

Yaroslav Mudryi National Law University
Department of Legal Theory and Philosophy of Law

WORKING PROGRAM
academic discipline
“Introduction to European legal values”

The level of higher education is the second (master's) level
Degree of higher education is master's field of knowledge, 08 “Law” Specialty,
081 “Law”

The status of the academic discipline is the student's choice
Recruitment year is 2021

Kharkiv 2021

Work program of the study discipline “Introduction to European legal values” for students of higher education of the second (master’s) level in the field of international studies 08 “Law” specialty 081 “Law”. Kharkiv: Yaroslav Mudryi National Law University, 2021. 22p.

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1. *Description of the educational discipline*

Work program of the study discipline “Introduction to European legal values” for students of higher education of the second (master’s) level in the field of international studies 08 “Law” specialty 081 “Law”

Name of indicators	Field of knowledge, specialty, level of education	Didactic structure of academic discipline	
		full-time education	external form of education
Number of ECTS credits – 4,0	Field of knowledge – 08 «Law»	At the student’s choice	At the student’s choice
Number of modules – 3	Specialty – 081 «Law»	A year of student’s training: 2021–2022	A year of student’s training: 2021–2022
		semester	semester
Total hours – 120	Level of education – second (master’s)	1–2	1–2
Weekly hours for full-time education: classrooms – 2–4, independent work of the student – 6–8.		Lectures	Lectures
		20 hours	6 hours
		Practical / seminar classes	Practical / seminar classes
		20 hours	4 hours
		Individual work	Individual work
		80 hours	110 hours
		Types of control: current control; final knowledge control (differentiated assessment)	Types of control: current control; final knowledge control (differentiated assessment)

The purpose of the academic discipline is to increase the level of legal awareness of applicants in European human rights law; formation of in-depth knowledge of value regulation at various levels of European law; formation of knowledge, development of basic abilities and skills, as well as formation of professional competences in the field of European values.

Tasks:

– deepening knowledge about European values, both at the level of legal theory and constitutionalism, and at the level of awareness of their importance for the

European legal order;

- forming the relationship between legal values and specific legal institutions and procedures;
- development of awareness of specific features of post-Soviet legal systems, in which the phenomenon of transitional justice takes place;
- working out the reasons for the failure of automatic and rapid implementation of European legal values into the legal order of post-Soviet countries;
- determination of prospective ways of converting European values from formal paper provisions to fundamental principles of legal order.

Prerequisites: “International law”, “Law of the European Union”.

Co-requisites: “Advanced studies on EU law”.

2. ***Expected learning outcomes***

As a result of mastering the academic discipline, the student of higher education must demonstrate the following learning results:

LR-1.	Demonstrate knowledge of doctrinal and theoretical foundations in the field of legal values
LR 2.	Demonstrate knowledge of approaches to regulatory regulation of legal values by acts of European law of various levels
LR-3.	To carry out a critical and systematic analysis of the specifics of the period of transitional justice in the post-Soviet states
LR-4	Demonstrate knowledge of the origins of the concept of the rule of law
LR-5	Analyze and correctly interpret the content of the European Union’s guidelines on the elements of the rule of law.
LR-6	Demonstrate knowledge of the criteria on the basis of which the rule of law is measured
LR-7	Demonstrate knowledge of the principles of regulatory regulation of the rule of law in Ukraine
LR-8	Demonstrate knowledge of the legal nature of democracy and the historical experience of EU member states in building democratic regimes
LR-9	Demonstrate knowledge of the role of human rights organizations in promoting the implementation and protection of human rights
LR-10	Demonstrate knowledge of the specifics of the regulatory regulation of the legality of the restriction of human rights in the conditions of an armed conflict. Justify your legal position regarding practical situations, relying on the sources of law of the United Nations, the Council of Europe and other international organizations in the field of certain aspects of tolerance

LR-11	To characterize the level of tolerance in society at the national level in Ukraine on the basis of sociological research data
LR-12	Demonstrate knowledge of ECHR standards in the area of freedom of religion

The teaching of the academic discipline ensures the formation of general and special competencies in the student of higher education and the achievement of learning outcomes determined by the standard of higher education of the relevant specialty and the educational and professional program “Law”, namely:

General competencies:

GC-1. Ability to abstract thinking, analysis and synthesis.

GC-2. Ability to conduct research at an appropriate level.

GC-3. Ability to search, process and analyze information from various sources.

GC-4. Ability to adapt and act in a new situation.

GC-5. The ability to communicate in a foreign language in the professional sphere, both orally and in writing.

GC-6. The ability to generate new ideas (creativity).

GC-7. Ability to make informed decisions.

GC-9. Ability to work in an international context.

GC-1.1. The ability to solve innovative problems.

GC-1.3. The ability to formulate a personal opinion and present it with evidence.

Special competencies:

SC-1. The ability to apply the principles of the rule of law to solve complex problems and problems, including in situations of legal uncertainty.

SC-2. Ability to analyze and evaluate the impact of the legal system of the European Union on the legal system of Ukraine.

SC-3. The ability to analyze and evaluate the impact of the Convention on the Protection of Human Rights and Fundamental Freedoms, as well as the practice of the European Court of Human Rights on the development of the legal system and law enforcement in Ukraine.

SC-4. The ability to assess the interaction of international law and

international legal systems with the legal system of Ukraine.

SC-5. The ability to use modern legal doctrines and principles in law-making and in the process of applying institutions of public and private law, as well as criminal justice.

SC-6. The ability to justify and motivate legal decisions, to give detailed legal arguments.

SC-10. The ability to make decisions in situations that require a systematic, logical and functional interpretation of legal norms, as well as an understanding of the peculiarities of the practice of their application.

SC-12. Ability to develop and approve ethical standards of legal activity, standards of professional independence and responsibility of a lawyer.

SC-13. The ability to convey information, ideas, the content of problems and the nature of optimal solutions to specialists and non-specialists in the field of law with proper reasoning.

SC-1.2. Ability to demonstrate knowledge and understanding of legal systems in the context of globalization.

Program learning outcomes:

PLO–1. Assess the nature and character of social processes and phenomena, and demonstrate understanding of the limits and mechanisms of their legal regulation.

PLO–2. Correlate the modern system of civilizational values with legal values, principles and professional ethical standards.

PLO–3. Collect, integrate analysis and generalize materials from various sources, including scientific and professional literature, databases, digital, statistical, test and others, and check them for reliability using modern research methods.

PLO–4. Make a presentation of your research on a legal topic, using primary sources and techniques of legal interpretation of complex complex problems arising from this research, argue the conclusions.

PLO–5. Communicate freely in a legal foreign language (one of the official

languages of the Council of Europe) orally and in writing.

PLO–6. Reasonably formulate one's legal position, be able to oppose, evaluate evidence and present convincing arguments.

PLO–7. Discuss complex legal problems, propose and substantiate options for their solution.

PLO–8. Assess the reliability of information and the reliability of sources, effectively process and use information for conducting scientific research and practical activities.

PLO–10. To analyze the interaction of international law and international legal systems with the legal system of Ukraine based on the awareness of the main modern legal doctrines, values and principles of the functioning of law.

PLO–14. To substantiate the legal position at various stages of law enforcement.

PLO–17. Integrate the necessary knowledge and solve complex law enforcement tasks in various spheres of professional activity.

PLO–1.2 Demonstrate knowledge and understanding of globalization issues in the context of the development of modern legal systems.

3. Content of the curriculum of the academic discipline

Module 1. *European legal values and post-Soviet legal systems.*

Legal values: general theoretical characteristics.

Legal values as a phenomenon. Legal values in the documents of the European Union, the Council of Europe and in the practice of the European Court of Human Rights. Legal values and legal principles.

Post-Soviet legal systems and values. Soviet law. Post-Soviet legal systems: specifics of the period of transitional justice to the rule of law. Post-Soviet legal systems and European legal values: experience of Ukraine.

Module 2. *Rule of law and democracy.*

The doctrine of the rule of law: general characteristics. The doctrine of the rule of law: origins and modern approaches. Elements of the rule of law: guidelines of the European Union. Measuring the Rule of Law: Rule of Law Indices. Indexes of the rule of law.

The rule of law in Ukraine. Regulation of the rule of law by the Constitution and laws of Ukraine. Interpretation of the concept of rule of law by courts of Ukraine. The main problems of the rule of law in Ukraine.

Democracy. Theories of democracy. How to build a successful democratic state: experience of the member states of the European Union. Challenges of democracy. Democracy and war.

Module 3. *Human rights, tolerance and secularism.*

Human rights as a legal value. Generation of human rights. Human rights and social morality. Human rights and globalization.

Human rights in Ukraine. Human rights in Ukraine through the eyes of human rights organizations. Human rights and armed conflict: World Justice Project, Human rights watch, Amnesty international.

Tolerance: general characteristic. Doctrinal approaches to the definition of tolerance. Can law ensure tolerance in society? Regulation of aspects of tolerance in the documents of the United Nations, the European Union and the Council of Europe.

Tolerance in Ukraine. The value of tolerance in Ukrainian law and society. Modern sociological research on the level of tolerance in Ukraine. Tolerance for sexual minorities. "Hate speech".

Secularism. Standards developed by the practice of the European Court of Human Rights in the field of freedom of religion. Secularism and the rule of law. Models of secularism and state autonomy. Secularism in Ukraine.

4. Scope and structure of the educational discipline

4.1. For students of full-time higher education

№	Date (according to the schedule)	Subjects of the training course	Volume in hours			
			In total	Including		
				Lectures	Practical classes, seminars, colloquiums, etc	Individual work
		Module 1. European legal values and post- Soviet legal systems				
		Topic 1. Legal values: general theoretical characteristics	12	2	2	8
		Topic 2. Post-Soviet legal systems and values	12	2	2	8
		<i>In total</i>	24	4	4	16
		Module 2. Rule of law and democracy				
		Topic 1. The doctrine of the rule of law: general characteristics	12	2	2	8
		Topic 2. The rule of law in Ukraine	12	2	2	8
		Topic 3. Democracy	12	2	2	8
		<i>In total</i>	36	6	6	24
		Module 3. Human rights, tolerance and secularism				
		Topic 1. Human rights as a legal value	12	2	2	8
		Topic 2. Human rights in Ukraine	12	2	2	8
		Topic 3. Tolerance: general characteristic	12	2	2	8
		Topic 4. Tolerance in Ukraine	12	2	2	8
		Topic 5. Secularism	12	2	2	
		<i>In total</i>	60	10	10	40
		Total hours / ECTS credits	120/4,0	20	20	80

4.2. For applicants of higher education in the correspondence form of education

№	Date (according to the schedule)	Subjects of the training course	Volume in hours			
			In total	Including		
		Lectures		Practical classes, seminars, colloquiums, etc	Individual work	
		Module 1. European legal values and post- Soviet legal systems				
		Topic 1. Legal values: general theoretical characteristics	15	2	2	11
		Topic 2. Post-Soviet legal systems and values	11	-	-	11
		<i>In total</i>	26	2	2	22
		Module 2. Rule of law and democracy				
		Topic 1. The doctrine of the rule of law: general characteristics	13	2	-	11
		Topic 2. The rule of law in Ukraine	12	-	-	12
		Topic 3. Democracy	12	-	-	12
		<i>In total</i>	37	2	-	35
		Module 3. Human rights, tolerance and secularism				
		Topic 1. Human rights as a legal value	11	-	-	11
		Topic 2. Human rights in Ukraine	13	2	2	9
		Topic 3. Tolerance: general characteristic	11	-	-	11
		Topic 4. Tolerance in Ukraine	11	-	-	11
		Topic 5. Secularism	11	-	-	11
		<i>In total</i>	57	2	2	53
		Total hours / ECTS	120/4,0	6	4	110

		credits				
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5. Forms of pedagogical control and means of evaluation of learning results

The evaluation of the results of learning the educational discipline “Introduction to European legal values” involves current and final control and is carried out on the basis of a cumulative point-rating system.

Current knowledge control includes:

– quality control of the students’ assimilation of the program material of the educational discipline in practical classes using the following tools: oral/written survey, express survey, solving practical tasks, participation in the development of a case, preparation of a presentation, essay, essay, etc. The current control is aimed at checking the level of the student's preparation in studying the current material. In the course of the practical session, the student can receive an assessment on a four-point scale (0, 3, 4, 5);

– quality control of the students’ assimilation of the program material of the educational discipline, which is conducted at the end of the modules in the form of colloquiums.

An obligatory form of independent work of students is the preparation of a final written work. The maximum number of points based on the results of the defense of the final written work is 20 points.

The form of final control of the knowledge of higher education students in an academic discipline is a differentiated assessment. The minimum number of points to obtain a differentiated credit is 60 points.

Distribution of points between forms of organization of the educational process and types of control measures:

Current control	Final assessment of knowledge (Differentiated scoring)
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Module № 1		Module № 2		Module № 3		Independent work of students	
п/з	Colloquium	п/з	Colloquium	п/з	Colloquium		
max 20	max 10	max 15	max 10	max 15	max 10	max 20	max 100

6. Criteria for evaluating learning outcomes

Type of control	Scores	Criteria (for each assessment)
Current control in a practical session	Max 5	Excellent assimilation of educational material on the topic, some minor shortcomings are possible
	4	Good assimilation of the material on the topic, but there are some mistakes
	3	Satisfactory level of assimilation of the material, a significant number of errors
	Min 0	Unsatisfactory level of assimilation of the material
Colloquium	Max 10	The results of processing the material are high, a small number of insignificant errors are possible
	5	Satisfactory level of assimilation of the material, a significant number of errors
	Min 0	Unsatisfactory level of assimilation of the material
Final written work	Max 20	The work is designed in accordance with the requirements of the department. The work does not contain methodological errors, there are references to sources and own conclusions. In the defense, in-depth knowledge of the topic is demonstrated, as well as proof of conclusions, positions, classifications, etc.
	15	The work is designed in accordance with the requirements of the department. The work contains minor methodological errors, there are references to sources, there are own conclusions. During the defense, sufficient knowledge of the topic is demonstrated, as well as proof of conclusions, positions, classifications, etc.
	10	The work is designed in accordance with the requirements of the department, but with minor errors. The work contains methodological and content errors, there are references to sources, there are own conclusions. During the defense, sufficient knowledge of the topic was demonstrated, but there were problems with the argumentation of individual concepts and judgments in the work, the proof of conclusions.

	5	<p>The work was prepared with errors and violations of cathedral requirements regarding the form of work.</p> <p>The work contains methodological and substantive errors, an insufficient number of sources were used to substantiate the research and conclusions.</p> <p>During the defense, difficulties arose regarding the disclosure of the content of the topic, providing arguments regarding individual provisions of the work and the validity and provenance of the conclusions.</p>
	Min 0	<p>The work is improperly designed, without references to sources, and contains methodological errors.</p> <p>During the defense, the author of the work cannot demonstrate knowledge of the chosen topic, provide arguments for concepts and perform information analysis.</p> <p>The work was performed in violation of the requirements of academic integrity.</p>
Differentiated scoring	100	<ol style="list-style-type: none"> 1. Comprehensive, systematic and deep knowledge of the material provided by the curriculum of the academic discipline, including orientation in the main scientific doctrines and concepts of the academic discipline. 2. Learning the main and additional literature recommended by the department. 3. Ability to independently replenish knowledge of the academic discipline and use the acquired knowledge in practical work.
	90	<ol style="list-style-type: none"> 1. Complete knowledge of the material provided by the curriculum of the academic discipline. 2. Mastering the basic literature and getting to know the additional literature recommended by the department. 3. Ability to independently replenish knowledge of the discipline, understanding its importance for practical work.
	85	<ol style="list-style-type: none"> 1. Sufficiently complete knowledge of the material provided by the program of the educational discipline, in the absence of significant errors in the answer. 2. Learning the basic literature recommended by the department. 3. Ability to independently replenish knowledge of the discipline, understanding its importance for practical work.
	75	<ol style="list-style-type: none"> 1. Knowledge of the basic material provided by the curriculum of the academic discipline, in an amount sufficient for further study and future work in the profession. 2. Learning the basic literature recommended by the department. 3. Errors and significant inconsistencies in the answer to the assessment if there is knowledge to eliminate them independently or with the help of the teacher.
counted	70	<ol style="list-style-type: none"> 1. Knowledge of the basic material provided by the curriculum of the academic discipline, in an amount sufficient for further study and future work in the profession. 2. Acquaintance with the basic literature recommended by the department. 3. Errors in the answer to the test in the presence of knowledge to eliminate the most significant errors with the

		help of the teacher.
	60	1. Gaps in knowledge of certain parts of the main material provided by the curriculum of the academic discipline. 2. The presence of errors in answering questions on the test.
not counted	55	1. Lack of knowledge of a significant part of the main material provided by the program of the academic discipline. 2. Impossibility to continue studying or carry out professional activities without passing a repeated course in this discipline.

**7. Pedagogical control for students of higher education
full-time/part-time study**

Scale of final pedagogical control

Rating according to the ECTS scale	Definition	Assessment on the national scale for credit	Evaluation on a 100-point scale used at NLU
A	Excellent – excellent execution, with only a small number of errors	counted	90 – 100
B	Very good – above average with a few errors		80 – 89
C	Good – generally correct work with a number of minor errors		75 – 79
D	Satisfactory – not bad, but with a significant number of shortcomings		70 – 74
E	Sufficient – execution meets minimum criteria		60 – 69
FX	Unsatisfactory – work needs to be done before reattempt	not counted	35 – 59
F	Unsatisfactory – serious further work is required, a mandatory repeat course		0 – 34

8. Educational, methodical and information support of the educational discipline

Regulatory acts

Про Загальнодержавну програму адаптації законодавства України до законодавства Європейського Союзу: Закон України від 18.03.2004 р. № 1629-IV. URL: <https://zakon.rada.gov.ua/laws/show/1629-15#Text>

Про засади внутрішньої і зовнішньої політики: Закон України від 01.07.2010 р. № 2411-VI URL: <https://zakon.rada.gov.ua/laws/show/2411-17#Text>

Угода про асоціацію між Україною, з однієї сторони, та Європейським Союзом, Європейським співтовариством з атомної енергії і їхніми державами-членами, з іншої сторони, 2014 р. URL: https://zakon.rada.gov.ua/laws/show/984_011#Text

Хартія про основоположні права Європейського Союзу 2007 р. URL: https://zakon.rada.gov.ua/laws/show/994_524#Text

Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union. URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12012M%2FTXT>

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European Court of Human Rights official website –
<https://www.echr.coe.int/Pages/home.aspx?p=home>

Freedom House organization official website – <https://freedomhouse.org>

United Nations and the Rule of Law – <https://www.un.org/ruleoflaw/>

Venice Commission official website –
<https://www.venice.coe.int/webforms/events/>

World Bank Open Data official website – <https://data.worldbank.org>

World Values Survey official website –
<https://www.worldvaluessurvey.org/wvs.jsp>

Акти acquis ЄС, перекладені на українську мову –
<https://minjust.gov.ua/acquis-communautaire>

Консолідовані версії Лісабонського договору (українською мовою) –
www.minjust.gov.ua/file/23491

Медіа портал Європейського Союзу – <http://www.euractiv.com>

Офіційна сторінка Європейського Омбудсмена –
<http://www.ombudsman.europa.eu/start.faces>

Офіційна сторінка Європейського Союзу – <https://europa.eu/>

Офіційна сторінка Суду справедливості Європейського Союзу –
<http://www.curia.europa.eu>

Пошукова система нормативних актів ЄС – <http://eur-lex.europa.eu/homepage.html>

Прогрес виконання Угоди про асоціацію – <https://pulse.eu-ua.org>

Тексти установчих договорів Європейського Союзу – <http://www.eurotreaties.com>

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Standardized electronic educational and methodological complex of the Department of Theory and Philosophy of Law. URL: <https://library.nlu.edu.ua/senmk/itemlist/category/97-kafedra-teorii-i-filosofii-prava.html>