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J11518-001**Bekishieva S.R.****THE FUNCTION OF THE STATE IN SUPPORTING SCIENCE AND EDUCATION IN CONDITIONS OF INNOVATIVE DEVELOPMENT OF ECONOMY***Dagestan State University,
Mahachkala, Korkmasova, 8, 365012*

The article is devoted to topical issues of implementation of government support of science and education, according to the nature of its content, and problems of implementing the function of the state and development of intellectual potential of the nation.

Key words: state function, state support of science and education, innovative development.

Modern social reality has set legal science problems and issues requiring new approaches and solutions aimed to improve the efficiency of state-legal practice in various areas of public life, including the field of implementation of state functions.

Currently, the role and importance of the state's participation in the spiritual and cultural sector is just beginning to be realized. The role and importance of science and education in ensuring political and socio-economic development of the country gets a new estimate. In this regard, the theoretical study of the function of the state to support science and education, its content, especially in terms of innovative development of the economy, implementation issues are of particular relevance.

The state is in constant development, the emergence of its goals and objectives, the need for the implementation of certain functions, especially their content related to the real conditions of existence of the state and depend on the needs and interests of the population, the economic development of society and the state, its moral and cultural level, the political processes in country, etc [1].

At the beginning of the XXI century in a modern civilized state of the goals of progressive social development in the spirit of the time follows a variety of tasks, which is caused by the need to address the pressing needs of society and state. One of the most important national problems in the modern era of high technology is a problem for the innovative development of the economy, influencing the content of the state functions, including the function in support of science and education.

Theoretical questions of state functions in support of science and education in modern jurisprudence considered from different perspectives. Various authors state support for science and education include cultural, social, ideological, spiritual function, or view them as a directions of the function of development of culture, science and education. There is a view of the independence of the educational function of the state [2]. It is arguable including state support for science and education in the social or ideological function, which have, in our opinion, a different content. Other above-mentioned functions of the state (cultural, spiritual, function of development of culture, science and education), despite the different names are still the same content. Allocation of educational function of the state as their own means, that in this case the status of their own functions should gain state support of culture

and science. This entails excessive fragmentation of state functions that are systemic in nature. Thus, support of science education and development should be viewed as aspects of state activity in the maintenance function of development of culture, science and education.

Science and education play an important role in human development, determining the level of culture and the overall development of the individual and society. Reliance on the education of society allows the state to influence global processes. State support for science and education is essential to the country's international competitiveness, the development of the intellectual potential of the nation. World experience shows that only accelerated development of science and education form the investment attractiveness of the country and provides an innovative breakthrough. In this regard deserves criticism the view that in this area the state paternalism should be as limited definition of priorities in this area and only to the extent that it is the customer or employer of scientific developments for professionals certain qualifications [3].

Problem innovative economic development in the modern state is dictated by the necessity of innovative renewal of obsolete production equipment, the development of fundamentally new technologies and products, modernization and development of advanced high-tech sector of the economy, accelerate economic growth, achieving a high level of social development and environmental protection, etc.

In the modern state education should be directed to the development tendency for creative, innovative thinking. The purpose of education is to bring into line the knowledge and skills of a person with a changing world around them, in which he lives and works. In the XXI century teaching methods have to be directed not to memorize a large amount of standardized, rapidly aging knowledge, and focused on the application of modern information technology in education, allowing more quickly develop and update the sum of knowledge; the ability to find effective solutions to unusual situations; on the distribution of continuing education and distance learning, enabling people throughout their lives to receive and update their knowledge, to adapt to the changing times.

In today's world in many countries almost at the expense of the state carry on fundamental research. In the field of natural and technical sciences for scientific discovery requires a powerful, constantly updated experimental base. In order to ensure the economic development of the state, to ensure the competitiveness of products in the domestic and foreign markets need serious financial support from the state of science and education. They are the foundation of innovation and economic development, largely defining and shaping the future development of the state. Therefore, in the present conditions the state should provide financial support for science and education.

Real integration of science and education is an important way to ensure the innovative development of science, improvement of its age structure, the increase of talented young people in this area. For example, in Russia the majority of research institutions emerged in the XX century on the basis of universities, and then separated from them and have received strong financial support from the state. This has a negative impact on them, as these institutions develop aging personnel and

scientific schools, many of them young members have gone abroad, is declining innovative spirit and high school science receives minimal funding, has no way to implement research ideas of talented students and teachers. This division has been an obstacle to the development of science and innovation. Ways to overcome this separation can be a real integration of universities, research institutions and innovative companies.

Invention of scientists and engineers are a vital part of the national wealth of the country, especially in the context of the knowledge society, and are the foundation for improving the competitiveness and accelerate economic development. Sometimes the creation of experimental models and their implementation into production requires such costs, which can afford only the state. For example, the implementation cost in mass production is widely discussed in the Dagestani media engine Ibadullaev estimated at 10-12 billion euros. At the same time, based on the report of experts prepares the conclusion of the invention, the introduction of the engine into production allow 4 times reduce global oil consumption, the total flow of capital in the world will reach \$ 8 trillion, the ecological situation in the world and will dramatically improve the match at 30-40 years the XX century [4].

So, in the XXI century, the development of scientific and educational spheres should be aimed at raising the propensity to innovative thinking, constant updating of the experimental base, ensuring effective integration of science, higher education and innovation active enterprises by creating research and education centers, scientific, educational and industrial complexes, strategic technology alliances, etc. Evaluation, selection, patenting in the country and abroad, use, export expansion effectiveness of the invention should be the subject of special care and support of the state, without shifting these functions to inventors and entrepreneurs. For example, in Russia, this problem could contribute to the federal law on state support of inventive activity and the use of domestic inventions.

Thus, due to the need to solve the problem of state innovation development in the implementation of the function of state support for science and education can identify a number of important areas: the development of the educational system in accordance with the needs of the innovation economy; creating a constantly updated experimental base for scientific research; increase the number of talented young people in this area by the real integration of science, higher education and innovation active enterprises; State support of inventive activity and use of inventions.

In the XXI century, the humanization of social life to the fore will push the industry to ensure the livelihoods and human health, conservation of natural resources and environmental protection. Therefore, the modern state is actual strategy of innovative development, the implementation of which is possible only with government support of science and education.

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J11518-002

V.O. Melnyk

ORGANIC FARMING IN UKRAINE

Issues about legal regulation of organic farming in Ukraine are investigated in the article. The author analyzes provisions of Ukrainian legislation about organic farming, and its components taking into account theoretical provisions of agricultural law science. As a result, the peculiarities of legal regulation of organic farming and the tendencies of public relations' development are revealed and represented in the given case.

Key words: *organic farming, food safety, safe environment.*

Organic farming is regulated by the normative acts on agriculture regarding food procurement, production and sale, environment protection, protection and utilization of land, forest, and water resources. In general, the issue of enabling environmental friendly agriculture is vital for all developed countries. The conception of an organic farming actually implies healthy lifestyle and nutrition. Problems in this field are caused by the condition of agro-industry and its objectives. Thus, they define the subjects of science and law research. The aim of this article is to define the concept of organic farming and make an analysis of the development of the laws of Ukraine on organic farming in Ukraine.

In this area of social relations, the environment and agricultural laws interact. Particularly, the state special program of the development of Ukrainian village over the period to 2015 year on ORGANIC approved by the Decree of the Cabinet of Ministers of Ukraine #1158 of 19 September, 2007 (hereinafter Village Development Program up to 2015 year) [1], introduces a number of measures to create agro and environmental image of Ukraine. Whereas Article 5 of the Law of Ukraine on "Production and Turnover of Agricultural Foods and Raw Materials" #425-VII of 3 August 2013 [2] defines proper orientation of state policy in the field of organic farming development.

Legal regulation of organic farming is comprehensive and aimed at organization of the manufacturing process to obtain a special kind of agricultural products. Considering specific character of organic farming legislation, legal security of organic farming of agricultural foods is a branch of the agrarian law. To prove that we address to E. Minina's words about food safety which is a key issue in organic farming: "The agrarian law is still the main branch of law which directly regulates food safety since farming itself provides the country with provisions and the level of its development defines the condition of food safety" [3, p.49-50].

Moreover taking into consideration the changes in agro-production and economy the importance of common and parallel study of agro and environmental problems is vital.

Legal regulation of organic farming in Ukraine embraces the issues about the health and security of public, consumer's rights protection and environmental defense. One of the main objectives of organic farming is manufacturing of environmentally friendly products. Considering the content of "environmentally acceptable agriculture" and "organic farming" we can assume that they are similar.

In law, environment friendly agriculture is perceived as “creation of production of environmentally friendly agricultural foods by using mainly organic natural technologies for growing plants and animals” [4, p. 231]. Some scientists perceive environment friendly agriculture as farm production operating under certain conditions: “...environment friendly agriculture has to be taken as production of farm foods with considerable reduction or even complete refusal of utilizing mineral fertilizers and chemical elements for plant protection within maximum use of biological factors for fertility enhance which do not affect the environment at maximum use of internal resources [5, p. 12].

In whole environmentally friendly agriculture embraces all continued technological cycle from production to sales. Social relations and personal responsibility of every party engaged into this kind of farm production and including the whole cycle, i.e. production, transport, processing, storage and distribution are subject to legal regulation. Taking into consideration such main provisions of farm production Article 4 of the Law of Ukraine “On Production and Turnover of Organic Farm Products and Raw Materials” defines the principles of organic production, storage, transport and sales of organic foods (raw materials) aimed at implementation of environment friendly agriculture in Ukraine.

Article 1 of the Law of Ukraine “On Production and Turnover of Organic Farm Products and Raw Materials” defines **the production of organic foods** (raw materials) as the following: “production activity of individuals or legal entities (including growing and processing) which excludes application of chemical fertilizers, pesticides, genetically modified organisms (GMOs), food preservatives etc. and on the contrary at all phases of production (growing and processing) the methods, principles and rules for obtaining natural (environmentally acceptable) products, saving and renovation of natural resources stipulated by this Law are applied. While *organic farm products* are defined as the products received in the result of certified manufacturing in compliance with the requirements of the above mentioned Law, the law does not provide the definition of the certified manufacturing.

Environmentally friendly products have to comply with existing safety requirements, i.e. only the food produced from natural raw materials is labeled as “organic food”. Products manufactured in accordance with these requirements are ecologically safe for the consumers and environment and produced under condition of rational management of nature. Certain ecological signs were designed to distinguish particular ecological relevant qualities of the products (ecolabels). The current legislation of Ukraine introduced its own eco-labeling system. The words “ecological” and “biological” have become treated as those which fool the consumers and their use is now forbidden on the Ukrainian market of farm products (particularly Chapter 7-8 of Article 29 of the Law of Ukraine “On Production and Turnover of Organic Farm Products and Raw Materials”).

Unfortunately, we have to state that there is no coherent understanding of environmentally friendly products. The concept of “environmentally friendly products” embraces more than one meaning and different approaches to all types of products produced in farm industry. Thus, in law books they differentiate these two conceptions – “safe products” and “environmentally friendly products”: “Safe products

shall comply with the formal environment qualifications and indices vested in medical and biological standards, technical conditions and do not threaten the health and life of public. Such products can contain immission limit of toxic substances. Environmentally friendly products are the products that comply with the law, i.e. contain nourishing elements, strengthen health and do not have carcinogenic, mutagenic or other injurious effect on the human body as a result of consumption of such products. The legal status of environmentally friendly products is defined by proper sanitary and veterinary norms and other safe requirements which are stipulated by the national standards, technical conditions and other normative acts and rules [for further details search: 6, p. 15]. We usually perceive environmentally friendly products as foodstuffs. Organic products are a special kind of agricultural products.

Article 1 of the Law of Ukraine “On Safety and Quality of Food” states that “safe article of food is a food product which does not harm the health of public directly or indirectly during its production and turnover while following the sanitary requirements and proper use” [7]. Thus, first of all safety is connected with the human health whereas the influence of the agricultural production on the environment condition is passed over by the lawmaker.

The standards of organic farming are more than the standards of agricultural production they imply the standards in the field of human rights protection and adequate standards of life.

In addition to that, an increasing demand for organic foods threatens pharmaceutical and chemical industry. The decrease of the demand for pesticides, veterinary medicines, and genetically modified products will cause the reduction of profits of pharmaceutical and chemical industry. In all likelihood the representatives of these economic fields will put difficulties to prevent the development of organic farming in Ukraine.

Moreover, organic farming is an instrument of strategic management of the market aimed at the development of competitive environmentally acceptable agriculture. In this connection, there should be a comprehensive approach to agrarian reform as an integral part of the organic farming development in Ukraine. Taking into account all above mentioned we have come to the conclusion that in its qualified sense the environmentally acceptable agriculture is production process which provides growing of environmentally friendly products of plant and animal origin. The current legislation of Ukraine mainly regulates the issues about organic farming whereas certain aspects have been neglected (for example the concept of certified production is not defined, the Law of Ukraine “On Safety and Quality of Foodstuffs” does not embrace the influence of agricultural production on the environment) and it does not take into account all peculiarities of such production.

Thus, one of the main characteristics of agricultural production of organic products is that the requirements for their manufacturing do not exist on the grand scale. Moreover, organic farming has a number of advantages which must stimulate the development of national laws, namely such production contributes to saving the traditional lifestyle of Ukrainian villages, natural sceneries and environment.

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J11518-003

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ELECTRONIC PARTICIPATION IN UKRAINE*Lviv Polytechnic National University, 12 Bandera St., Lviv, Ukraine, 79013*

Abstract. In this paper we describe the use of information and communication technologies in political sphere. We analyze the legal mechanisms of electronic participation of Ukrainian citizens in political decision-making and experience of their implementation.

Key words: e-participation, citizens, Ukraine, decision-making.

Today, Ukraine is at a critical stage of its social and political development. External threats to national sovereignty and territorial integrity to some extent pushed into the background issues and problems of internal political life, but recent events of late 2013 indicate a desire to rid Ukraine of embryonic effects of authoritarianism and take the path of democratic development. Moreover, the fact that a key role in the revolutionary social and political events have played citizens of Ukraine, proving their maturity and willingness to be engaged and actively participate in political decision-making. Beyond this, it is needed to take into account the global trends of informatization and computerization of all sectors of society, including public administration, as ICTs provide simplification and optimization of citizens' participation in political decision-making. Electronic participation of citizens (e-participation) promotes democratic political process, civil society and public control over the activities of executive authorities and local governments.

After analyzing the legislation of Ukraine, the author identifies two groups of mechanisms of citizens' participation in political decision-making: 1) mechanisms that involve decision - elections, referendums, dissolution of elected officials and authorities, participation in the conduct of regulatory policy; 2) mechanisms that do not involve direct decision - public consultation; public discussion; popular initiative; membership in the advisory bodies under government; participation in solving local problems through memberships in community organizations, participation in general meetings of citizens and public hearings; examination of public authorities; participation in the activities of political parties and public organizations, as well as an appeal to authority.

Speaking on the implementation of such mechanisms using information and communication technologies, the legislation of Ukraine resolved only some of them, such as:

E-rulemaking. Public discussion of the regulatory legislation is a precondition to the legislative process in the system of government that provides public participation in the preparation and decision-making on important issues of public life [1]. This, in turn, provides transparency of rulemaking authority. Website «Civil Society and Government» (<http://civic.kmu.gov.ua>) can be seen as a platform of e-rulemaking of Ukrainian citizens. Its main advantage is that it contains the draft legal acts submitted for discussion by the central executive power. There is opportunity to give suggestions and comments to each project, see the different points of view on them, learn about projects, and also to see past discussions. The site has a mechanism

for easy public access to the discussions held by the executive, namely - service «Public discussion of draft legal acts». In addition, citizens who are the experts on relevant issues can create their own accounts, organize themselves into groups, share experiences and more. Referring to the statistics, during of 2009 - 2010 the central executive authorities in the section «Civil Society and Government» presented for public discussion over 700 draft legal acts and received nearly 70 offers of citizens and their associations.

E-discussion. All comments and suggestions submitted in electronic discussion shall be subject to the authority. As a result of this review, these comments and suggestions are accounted in whole or in part, or it is motivated them to reject. Information about the decision is posted on the official website of the organizer of the public debate [2]. The example of e-discussion's mechanism is the practice in the Dnipropetrovsk region, where citizens have the opportunity to shape the priorities of regional policy by using the online feedback system and the public authorities (www.consult.dp.gov.ua). Citizens are invited to speak as experts on determining the relevance of certain problems of their town or region and by using unique methodology to assess the effectiveness of local governments to resolve these problems. After successful registration, citizen can take part in public discussion. Evaluation is as follows: first, a citizen chooses from a list of the problems of the city/district, which, in his opinion, are the greatest. Then, followed by the 5- point scale he/she assesses each of the elected problems - consequently, the greater score is given to the more important problem. It is also possible for citizens to give their clarification, comments, suggestions or facts concerning any of the listed problems. In author's opinion, this mechanism is rather one-sided, as citizens express their comments, suggestions regarding the course of regional policy, but at the website there are no reports on consideration of their positions.

E-appeal. Ukraine has a national system of electronic applications (<http://www.z.gov.ua>). It gives citizens the possibility of writing and guaranteed sending a legally significant applications in electronic form, as well as requests for public information to authorities through a single access point (on a «one stop shop») via the Internet and monitoring their online consideration. However, the low level of use of digital signatures in Ukraine causes reluctance to use information and communication technologies to appeal to the government, which in turn leads to low efficiency of this mechanism.

Online authority's session. This mechanism provides an opportunity to submit questions, respond to polls and access background information and in a few days access to digital copies of press releases and speeches in real time [3, p. 43]. In Ukraine, this mechanism of electronic participation is partly used for some official websites of government. For example, on the website of the Lviv City Council is able to view the live broadcast of the plenary session (<http://city-adm.lviv.ua/realaudio.php>), but there are no specifications for public participation and no video archive. Barriers to the effective functioning of this mechanism are the next: the absence of a legally enforceable obligation to broadcast regular session on the official website of the authority; poor technical level of authorities' websites which does not allow feedback from the public.

Internet survey. Analyzing the use of this tool of e-participation in Ukrainian political space, author learns that the public opinion poll on the official website of the government are not regular and systematic, are limited to one-several questions with predetermined response options without the possibility for citizens to express their opinions. Also, as a rule, questions are relating to the performance of the authority, so as to create a public impression of the efficiency and effectiveness of government. Another imperfection is the lack of legal or political significance of survey results. The author has made this conclusion in view of the fact that the websites of state or local governments do not have an archive of results of previous surveys and further information on their use.

Thus, from a whole range of traditional mechanisms of citizens' participation that are regulated by law and subject to a greater or lesser extent in the Ukrainian political landscape, only few mechanisms carry out electronically.

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