

Judgment of the Court of 02.03.2010 in the case C-135/08 Janko Rottman v Freistaat Bayern [Электронный ресурс]. – Режим доступа: <http://curia.europa.eu/juris/liste.jsf?num=C-135/08>.

Judgment of the Court of 08.03.2011 in the case C-34/09 Gerardo Ruiz Zambrano v Office national de l'emploi (ONEm) [Электронный ресурс]. – Режим доступа: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62009CJ0034>

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KHARKIV SCHOOL OF INTERNATIONAL LAW AFTER THE II WORLD WAR TO NOWADAYS

The early steps towards the revival of the Kharkiv School of International Law were undertaken at the Kharkiv Legal Institute by Volodymyr Koretsky (1890–1984). He was and still is the brightest representative of Kharkiv school of International Law as well as Ukrainian school of International Law in general or even in world dimension. He made a brilliant career from legal student to the Judge of International Court of Justice.

His professional life started as a lecturer of the World History of State and Law in 1919 and several years later as the lecturer of International Private Law. The main contribution of Koretsky in this respect was to regard international public and private law as an interdependent systems especially in economic sphere and not to dispart them. He proved the necessity of the single approach towards the International Economic Law, which united international public and private spheres.

Moreover, prof. Koretsky was an active participator in the establishment of Kharkiv Institute of National Economy 1920 and became the vice dean of the faculty of law (nowadays Yaroslav Mudryi National Law University). Being only 30 simultaneously he worked as a head of the International Department of the Ukrainian Soviet Republic, head of legal department of UkrIn Bank, Senior Adviser of the Soviet Arbitration Court ets. (!).

At the times of mass repressions he continued his investigation of International law issues. 1939 defended his doctoral dissertation devoted to

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the Anglo-American doctrine of international private law. In 1944 he introduced a course on international law and, starting from 1947, held the chair of international law. The first postgraduate students supervised by Koretsky at the Kharkiv Institute of Law were future outstanding professors: I. Lukashuk, V. Semenov, M. Yanovskyi, D. Aleksandrikov.

In 1948, upon the proposal of the Academic Council of the Kharkiv Institute of Law, Professor V. M. Koretsky was elected as Academician of the Academy of Sciences of the Ukrainian Soviet Socialist Republic (UkrSSR) of the International Law Department and, simultaneously, elected to the Presidium of the Academy.

In 1949, with his direct involvement, the Sector of State and Law was reorganized as the Academy of Sciences of the UkrSSR; the first head being Koretsky. Subsequently this sector was transformed into the Institute of State and Law of the Academy of Sciences of the UkrSSR. The key task of this institution was to prove international legal personality of the UkrSSR in the international arena. It was obvious that through granting of international legal personality to several soviet republics – Ukraine and Belorussia – Soviet Union tried to make his positions stronger on the international arena – especially in the activity United Nations Organization – through the Security Council and the General Assembly. Hence in 1948–1949 the UkrSSR was elected as a non permanent member of the Security Council receiving an additional voice if favour of the Soviet Union.

At the postwar time Koretsky made his professional contribution in the development of doctrine of International Law in the monographs – «Sovereignty», «International Legal Personality of the Ukrainian Soviet Socialist Republic», «General Principles in International Law», «Declaration of rights and duties of the States» [1] etc.

Besides this professor made a great impact in the sphere of protection of human rights on the international level as a member of Ukrainian delegations at the UN General Assembly, advisor of soviet representative to the Security Council. He was a part of law-making process of intern law: since 1947 to 1949 working as a member and vice head of the UN Commission on human rights, which worked out the Universal Declaration on Human Rights 1948. Later on, 1953 he participated in Geneva international conference on the development of additional convention on slavery; 1957 – in UNESCO conference on peaceful coexistence of states, and in 1958 and 1960 – he chaired the conference on International Maritime Law.

International legal society highly estimated his professionalism and in 1960 he was elected as a Judge of International Court of Justice for 9 years and 1968–1970 he was re-elected as a vice-president of the Court. So, it was a 100% breakthrough! No Ukrainian international lawyer deserved such recognition.

Since 1950 to 1977 International Law was taught at the Chair of State Law (headed by the Associate Professor V. Barakhtian). So, there was no special chamber on international law. During that period, international law was taught by two associated professors V. Semenov and D. Aleksandrikov. There were no postgraduate studies in the field of international law.

Following the 1977 reorganization, the Chair of International Law and State Law was headed by M. Yanovskyi, a man of vast erudition, a great expert of international law, and a brilliant pedagogue. In 1953 he defended his candidate dissertation on the struggle of the USSR for the just settlement of territorial issues during and after World War II, followed in 1968 by the defence of a doctoral dissertation on the General Assembly of the United Nations and issues of international legal development [2].

He wrote more than 120 articles in Ukrainian, Russian, Moldovan, Uzbek, English, Portuguese, German, and Bulgarian, took part in three conferences of the International Law Association in Hamburg (1960), Brussels (1962), and Helsinki (1966), and in the 1985 symposium (Democratic Lawyers) in Brussels. Professor Yanovskyi was a co-founder of the Academy of Sciences of the Moldovan SSR. For 18 years he had been working as a member of the editorial board of The Soviet Yearbook of International Law (since 1963) and was elected a member of the executive council of the Russian Association of International Law.

His name is associated with the revival of the Kharkiv School of international law from the 1970s through the early 1990s. Prior to the arrival of M. Yanovskyi, who took the helm of the Chair of International Law, no training of international legal scholars had existed at the Kharkiv Institute of Law for almost 30 years. M. Yanovskyi supervised eight candidates of law and was the scientific consultant of a doctoral thesis.

Yanovskyi wrote several studies on international law, most devoted to the international-legal status of territories, the law of international organizations, and matters pertaining to various aspects of international legal personality. One major study, a monograph on the United Nations General Assembly (international law issues) 1971, addressed significant issues of the contemporary

science of international law: the role of international organizations in the development of international law.

His other definitive works dealt with international legal personality 1971; the political system of the USSR 1973 (in English, as co-author) etc. Yanovsky was an author of an international law textbook 1982, which was translated into several foreign languages.

Another eminent figure of Kharkiv School of International Law was Volodymyr Semenov (1924-2004), who worked at that Chair from 1953 to 2004 (about 50 years). He was an outstanding lecturer, innovative, ironic and with vast erudition. I was very lucky to hear his lectures on International Law and History of Diplomacy.

In 1951 he defended his candidate dissertation on the struggle of the USSR for strict compliance with the principle of non-interference against imperialist intervention. His creative heritage exceeds more than 100 publications, including a monograph on the U. N. Armed Forces: the practice of survival 1976 and co-authorship of textbooks on international law 1971 and 1974, 4-volumes edition on History of Diplomacy [3].

He was involved actively in social activities: being the head of the Kharkiv Committee for the Defence of Peace, a founder of the Soviet Association of International Law, and later a member of the Board of the Ukrainian Association of International Law, and member of editorial board of the Ukrainian Yearbook of International Law.

Professor Semenov was one of the first Ukrainian political observers: from 1956 he had appeared on Ukrainian television more than 100 times. Besides he was an originator of the Chair's lecturing direction, emphasizing research in foreign relations, namely, special courses on «Diplomatic and Consular Law», «History of Diplomacy», and «Diplomatic Protocol». He supervised the international law society for a lengthy period.

In 1987 Semenov was awarded the honorary title of the Meritorious Worker of Culture of Ukraine. He also was awarded the Order of the Patriotic War, 2nd Class; the Order «For Courage», 3rd Class, and many medals.

In 1993 the Chair was headed by Viacheslav Riiaka (1947-2007). He was a jovial, larger-than-life individual who transformed the Chair staff into a single work collective. He devoted a lot of attention to the younger generation of the faculty, assisting them in both pedagogical and daily life through his unique advice.

1983 he defended his candidate dissertation on the ratification of international treaties [4]. For many years professor Riiaka taught the

«Constitutional Law of Foreign Countries» and «International law» and wrote many studies on these subjects. He was the editor and co-author of a manual on the State law of foreign countries which was and still is very popular in educational society. Other works include those on the role of the Council of Europe in protecting human rights in the contemporary period (as co-author) in 2002; on the European Union in international-legal relations (as co-author) in 2003.

Since 2007 to July 2015 the International Law Department of the Yaroslav Mudryi National Law University has been headed by the Corresponding Member of the National Academy of Legal Sciences of Ukraine, Doctor of Law, Professor Mykhailo Buromenskyi, who educate a new generation scholars and made a great contribution in enhancing Kharkiv school of international law.

He defended his candidate dissertation in 1984 on the mechanism of disarmament negotiations (international legal aspects) and a doctoral dissertation in 1998 on the impact of international law on the political regimes of States [5]. He has published over 200 studies devoted to international legal cooperation in human rights, the interaction of international and national law, international cooperation in counteracting crime, legal issues of international security, and the history of international relations.

Under Professor Buromenskyi's supervision or with his participation, a number of research initiatives have been undertaken that are relevant to law reform in Ukraine (the reform of anti-corruption legislation, fugitives and migrant legislation, election legislation, penal legislation, legislation on the status of persons infected with HIV etc.).

On numerous occasions Buromenskyi has been invited in the capacity of an expert by the international intergovernmental organizations (United Nations Office of the High Commissioner for Refugees, UNICEF, WHO, UNDP, World Bank, Council of Europe, and OSCE). As a United Nations legal expert on human rights, he took part in the operations of the U. N. Mission in Georgia (Abkhazia) – UNOMIG (2000); he also was a member of the permanent delegation of Ukraine in GRECO since 2006. As from 2009 Buromenskyi has been elected as an ad hoc judge of the European Court of Human Rights.

He is deputy editor-in-chief of the Ukrainian Yearbook of International Law, member of the editorial boards of the magazines Rule of Law Problems, Ukrainian Journal of International Law, and Official Bulletin, and prize

holder of the 4th All- Ukrainian competition for the best legal publication of 2000–2001 (a special award in the nomination «Legal textbooks»), and winner of the competition for the best publication on members of the Bar (in 2004).

2010 the Department of International Law was reorganized. Lecturers of the Constitutional Law of Foreign States were moved to the Department of State Building and simultaneously lecturers of International Private Law of the Department of Agricultural Law replaced them there. Consequently since that time both International Public and Private Law is taught on the Department of International Law of Yaroslav Mudryi National Law University.

Since July 2015 the Department is headed by the professor Ivan Yakoviuk, highly intelligent person, great theoretic who moves with the modern trends in international law. For many years he was a vice-head of the Institute of State Building and Local Democracy of the National Academy of Science of Ukraine and got an excellent manager experience.

In 2014 he successfully defended his doctoral dissertation on the Legal Basis of the European Integration and its influence of the state development of Ukraine [6] (on both specialities Theory of State and Law and History of Legal and Political Sciences and International Law). The thesis provides theoretical generalization and new resolution of scientific problem which is in historical developing the conception of European integration, recognition of its legal grounds and main directions of influence on state-legal development of European countries.

Nowadays International Law Department (Chair) of the Yaroslav Mudryi National Law University consists of more then 40 researches and therefore is the biggest one in Ukraine. The scientific activities of the Chair encompass various spheres of international legal regulation. For instance, prof. Oleh Tarasov defended his doctoral dissertation on the International Personality in 2015 [7]. Prof. Yuryi Schokin recently have finished his doctoral dissertation on international custom as a source of International Law [8]. Associated Professors O. Tragniuk, T. Komarova and T. Anakina are focused on legal issues of the European integration and functioning of the EU. Associated professor O. Senatorova investigates topical points of International Criminal Law, International Himanitarian Law and relevant aspects. Associated professors I. Shumilo, E. Bilousov, V. Polatai, O. Radchuk, I. Zhukov deal

with the International Private Law. Associated professors V. Galan, I. Kudas, V. Steshenko explore problematic of International Public Law, O. Sivash – Diplomatic and Consular Law, O. Serdiuk – European protection of human rights ets.

Moreover lecturers of the Department are legal advisors of the Ministry of Foreign Affairs of Ukraine, Ministry of Justice, Parliament of Ukraine, State Authorized Representative to the European Court of Human Rights and other institutions. They are engaged in many international projects of the United Nations Organization, The European Union, Council of Europe, NATO ets as well as dual master programmes with the European universities.

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