

», - « ».[1]

», « »[2, .9]

() ,

», « » 3 2014

», ».[3]

», - . [4]

», . [5] . [6, .240]

(2013)16 2013 , 15

», (.4). (.10).

», (.6). (.17) [7].

», 12 , . [8]

», 11 (2008)

[9], - . [10]

», 5.3

», CCBE :

», - (4.1, 4.2, 4.3 4.4) [12].

. [9].

, - 7 CM/Rec (2010). [13].

CCBE (1.1.), (6)[14] - . [15].

, , (. 2)).

« », , . (. 1 . 10).

« » .

» 71-1130 31 . [16] « » 4 1980 (Kodex
 Deontologias) ».[17] 1 38 « » . 1 . 76
 , 84 1984, « » ,
 » , . [18].

» « » . [19, 143]

(« ») : , , , . [20]

, , 28 « » , , , , , . [21].

, , . [10, 62]

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« , : » , , [22].

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[23, .6].

[24, .311].

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[25, 173]. ()

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[25, 175].

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»

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« : «

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[28, 172-173]

[29].

()

„ . . .

„[30].

[31].

[32, 380]

: 1.

2.

3.

References:

1. Kyku M. Novaia model yurydycheskoi pomoshchy? Iurydycheskaia pomoshch v Bolharyy, Hruzyy y Moldove. Available at: http://online.zakon.kz/Document/?doc_id=31035626
2. Making Legal Aid a Reality: A Resource Book for Policy Makers and Civil Society Public Interest. Law Institute, 2009. P. 9.
3. Proekt Zakonu pro vnesennia zmin do Zakonu Ukrainy «Pro advokaturu i advokatsku diialnist» opryliudneni Ministerstvom yustytzii Ukrainy 3 chervnia 2014 roku. Available at: http://zib.com.ua/ua/print/88082-proekt_zakonu_pro_vnesennya_zmin_do_zakonu_ukraini_pro_advok.html
4. Doklad Generalnogo direktora po pravam cheloveka i verhovenstva prava Filippa Buaya «Professiya advokat». - Strasburg, 2012. Available at: http://www.coe.int/t/dghl/cooperation/capacitybuilding/Source/judic_reform/Eastern_Partnership_ReportontheProfessionofLawyer_rus.pdf
5. Shakirov T.R. (2013) Mezhdunarodnyie standartyi nezavisimosti advokaturyi. Evraziyskaya advokatura [Eurasian Advocacy] 2013. No. 06 (7).
6. Prylutskiy S.V. (2010) Hromadianske suspilstvo v mekhanizmi sudovoi vlady ta pravosuddia: teoretyko-pravovyi aspekt. Chasopys Kyivskoho universytetu prava [Chronicle of the Kyiv Law University]. 2010. No. 1. pp. 236 – 242.
7. Vysnovok 16 (2013) Konsultativnoi rady yevropeiskykh suddiv pro vidnosyny mizh suddiamy ta advokatamy 15 lystopada 2013 roku. Available at: <http://document.ua/visnovok-n-2013-16-konsultativnoyi-radi-evropeiskih-suddiv-p-doc174863.html>
8. Osnovni polozhennia pro rol advokativ, pryiniati vosmym Konhresom OON z poperedzhennia zlochniv u serpni 1990 r. v Niu-Yorku. Available at: http://zakon4.rada.gov.ua/laws/show/995_835
9. Vysnovok 11 (2008) Konsultativnoi rady yevropeiskykh suddiv do uvahy Komitetu Ministriv Rady Yevropyshchodo yakosti sudovykh rishen. Available at: http://court.gov.ua/userfiles/visn_11_2008.pdf
10. Andrieievskiy V.V. (2008) Orhanizatsiia diialnosti advokatury [Advocacy Activity Organization]. – Kyiv: Vydavnytstvo Kyivskoho universytetu prava, 2008.
11. Mezhdunarodnaya komissiia yuristov. Kongress v Nyu-Deli [International Congress of the lawyers. New-Deli] (1959 g.). Available at: <http://www.icj.org>
12. Banhalorski pryntsyipy povedinky suddiv vid 19 travnia 2006 roku, skhvaleni Rezolutsiieiu Ekonomichnoi ta Sotsialnoi Rady OON 27.07.2006 No. 2006/23. Available at: http://zakon4.rada.gov.ua/laws/show/995_j67

13. Rekomendatsiia CM/Rec (2010) 12 Komitetu Ministriv Rady Yevropy derzhavam-chlenam shchodo suddiv: nezalezhnist, efektyvnist ta oboviazky. Available at: http://zakon4.rada.gov.ua/laws/show/994_a38
14. Osnovni pryntsyipy nezalezhnosti sudovykh orhaniv (Skhvaleni rezoliutsiiami 40/32 ta 40/146 Heneralnoi Asamblei OON vid 29 lystopada ta 13 hrudnia 1985 roku). Available at: <http://www.judges.org.ua/d3.htm>
15. Kodeks povedinky yevropeyskykh advokativ CCBE. Available at: [http://unba.org.ua/assets/uploads/legislations/inshi-dokumenty/kodeks_povedinky_yevropeyskykh_advokativ\(ukr\).pdf](http://unba.org.ua/assets/uploads/legislations/inshi-dokumenty/kodeks_povedinky_yevropeyskykh_advokativ(ukr).pdf)
16. Federalnoe polozhenie (zakon) ob advokatah (Germaniya) . Bundesrechtsanwaltsordnungvom 1 August 1959 (Fassungvom 9 Dezember 2004). 50668-Koln, 2002.
17. Loi n° 71-1130 du 31 décembre 1971 portan tré formede certaines professions judiciaires et juridiques. Available at: http://legifrance.gouv.fr/affichTexte.do;jsessionid=764354F9356CF0DD18F93996452F55FC.tpdjo14v_1?cidTexte=JORFTEXT00000508793&dateTexte=2
18. Available at: http://www.ccbe.eu/ffleadmin/user_upload/NTCdocumentyPortuguese_Bar_.pdf
19. Armbruster . (1980) Die Entwicklungder Verteidigungin Strafsachen. Berlin. 1980. p.143-144.
20. Nemetskaya advokatura mezhdushlyim i buduschim. Advokatskie vesti [Advocacy News]. 2006. No. 5.
21. Pro advokaturu ta advokatsku diialnist [On advocacy and advocacy action]. Vidomosti Verkhovnoi Rady [Proceedings of Verkhovna Rada of Ukraine]. 2013, No. 27, p. 282.
22. Report "European judicial systems: efficiency and quality of justice". – Edition 2014. CEPEJ http://www.coe.int/t/dghl/cooperation/cepej/evaluation/2014/Rapport_2014_en.pdf
23. Dehanov S.A. (2004) Advokatura, grazhdanskoe obschestvo, gosudarstvo [Advocacy, Society, State]. Advokat [Advocate]. 12 dekabrya 2004 g.
24. Bernam V. (2006) Pravovaya sistema SShA [Legal system of USA]. M., «Novaya yustitsiya», 2006. – 1216 S.
25. Vaskovskiy E.V. Organizatsiya advokaturyi [Advocacy organization]. SPb., 1983. Razdel III «Svyaz s magistraturou» § 2.
26. Advokaty obsudili puti razvitiya i integratsii advokaturyi Ukrainyi v professionalnoe evropeyskoe soobschestvo. Yuridicheskaya praktika [Juridical practice] 7.07. 2014. Available at: <http://pravo.ua/news.php?id=0042759>
27. Karpov D.V. (2007) Sotsialno-pravova priroda sudebnoy vlasti. [Social and legal origin of judicial power]. Vestnik Nizhegorodskogo universiteta N. I. Lobachevskogo. Seriya Pravo. [Herald of the Nizhny Novgorod university named after N. Lobachevsky]. 1997. No. 1. p. 162 – 169.
28. Horodovenko V.V. (2007) Problemy stanovlennia nezalezhnoi sudovoi vlady v Ukraini [Problems of foundation independent judicial power]. Kyiv: Feniks, 2007. S. 172-173.
29. Boykov A.D. (1997) Tretya vlast v Rossii. Ocherki o pravosudii, zakonnosti i sudebnoy reforme 1990-1996 g.g. [Third power in Russia. Notes about justice, law and judicial reform] M., 1997.
30. Khartiia osnovopolozhnykh pryntsyypiv diialnosti yevropeyskykh advokativ (pryniato na plenarnii sesii SSVE 24 lystopada 2006 roku). Available at: <http://www.cay.org.ua/ua/104/index.html>
31. Libanova S.E. Otvetstvennost gosudarstvennoy vlasti za obespechenie konstitutsionnykh prav i svobod pod professionalnym obschestvennym nadzorom nezavisimogo instituta grazhdanskogo obschestva. Available at: http://www.juristlib.ru/book_10088.html
32. Prylutskiy S.V. (2013) Sudova vlada v umovakh formuvannia hromadianskoho suspilstva ta pravovoi derzhavy v Ukraini. Dissertation of DSc. 12.00.10. Kyiv. 2013. 447 p.

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