we figured out that the feeling of fear is the centre of the characters’ emotional condition. The characters perceive the surrounding world through the prism of unpredictable circumstances, tense atmosphere, cruel and violent scenes, etc. In order to understand what the victim feels the author uses a considerable number of the lexical units denoting the emotional concept “FEAR”, such as follows: *fear, death, terror, horror, terrible, to be afraid*[2, p. 35].

1) Fear is a general term. We consider it necessary to render a lexeme *fear* in the metaphorical word-combination “*a cold finger off ear*” as “*перст холодного страху*”, having used the concretization of the meaning of the word “*finger*” and the equivalent of the lexeme *fear -страх*. The author uses in the novel a range of religious allusions that is why according to the principle: “*a finger of God*”, “*перст Божий*” – “*перст страху*”.

*A cold finger of fear is probing below his heart* [4, c. 13].

*Перст холодного страху пронизав його серце.*

2) Terror is an intensive fear. We translate the lexeme *terror* in the metaphorical word-combination “*bondage of terror*” which associates a person with a killer-animal with the help of synonymic to “*терор*” lexeme “*жах*”.

*He(Milt) is a thin man with a narrow head and pale blue eyes, and he has kept his pretty, silent wife in a bondage of terror for twelve years now* [4, c. 29].

*Він (Мілт) – худий чоловік з вузьким чолом та вицвілими блакитними очима, саме він вже дванадцять років тримає свою тиху красуню – дружину у кайданах жаху.*

In the novels by Stephen King lexemes-representatives are being applied on unemotional correlatives and comprehended through the following images:

3) FEAR is death. We render the metaphor “*the bloody flowers begin to bloom*” with the help of full translation “*кроваві квіти смерті розквітають*”.

*All can see the bloody flowers of death begin to bloom on the white cloth* [3, c. 86].

*Усі можуть бачити як кроваві квіти смерті розквітають на білому полотні.*

4) FEAR is an animal with characteristic features and behavior. We realize homogenous metaphors “*terror crept*”, “*terror coiled*” in the target language with the help of full translation and Present Participle Perfect “*жах просковзнув, звернувшись*”.

*Terror suddenly crept into the pit of his belly and coiled there, warm and hissing* [3, с. 15].

*Жах швидко просковзнув у ямку на його животі та зашипів, звернувшись там теплим клубочком.*

5) FEAR is a period of time. Lexeme “*terror*” is being conveyed in translation with lexeme “*жах*”. In this case, “*terror is over*” denotes not an emotion itself but a period of time during which it feels.

*Some of the townspeople believe that the terror is over; the killer was a drifter, or a tramp living out in the woods, and now he has moved on...* [4, p. 102].

Having translated and analyzed several fragments from the novels by Stephen King, we concluded that lexical and metaphorical means of expressing the concept “FEAR” in these novels are presented with the number of lexical units denoting fear. We have also defined, that the most frequent ways of translation of the before mentioned units are concretization of the word, translation with direct equivalent or full rendering of the metaphor.

#### **References:**

1. Болдырев Н. Н. Концепт и значение слова / Н. Н. Болдырев // *Методологические проблемы когнитивной лингвистики: Научное издание. Под ред. И. А. Стернина. – Воронежский государственный университет, – 2001. – С. 25-35.*
2. Борисов О. О. Мовні засоби вираження емоційного концепту СТРАХ: лінгвокогнітивний аспект (на матеріалі сучасної англomовної художньої прози): дис. канд. філол. наук: 10.02.04 / Борисов Олексій Олександрович. – Житомир, 2005. – 252 с.
3. King S. *Misery* / S. King – NY: New American Library, 1988. – 338 p.
4. King S. *The Cycle of Werewolf* / S. King – NY: New English Library, 1996. – 128 p.



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#### **THE PROBLEM OF THE ROMANO-GERMANIC LEGAL SYSTEMS DIVISION**

Due to globalization and European integration it is necessary to pay attention to such terms as “law” and “legal system”. Every country chooses its own way of developing law, and sometimes two or more legal systems on its territory can compete, provoking the need to choose one that is the most advantageous in terms of progressiveness, universalism and prevalence in the world. Understanding the functioning of the system makes it possible to highlight the most significant disadvantages and their probable solutions, as well as opportunities for improvement.

The relevance of the problem of the Romano-Germanic legal systems division is that the issue of separation of common and distinguishing features between the Roman and Germanic law groups is quite problematic and needs specification, because generally there is a tendency to examine these two law systems separately, and to talk about them as a whole. Such division will allow of deepening the comprehension of the features of the system.

According to the Cambridge Dictionary legal system (often called as the “civil law”) is the system of organizations and people in a country or area who work in the area of law [1].

Thus, civil law proceeds from abstractions, formulates general principles, and distinguishes substantive rules from procedural rules. It holds case law to be secondary and subordinate to statutory law. When discussing civil law, one should keep in mind the conceptual difference between a statute and a codal article. The marked feature of civilian systems is that they use codes with brief text that tend to avoid factually specific scenarios. Code articles deal in generalities and thus stand at odds with statutory schemes which are often very long and very detailed [2].

In the first half of XX century due to historical conditions, European countries while creating their own civil law followed the French model, embodied in the Civil Code of France in 1804 (the Napoleon Code), which became a platform for further development and operation of the subsystem of Roman law. Some main ideas of the Napoleonic Code with certain amendments were even loaned and reflected in the current Constitution of France [3, c. 55-56].

German law subsystem took as a basis the German Civil Code created in 1896. According to these circumstances Romano-Germanic or civil law appeared, which has spread in such countries as Italy, Spain, Belgium, Luxembourg, Netherlands, Portugal, Austria and Switzerland.

An important aspect is that both the French and German law systems suffered a strong influence of Roman law, many provisions of which were included in the contemporary law texts.

Having analyzed the legislation of Roman and Germanic legal family, one could argue that a rallying points for these subsystems are recognition of the Constitution as a priority source of law, on which all the legislation is based, the great role of the a legal act as an addition to the Constitution, and the similarity of considering judicial precedent as a supplementary source of law.

The main distinguishing features of the legal systems of Roman and Germanic subsystems include the composition of the sources of law system, the role of subordinate regulatory acts, presence or absence of consolidated codes, the role of international law in the system of national law and so on.

Particularly large differences are found in connection with a significant function played by the Constitutional Court in the state structure of Germany as the main representative of the German law subdivision. Its decision is treated as a source of law, which may be placed on the same level as ordinary law. Its interpretation of laws is binding on all authorities, including the courts. If an ordinary court has doubts in the constitutionality of the particular case, it shall suspend the case, making a request to the Constitutional Court, and then decide the case in accordance with the opinion of the latter [4, c. 119-120].

The Constitutional Council, which exists in France, on the contrary, has a limited competence. It grants preliminary control of the constitutionality of acts that have not entered into force yet, and therefore, it cannot affect the application of existing laws and regulations [5, c. 316].

After having gained its independence, Ukraine's top priority was to create a modern and stable legal system, though our country has always had an established legal system based on German Civil Code, and basic areas of law, such as the law of contracts, civil law obligations and liability, torts and labor law, as well as applicability of choice of law and international arbitration to international business transactions followed European tradition [6].

The current legal system of Ukraine is still undergoing reforms and lacks essential basic components, such as, for example, a modern civil code. The implementation of laws adopted by the Rada is based on subsequent edicts, decrees, regulations, etc., adopted by the President, Cabinet of Ministers, National Bank and various ministries (regulations adopted by the ministries are subject to mandatory review and registration by the Ministry of Justice).

Therefore, the current legal system in Ukraine, despite its flaws and complications, does provide a certain legal basis for doing business and for protection of the legitimate interests of parties involved.

### **References:**

1. *Правова система Франції [Електронний ресурс]. – Режим доступу: [https://uk.wikipedia.org/wiki/Правова\\_система\\_Франції](https://uk.wikipedia.org/wiki/Правова_система_Франції)*
2. *Історія держави і права зарубіжних країн. Німецьке цивільне уложення 1898 року [Електронний ресурс]. – Режим доступу: <http://pravoznavec.com.ua/books/8/595/22/#chapter>*
3. *Маклаков В. В. Конституции зарубежных государств: учеб. пособ. [2-е изд.] / В. В. Маклаков. – М. : БЕК, 1999. – 584 с.*
4. *Мудрак І. Д. Історія держави і права зарубіжних країн : курс лекцій / І. Д. Мудрак. – Ірпінь : АДПСУ, 2001. – 232 с.*
5. *Скакун О. Ф. Теорія держави і права (енциклопедичний курс) : підручник / О. Ф. Скакун. – Харків: Еспада, 2006. – 776 с.*
6. *Короткий курс лекцій з дисципліни «Конституційне право зарубіжних країн» [Електронний ресурс]. – Режим доступу: [http://studme.com.ua/159311064439/pravo/osnovy\\_konstitutsionnogo\\_prava\\_frantsuzsko\\_y\\_respubliki.htm](http://studme.com.ua/159311064439/pravo/osnovy_konstitutsionnogo_prava_frantsuzsko_y_respubliki.htm)*
- 7.



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## **HUMAN TRAFFICKING: AN INTERNATIONAL PERSPECTIVE**

Trafficking in human beings is a worldwide phenomenon affecting each and every country, including Ukraine. Since the start of the crisis in and around Ukraine, more than 1.3 million people have been displaced, a human tragedy with widespread social and economic implications, as families and individuals are uprooted and impoverished. Unfortunately, human trafficking is often rife in such situations, as breakdown in the rule of law and weakened border controls make people more vulnerable to exploitation by trafficking networks.

Human trafficking is one of the most serious human rights violations of our modern world that brings high profits to traffickers through the acquisition and exploitation of human beings by improper means such as force, fraud or deception.

Trafficking in human beings is a multi-billion-dollar form of international organized crime, constituting modern-day slavery. Victims are recruited and trafficked between countries and regions using deception or coercion. They are stripped of their autonomy, freedom of movement and choice, and face various forms of physical and mental abuse.

There are many forms of trafficking, but one consistent aspect is the abuse of the inherent vulnerability of the victims.

There are three main types of human trafficking:

- trafficking for forced labour;
- trafficking for sexual exploitation;
- trafficking for the harvesting of tissue, cells and organs.

#### **Trafficking for forced labour**

Victims of this widespread form of trafficking come primarily from developing countries. They are recruited and trafficked using deception and coercion and find themselves held in conditions of slavery in a variety of jobs. Men, women and children are engaged in agricultural, fisheries and construction work, along with domestic servitude and other labour-intensive jobs.

#### **Trafficking in women for sexual exploitation**

This prevalent form of trafficking affects every region in the world, either as a source, transit or destination country. Women and children from developing countries, and from vulnerable parts of society in developed countries, are lured by promises of decent employment into leaving their homes and travelling to what they consider will be a better life. Victims are often provided with false travel documents and an organized network is used to transport them to the destination country, where they find themselves forced into sexual slavery and held in inhumane conditions and constant fear.

#### **Commercial sexual exploitation of children in tourism**

This crime type has been apparent in Asia for many years and has now taken hold in Africa as well as Central and South America. The phenomenon is promoted by the growth of inexpensive air travel and the relatively low risk of prohibition and prosecution in these destinations for engaging in sexual relations with minors.

#### **Trafficking for tissue, cells and organs**

Trafficking in humans for the purpose of using their organs, in particular kidneys is a rapidly growing field of criminal activity. In many countries, waiting lists for transplants are very long, and criminals have seized this opportunity to exploit the desperation of patients and potential donors. The health of victims, even their lives, is at risk as operations may be carried out in clandestine conditions with no medical follow-up. An ageing population and increased incidence of diabetes in many developed countries is likely to increase the requirement for organ transplants and make this crime even more lucrative.

Although trafficking in human beings may take on various forms, it always implies exploitation, making its victims end up in degrading, unworthy situations. Besides sexual and economic exploitation, other types of exploitation occur, e.g. organ trafficking.

Trafficking in human beings is a crime under international law and many national and regional legal systems. Given the complexities of the issue, a multitude of strategies are necessary at a range of levels in order to reduce the problem.

Many international organizations enhance the capacities of Governments and civil society in order to effectively identify and combat human trafficking and smuggling of

migrants by targeting the criminals and by protecting and assisting victims of trafficking and smuggled migrants. The cooperation with Governments and civil society aims to:

- strengthen the legislative and policy frameworks;
- enhance capacities in identification, investigation and prosecution and protection of the victims/smuggled migrants;
- increase data on the nature and scale of human trafficking and smuggling of migrants;
- increase awareness on the crimes;
- enhance cooperation on national, regional and international levels.

#### **References:**

1. *Human trafficking* [Электронный ресурс]. – Режим доступа: [https://en.wikipedia.org/wiki/Human\\_trafficking](https://en.wikipedia.org/wiki/Human_trafficking)
2. *Types of human trafficking* [Электронный ресурс]. – Режим доступа: <https://www.interpol.int/Crime-areas/Trafficking-in-human-beings/Types-of-human-trafficking>
3. *What is human trafficking* [Электронный ресурс]. – Режим доступа: <https://www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html>



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