

## ***II. Formation and Development of the Contemporary Ukrainian Science of International Law***

### **HISTORY OF THE CHAIR OF INTERNATIONAL LAW, INSTITUTE OF INTERNATIONAL RELATIONS, TARAS SHEVCHENKO NATIONAL UNIVERSITY OF KYIV**



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**T**he Chair of International law (hereinafter — «Chair») has passed through several stages: as the part of a higher school of the Russian Empire (1842–1917); within the Soviet Union (1963–1991); and in independent Ukraine (1991 onwards). Although the Chair, as an integral part of the University, is a scientific and methodological center responsible for the quality of teacher training and the organization of the teaching process, its principal focus has changed together with the main tasks of training staff with higher university education. However, the Chair has always been concerned with the international legal process, universal principles and rules, and their interaction with national legal systems.

Professor Ihor I. Lukashuk, prominent Soviet, Ukrainian, and Russian international lawyer was the Head of the Chair starting from its renewal as a part of Faculty of Law in 1963 and up to 1985. Being a part of the Faculty of Law and International Relations, which is aimed at training staff for developing countries, as well as the influence of the Soviet Union and specific tasks of the Department, the Chair was responsible for teaching international law to representatives of different cultures and countries in Asia, Africa, and Latin America. The training of Soviet students and staff for domestic Ukrainian SSR Ministry for Foreign Affairs was secondary and had little impact on the content and direction of both scholarship and teaching areas. Nevertheless, at that time the Department of International Law and Foreign legislation was transformed into scientific and methodical center, a center for research on international law, comparative law, and private international law.

During the structural adjustment period, the period of enhancement of the powers of the Soviet Union republics in the field of international relations, as well as the intensification and complication of the Soviet international relations, the primary objectives of the Chair have changed. The end of the Soviet era and the formation of foundations for research and the teaching of international law in an independent Ukraine was the most important period in the history of the Chair. It is symbolic that during that time the Head of the Chair was Volodymyr Hryhorovych Butkevych, a prominent Ukrainian statesman; first President and initiator of the Verkhovna Rada Committee on Human Rights; Head of the Constitutional Committee of the Verkhovna Rada of Ukraine during the drafting of the 1996 Constitution of Ukraine; scholar and world-renowned international lawyer; Honored Lawyer of Ukraine; and Judge of the European Court of Human Rights. The achievements of Butkevych, an outstanding organizer of university research and the first Director of the Institute of International Relations (hereinafter – «Institute») require a separate study. In this article we emphasize key moments of his activities as Director of the Institute and Head of the Chair of International law.

The Institute of International Relations was created owing to the energy and extraordinarily thorough scholarship of Butkevych; a separate Chair was the first in the cluster of law departments intended to provide specialized training for not just lawyers, but international lawyers with a broad background.

Professor Butkevych became the Head of the Chair in 1985. Under his organizational and scientific guidance the principles for forming the Institute of International Relations and International Law (hereinafter – «Institute of International Relations») were established. Professor Butkevych was the first director of the Institute. In the period from 1985 to 1991 the Chair was the basis for the legal preparation of Institute students and the formation of other legal departments within Institute (the above-mentioned cluster): Department of Private International and Customs Law headed by Professor K. Sandrovskiy, a prominent Ukrainian international lawyer, and the Department of Comparative Law, the Head of which was Professor V. Zabiailo, coryphaeus of comparative law in Ukrainian legal science. The last was supposed to teach in comparative form the general theoretical and specialized legal disciplines traditional for jurisprudence, but taking into consideration international legal peculiarities.

Under the organizational and ideological leadership of Butkevych, the Chair and the Institute have experienced and survived the darkest hours in their history during the late 1980s and early 1990s. Efforts to disestablish the Institute intensified at the turn of the century. Numerous «enthusiasts» demanded the disestablishment of the Institute and reattachment of the chairs to similar faculties. Only the public wisdom and heroism, academic thinking and ardent patriotism, and faith in the crucial processes of building new independent Ukraine as a rightful subject of international law – all were fundamental approaches of Butkevych to global development that helped to retain the unique staff of the Institute. Butkevych demonstrated the necessity and the role of the Institute of International Relations for an independent Ukrainian State.

In 1991 the independence of Ukraine presented the staff of the Institute and the Department of International Law with new aims and challenges. Fundamental research by Butkevych relating to the correlation of international and municipal law was crucial for the academic future of the Chair. It became clear that the views

of Butkevych concerning the influence of international law on the constitutional order comprise the basis for the legal and political development of the new State. Butkevych continued the organizational development of departments of the Institute and launched the first Ukrainian journal of international law: «Український часопис міжнародного права» (1992-), elaborated a fundamental syllabus for the basic course on international law (1993) that has become a constituent part of any international law teaching curriculum in Ukraine and other post-Soviet countries. In 1994 Butkevych abandoned his administrative functions within the Institute to become a deputy of the Ukrainian parliament. Later he became Head of both the Verkhovna Rada Committee on Human Rights and the Constitutional Commission of the Verkhovna Rada of Ukraine. Nevertheless, Professor Butkevych did not cease his work at the Chair of International Law; on the contrary, while heading the Chair, he involved all its members in research on human rights and State-formation. This patriotic, academic, and organizational support of Butkevych shaped the academic, personnel, functional, and teaching foundations of the present Chair of International Law. The activities of Butkevych resulted in a two-volume textbook in collaboration with V. Mytsyk, *International Law. Fundamentals of Theory* (Vol. I), and *International Law. Principal Branches and Institutes* (Vol. II), published in 2002–2004.

In 1998, after Professor Butkevych became a judge at the European Court of Human Rights, the Head of the Chair of International Law became Assistant Professor V. Muraviov. Considering the new aims of foreign policy arising from the intention to pursue European integration, a reorganization of the departments took place in 2003. The Chair of Comparative and European Law was established on the basis of a former Department of Comparative Law. Professor Muraviov and other members of the teaching staff, including Assistant Professor L. Zablotska, from the Department of International Law, moved to this newly established Chair. These individuals nevertheless continued to teach courses on international law (e.g. Law of International Organizations, Law of Treaties, and International Humanitarian Law). Meanwhile, Assistant Professor O. Zadorozhnii was elected as the new Head of the Department of International Law.

The Chair of International Law focused on theoretical aspects of international law and methodology of teaching it. However, changes in the academic and teaching priorities of the Institute and the Chair were generated by new tasks concerning scientific support for Ukrainian foreign policy on European integration and the need to establish peaceful coexistence and cooperation with all States.

Since 2003 the principal direction of scholarly research at the Chair has been altered in order to facilitate the implementation of the new aims of the foreign policy of Ukraine. The challenges experienced during the training of qualified staff in the sphere of international relations mirrored the need for the modification of established teaching methods and the introduction of new disciplines for the training of international lawyers. The essence of these changes meant the shift from teaching pure theory to the discussion of the realization of international law as deriving from fundamental theoretical knowledge. The practical problems of the implementation of foreign policy have become increasingly popular in academic research.

At this same time (2003–2004) the educational work of the Chair has been gradually changed. New postgraduate courses for the master's program with 'public international law' as a major were introduced. These are: International Justice, Peaceful

Settlement of International Disputes, International Criminal Law, and International Investment Law. They all are aimed at training students for practical work in international law, as well as a deep study of current international legal practice.

The year 2004 marked the establishment of the first specialized State higher education standards for the international law course for all stages of studying at Kyiv National Taras Shevchenko University: Bachelor, Specialist, and Master. These standards facilitated the implementation of several aims. Thus, their teaching and professional programs have formed the basis for upgraded teaching plans for the 'International Law' specialty (different editions thereof were prepared by the Chair and approved by the staff of the Institute of International Relations and Chancellor of the University in 2004, 2006, 2008, and 2010) and set the minimum core for other institutions training specialists in international law. This has reaffirmed the role of the Department as the leading methodological center in this field. Such standards play a crucial role for the employment of young specialists with a diploma in international law. The higher education State standards (and related educational qualification characteristics in particular) approved a list of initial positions which can be occupied by such experts in the field of law, public administration, international relations, translation work, and others.

The most recent curricula for the Bachelor and Master programs in «International Law» were approved in 2010. They focus on preserving the best features of the structure traditional for the Kyiv School of International Law of teaching core disciplines. However, this structure was amended with a view to teaching students their main specialization – international law – throughout the whole period of the Bachelor program. Thus, first year students were taught an «Introduction to profession», the discipline «History of International Law» was moved from Vth to IIIrd semester, and general course on «International Public Law» begins not in the Vth but in the VIth semester and continues till the end of the Bachelor program. Courses on 'Human Rights in International Law', 'International Criminal Law', 'International Environmental Law', 'International Commercial Arbitration', 'International Civil Procedure' and others became part of the non-specialized regular curriculum.

The recognition of International Law as an independent component in training Bachelors, as well as preserving a corresponding Master's program that took place after Cabinet of Ministers of Ukraine Regulation dated 2010, opened an opportunity for the further strengthening of the regulatory framework in training international lawyers and beginning to work on a new generation of standards. However, those projects may indeed acquire specific features only after the normalization of determinant features of higher education at the legislative level in Ukraine.

Educational work at the Chair of International Law is based on the fact that Ukraine joined the Bologna Process on 19 May 2005 at the Conference of European Ministers of Education in Bergen, Norway, pledging to make the appropriate changes in the national education system and join the work in order to identify priorities in the process of creating a single European Higher Education Area by 2010. Ukraine's accession to the Bologna Process raised questions concerning the competitiveness of the national system of higher education at the international level and the need to reform the higher education system based on combining the best Ukrainian traditions with international experience. Given the context of these problems, the Chair of International Law as a division of the Institute of International Relations and Kyiv National Taras Shevchenko University is considering the need to introduce

«Bologna» approaches to curriculum and educational programs. The Department welcomed the most important aspect of the Bologna Process – the internationalization of higher education and expanding opportunities for exchanging teachers and students. The alumni of the Chair of International Law have opportunities to continue their education in the best universities of the world. The experience of the last five years has shown that our students and graduates use these opportunities actively, continuing their education in more than 50 universities overseas: Oxford and Cambridge universities (England), Harvard and Columbia universities (United States), the Sorbonne (France) and the University of Heidelberg (Germany) and others. Many former students continued their education by winning government and public grants and scholarships.

An important aspect of educational work is publishing student scientific journals and participation in student moot courts and modeling.

The practice of publishing electronic student scientific journals deserves special mention. Initiated by lecturers of the Chair of International Law (O. Zadorozhnii, M. Hnatovskyi) and students-enthusiasts (A. Ostanina, S. Savchuk) in 2003–2004, the example was used of «student-run law reviews», which exist in some Western (mostly American) universities. As a result, we can say that today that under the auspices of the Chair of International Law, Institute of International Relations of Kyiv National Taras Shevchenko University there is successfully developing the Kyiv Student Journal of International Law (hereinafter – KSJIL). KSJIL is the result of fruitful cooperation between the lecturers and students of all years of study.

KSJIL is not an official scientific publication, which is regularly published by students in electronic form. Each student can participate in the development of the KSJIL by writing a research paper on key issues of international law, private international law and European law. KSJIL serves many important purposes at once. It strengthens the cooperation between teachers and students, but also encourages students to write research papers of the highest quality.

The first issue of the KSJIL was published in 2005. During all these nine years of existence, dozens of students have taken part in the preparation of issues, exploring key questions that concern the entire international community.

The organization of the issues and the final decision on publication of the KSJIL is assumed by the editorial board, which consists of students of the Institute of International Relations. The Editorial Board is elected by the lecturers and its changes every four years. Upon receipt of the student paper with a positive review from a scientific mentor, the editorial board verifies the article in accordance with the existing content and design standards required for publication in KSJIL. In the process of this review, the Editorial Board liaises with the authors of scientific papers, taking joint decisions for final revisions.

Traditionally, the articles in each issue are distributed in separate sections that depend on the theme (International Public Law / Private International Law / European and Comparative Law and related branches). There are also permanent sections: 'The Chronicle', 'Personality', and 'Legal Education Abroad', 'In Memoriam'. The KSJIL since its first publication in 2005 has published more than 200 articles (10–12 in each). Students-scholars pay special attention to challenging topics of modern international law: legal aspects of terrorism, the analysis of new areas of international law such as results of fragmentation (international energy law, the new benchmark in international criminal law, international environmental



law, and others), issues concerning gaps in the national regulation of international private law aspects, the question of Ukraine's cooperation with the EU. Students focus on the analysis of theoretical and practical activities of the most respected international lawyers of the world (the lives and scientific activities of V. Butkevych, I. Lukashuk, I. Brownlie, and A. Cassese in particular). Considering the active participation of students of the Institute of International Relations in national and international law competitions, the KSJIL highlighted the achievements of students in the following competitions: International Court of Justice modeling, simulation of the International Criminal Court, the moot court in Law of the World Trade Organization, moot court in the Willem Vis International Commercial Arbitration, the Jessup Competition in public international law. Many who have actively participated in writing articles in KSJIL during their studentship successfully continued as postgraduate students at the Chair of International Law, Institute of International Relations, Kyiv National Taras Shevchenko University, and other educational institutions. Among these are: Olha Poiodynok, Lidia Syvko (Kuzmenko), Anton Korynevych, Maria Bezdienezhna, Iryna Troshchenko, Anna Stakheieva, and others.

Students are not limited by the walls of the Institute of International Relations. Over the history of the journal, works were submitted by students from other educational institutions in Ukraine and by foreign students (particularly from the Moscow State Institute of International Relations (University) of the Ministry for Foreign Affairs of the Russian Federation, O. Kutafin Moscow State Law Academy, Kazan (Volga) Federal University, National Academy of Sciences of Azerbaijan, and Lund University). The cooperation which exists between KSJIL and students from other educational institutions and countries reinforces the interest of authors to study international law and explore the legal regulation of interstate relations.

KSJIL is preparing a collective edition for its Twentieth Anniversary, which will be presented in printed format. Furthermore, a contest for the best scientific work for the Anniversary issue has been announced. Winners will be selected in three categories: the best scientific work in public international law, the best scientific work in international private law, and the best scientific work in European and Comparative Law. All the articles submitted for publication may participate in the competition. Winners will be determined by a jury of prominent scholars, lawyers, and international legal practitioners.

The interest of teachers and students in supporting the activities of KSJIL allows the frequency of the issues to be increased and encouraging an increased number of student-scholars to participate in the exciting process of research.

The participation of the best students in moot courts has become an important aspect of implementing new teaching methods and encouraging active learning and research. Despite reservations about stress, schedule, business trips, and distraction of students from the educational process, under certain conditions, democracy and adversary modeling promote the implementation of these new approaches according to the Bologna Process. The most popular are competitions on international, private international and European law which imitate the consideration of legal disputes by jurisdictional international institutions - the International Court of Justice, the Court of the European Communities, the International Criminal Court and the European Court of Human Rights, Dispute Settlement Body of the World Trade Organization, International Centre for the Settlement of Investment Disputes, and international commercial arbitration. The Chair of International Law is leading the

organization of the constant, consistent, broader, and successful participation of teams from the Institute in these competitions, provided that they have an objective and impartial judging by lecturers and postgraduates.

Among the events that have always involved a team of students from the Institute is the competition on international humanitarian law arranged by the International Committee of the Red Cross (hereinafter — ICRC). In the first national competition in international humanitarian law, V. Baliuk, a student of the Institute, won the distinction of «best speaker of competition» (Simferopol, Tauride National University) in 2005; 2006 — Team of the Institute (L. Syvko, O. Poiedynok, A. Savastieiev) won the team classification (Kharkiv, National Academy of Legal Sciences of Ukraine); 2007 — ranked second (A. Korynevych, O. Ioffe, E. Rubach) in a competition organized by the ICRC in cooperation with the Department of International Law Institute. In 2007, the team from the Institute (L. Syvko, O. Poiedynok, A. Liovin) successfully took part in the World Competition on International Humanitarian Law named after Jean Pictet, held in El Escorial, Spain, being among the top eight English-speaking teams of the world. In May 2008 the Institute team (I. Zubar, O. Ioffe, M. Bezdienezhna, trainer A. Korynevych) won the International Regional Competition of international humanitarian law held in Balaclava.

Furthermore, in 2008 the team of the Institute (D. Litvinova, O. Vasylenko, T. Kosiuk, M. Bezdienezhna) won the national round in Law of the World Trade Organization competition; M. Bezdienezhna was named the best speaker of the competition. Students Y. Rubach and O. Ioffe won the prize for the best performance in modeling the International Court of Justice in the competition of international law named after B. Telders.

In 2009 the team of the Institute (A. Korynevych, O. Ioffe, I. Zubar) took part in the finals of the World Competition on International Humanitarian Law named after Jean Pictet in Evian-les-Bains, France once again. In April of the same year the team of Institute (H. Smyrnova, O. Ioffe, D. Latyshenko) won the twelfth Competition on International Humanitarian Law named after F. F. Martens among the teams of higher educational institutions from Belarus, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan, held in the Moscow Region (Russian Federation). In April 2010 a team from the Institute (A. Vasiurenko, A. Savastieiev, H. Khitsevych) ranked second in the thirteenth competition of international humanitarian law named F. F. Martens.

Many issues of international law were addressed by students and their supervisor — Associate Professor of International Law, D. Skrynka, over seven years, during which the team of the Institute of International Relations took part in the debate on the Law of the World Trade Organization (hereinafter — WTO), held under the auspices of the European Association of Law Students (European Law Student Association WTO Moot Court Competition). It is noteworthy that six times out of seven a team received the right to participate in the international round of the competition.

In 2006 the case which was the subject of the dispute involved the international legal regulation of State support for agricultural producers. The case in 2007 dealt with international trade in services. In 2008 the court pleadings focused on specific aspects of the international legal obligations of States — members of the WTO in telecommunication services. In 2009 the issues under discussion related mainly to the regulation of trade in like goods within the context of WTO law, as well as subsidized production using technologies to preserve the environment.

In 2010 attention was focused on intellectual property rights protection in the WTO. In 2011 it concerned mainly sanitary safety and animal cloning in the context of WTO law. In 2012 the teams took up issues concerning protective measures against rapidly growing and massive imports. The topic, just as all the previous ones, concerned the increased number of complaints from domestic producers demanding special measures concerning the import into Ukraine of individual products that were of particular importance for Ukraine.

These competitions are held at the global level and include both the oral and written parts in English. Students prepare a voluminous report in which they, while keeping to the prescribed form, must present their arguments in favor of the defendant and in favor of the complainant in the case. This format requires from them not only a deep knowledge of educational material, but also outstanding analytical skills, capability of innovative thinking — in other words, the skills necessary to be a successful lawyer.

Within the oral part, students participate in several rounds and, as a result of drawing lots, they first act on behalf of the complainant, and then on behalf of the defendant. Judges during the competition have the right to question the speakers, not only after the report but also during the proceedings, interrupting presentations. In addition to this, the competition includes the requirement to respond to the opponent's speeches. Competitors do not «read» the report from sheet of paper, but being fluent in English, quickly find and formulate answers to any questions that opponents and judges have. This experience is invaluable in their future work.

Since 2008, students of the Chair of International Law have been actively engaged in the Stetson International Environmental Moot Court Competition. This tournament imitates proceedings in the International Court of Justice and is organized by Stetson University College of Law under the auspices of the International Law Student Association (ILSA). As per the Competition rules, each team must compete in the regional rounds first, which regularly take place in Africa, Australia, Northern, North-Eastern, and Southern India, Latin America, North America, South-East Asia, and so on. Given that no regional rounds of the Competition were held in Europe in 2008–2009, a team from the Institute of International Relations was granted special permission to participate in the International Rounds of the Competition by the Organising Committee of the Competition. The team consisting of two students (I. Badanova, 4th year of International Law, and M. Bezdienezhna, 5th year of International Law) and a coach (Lecturer at the International Law Department, Dr Maryna Medvedieva) took part in the Thirteenth Stetson Competition International Rounds, held in Gulfport (Florida, USA) on 25–28 March 2009. The team advanced to the quarterfinals of the Competition, becoming one of top four best Respondent teams. This was the first time that a team from Ukraine took part. Thus, Ukraine became the second European country (after Ireland) to be represented at the Stetson Competition. Upon accepting the special invitation to participate in the International Rounds, the team together with their coach undertook to organize the European Regional Rounds of the Competition of the upcoming Stetson season. Thus, on 29-31 January 2010 the Chair of International Law hosted the First European Regional Rounds of the Stetson International Environmental Moot Court Competition (coordinated by the local Organizing Committee consisting of Dr M. Medvedieva, and students I. Badanova, O. Brovko, K. Ksiondzyk). A team from the Institute of International Relations (K. Busol, 4th year of International



Law, A. Gubyk and I. Pinchakovska, both — 5th year of International Law) became National Champions (K. Busol was also awarded the Best Orator prize) and duly represented Ukraine at the Fourteenth Stetson Competition International Rounds.

Alongside the Stetson Competition International Rounds, Stetson University College of Law hosts the annual International Wildlife Law Conference, which is usually attended by team members. Alumni of Institute of International Relations, former mooters, have succeeded in applying the developed skills and knowledge in practice. Some of them defended PhD dissertations in International Law and became Lecturers at the Chair of International Law.

Serious human resources management efforts, as well as persistent academic work, have been crucial to the successful adjustment of the Chair of International Law to the needs of our time. Thanks to support of the Institute and the University Board, the Chair has doubled its teaching staff since 2002. This was achieved through the involvement of the best of our students — young academics, participants in various competitions, active contributors to the Kyiv Student Journal of International Law. Many alumni of the Institute of International Relations and former students of the Chair of International Law started teaching at the Department, namely: I. Zabara (graduated in 1998, defended in 2002 the PhD dissertation on the «Compensation for non-pecuniary damages in private international law»), M. Hnatovskyi (graduated in 1999, defended in 2002 the PhD dissertation on the «Formation and development of the rule of European law»), O. Butkevych (graduated in 1999, defended in 2002 the PhD dissertation on the «Formation and development of international law in the period of antiquity»; in 2009 defended the doctoral dissertation on the «Theory and practice of preclassical international law»); D. Skrynka (graduated in 1999, defended in 2004 the PhD dissertation on the «Law as the factor of economic development (institutional approach)»); V. Rzhevskya (graduated in 2000, defended in 2003 the PhD dissertation on the «Right of state to self-protection in the light of development of international security legal safeguards»); D. Kuleba (graduated in 2003, defended in 2005 the PhD dissertation on the «Realization of international legal personality of Ukraine by virtue of participation in the international organizations»); M. Medvedieva (Komarenko) (graduated in 2003, defended in 2005 the PhD dissertation on the «International law standards of state cooperation in the sphere of biotechnology»); S. Bilotskyi (graduated in 2000, defended in 2008 the PhD dissertation on the «International law regulation of cooperation of collective security regional organizations with the United Nations»); L. Kuzmenko (Syvko) (graduated in 2007, defended in 2010 the PhD dissertation on the «International law regulation of relations in the situation of natural disasters»); Z. Tropin (graduated in 2006, defended in 2008 the PhD dissertation on the «International dispute settlement under the Energy Charter Treaty»); A. Liovin (graduated in 2006, defended in 2009 the PhD dissertation on the «International law regulation of nuclear material transfer»); A. Korynevych (graduated in 2009, defended in 2011 the PhD dissertation on the «Place of international energy law within the framework of contemporary international law»). All of them have successfully graduated from the Institute, pursued postgraduate studies, defended their dissertations, and chosen the teaching of international law in the Institute as their core activity.

The scholarly work of the Chair lecturers is organized in compliance with the Institute's Perspective Plan on the Training of High-Profile Specialists for the period

from 2005 to 2015 and in accordance with the subjects of scientific research approved by the Academic Council of the Institute.

The defense of a doctoral dissertation on the «International legal protection of national minorities» by our esteemed colleague Vsevolod Mytsyk in 2005 was of significant importance for the scientific life of the Chair. The work on the dissertation, publication of the monograph, as well as the very defense thereof before Ukrainian and Russian outstanding scholars, proved to be a notable event not only for the lecturers but also for the students of the Chair of International Law where Professor Mytsyk creatively and on the highest professional level has taught international law for many years. The preparation and publication of the fundamental textbook on international human rights protection mechanisms by Mytsyk in 2010 finished the formation of an extremely important series of disciplines regarding the human rights protection at the Chair of International Law. It has made a significant contribution to the formation of a virtually autonomous orientation of research and the international law teaching in this domain. As a supervisor, Mytsyk supervised more than 15 postgraduates who successfully obtained the PhD degree. Professor Mytsyk has been elected to represent Ukraine at the Council of Europe National Minorities Committee, where he intensively works on the practical aspects of the implementation of international law in the national orders of the Council of Europe Member States. In 2009 for significant contributions to the development of international law in Ukraine Mytsyk was awarded the title of Esteemed Scholar of Ukraine by edict of the President of Ukraine. Even more, the scientific

The research of Professor Mytsyk has encouraged the formation of a distinct international humanitarian law orientation at the Chair. Following Professor Mytsyk, Hnatovskyi engaged in this domain. Upon the defense of a PhD dissertation regarding the development of European legal space in 2002, as well as the publication of a monograph, Hnatovskyi focused on research in international humanitarian and criminal law and certain aspects of human rights protection (primarily — the prevention of torture and other cruel and inhuman treatment and punishment). In this sense he tries to maintain the traditions established by doctors S. Isakovych and L. Zablotska of the Chair, who have been the pioneers in the above mentioned spheres in Ukrainian and Soviet doctrine. This choice promoted the explosive development of these spheres of international law during the last twenty years. One hardly need demonstrate the urgency of the protection of the individual, especially where he or she is most vulnerable — within armed conflicts, internal disturbances, as well the importance of the implementation of individual criminal responsibility for offences under international law. These spheres are important for the development of international law as a whole because they influence significantly its systemic qualities, in particular — the edges of international legal regulation, correlation between treaty and customary international rules — which is in tune with the «humanization of international law» as the most recent trend in international law.

Scholarship in international humanitarian law and related domains is significantly promoted by the contributions of the International Committee of the Red Cross. For this reason Hnatovskyi has presented his research results primarily at various scientific events held under the auspices of the ICRC, such as the Martens international humanitarian law readings held at St. Petersburg State University (since 2002, on a regular basis), various conferences, seminars and round tables in Kyiv, Moscow, Minsk, Kishinev, Astana, Almaty, Tashkent, Yalta, and so on. During this

period Hnatovskyi has published more than twenty articles on international humanitarian and criminal law in Ukrainian and foreign journals («Ukrainian Journal of International Law», «Ukrainian Yearbook of International Law», «Russian Yearbook of International Law», «International Justice» and others).

Since 2011, Hnatovskyi has represented Eastern European and Central Asian academia in the Editorial Board of the journal of IRRC International Review of the Red Cross, published by the Cambridge University Press. In 2012 his monograph on humanitarian law in international courts, which contains the main results of his doctoral research, was published. His work on international humanitarian law and international criminal law allows the active engagement of students.

Under the supervision of Hnatovskyi, student teams were winners of the national (Kharkiv, 2006) and regional rounds (Balaklava, 2008) of international humanitarian law competitions, and also winners (2009) and finalists (2010) of the Competition on International Humanitarian Law named after F. F. Martens, which is held among students of CIS region. Moreover, student teams became finalists of the Jean-Pictet Competition, which is considered to be the most prestigious international student competition in this area of international law (2007 and 2009).

Among former participants of above competitions were A. Korynevych, L. Kuzmenko (Syvko), A. Liovin, O. Poiedynok became PhD students and devoted themselves to research and teaching.

In 2005, upon the advice of the Professor Mytsyk, Hnatovskyi started examining legal issues of preventing torture or ill-treatment. At the end of 2009, he was elected as a member of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (hereinafter — CPT).

Since March 2010 Hnatovskyi has actively participated in the CPT activities as a member of delegations when visiting places within members of the Council of Europe where people are detained against their will, i.e., from cases of short-term imprisonment by decision of a court to compulsory — in law or in fact — treatment in psychiatric hospitals. As provided by the 1987 European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, confidential reports regarding the state of the prisoners became the basis for dialogue between CPT with governments of the members aimed at improving compliance with Article 3 of the 1950 Convention for the Protection of Human Rights and Fundamental Freedoms.

In 2009, after becoming a Doctor of Law and being a civil servant, Associate Professor Olha Volodymyrivna Butkevych, alumna of the Institute of International Relations, PhD student of the Chair of International Law, and now a Doctor of Law, joined the team.

Olha Butkevych has interests in the field of international law and the history of international legal studies, as well with regard to the application of international legal rules. Therefore, her research has played an important role in the formation of the «historical» direction of international law. Serious and independent science cannot exist but for its history! The fundamental monographs by Olha Butkevych on the history of international law are a solid base for the further development of teaching the history of international law and the history of international legal studies as independent sciences for all students of the department.

Another associate professor of the department — Valentyna Serhiivna — began as a student under the guidance of Dr. Sergii Volodymyrovych Isakovych, who untimely death occurred in 2001. In the fifth year, in 2000, Rzhevskaya took part in the com-

petition of the National Academy of Sciences of Ukraine for the best student research paper and was awarded a diploma of the Presidium of the National Academy of Sciences of Ukraine. The subject was «Self-Defense in Contemporary International Law». Rzhevskaya continued to work on this topic as a postgraduate under the guidance of Professor Volodymyr Naumovych Denysov. Her candidate thesis on «The Right of a State to Self-Defense in Light of the Development of Legal Guarantees of International Security» Rzhevskaya defended on 7 April 2003. By chance the defense took place on the second day of the Battle of Baghdad, which served as evidence of the timeliness of the research. A monograph was published on the basis of the thesis (K.: Promeni, 2005. — 256 p.).

Legal guarantees of international security are the main area of research for Rzhevskaya, supplemented by the development of international judicial institutions and the law of international responsibility. Within the course on the law of international responsibility students learn to analyze legal fundamentals of State participation in armed conflicts, examine thoroughly the legal content of the principle of refraining from the threat or use of force — one of the fundamental principles of the contemporary international law, and generally to analyze the international legal aspects of threats to international security and reactions thereto of the international community. In 2007 Rzhevskaya published a course of lectures on the law of international security (K.: IMB, 2007. — 183 p.).

From 1 October 2006 till 30 September 2008 she held a scholarship from the Cabinet of Ministers of Ukraine as a young scholar (in compliance with the Decision of the Ministry of Education and Science of Ukraine from 05.10.2006 (Protocol 12/2–13) and the Decree of the Presidium of the Committee on the State scholarships of Ukraine in the sphere of science and technology from 08.11.2006 № 8). Valentyna Rzhevskaya is the author of several publications, mostly on international security law and its historical development. According to Rzhevskaya, most important in the teaching profession is the dialogue between student and professor. This cannot be determined by the syllabus, or laid down «from above», but must be established individually.

Recent articles of associate professor D. Skrynka on WTO Law and the interactions between international law and economy are of interest. The development of international economic law as part of the international law, as well as the course «International Law and Economy», are the principal courses taught by Skrynka. The timeliness of these two areas is obvious: one of the central issues of the science of international law is that of methodology. On the other hand, the development of international relations in recent decades is being characterized by one main feature — globalization. Globalization is a structured and complex process; it occurs in different complementary directions. International law is not the only factor that determines the development of the globalization process, for the role of international law is limited by a wide range of factors. However, it is important for the science of international law to determine the functions of international law in the contemporary system of international relations, to assess the actual, not the desirable, possibilities and potential of international law. One should add that the processes within international economic law, in particular international trade law or international investment law, which are crucial for research not only because of their practicality — their importance for the strengthening and development of the international position of Ukraine, etc. — but by reason of their relevance for research within the science of international law.

Among the publications of associate professor Skrynka a volume on WTO law (K.: Promeni, 2010 — 338 p.). This textbook, upon the recommendation of the professor O. Zadorozhnii, was approved by the Ministry of Education and Science of Ukraine as the textbook for students of institutions of higher education (Letter № 1/11-8982 of 27.09.2010; monograph «International Law and Economy. Institutional Approach» (K.: Promeni, 2008. — 192 p.).

Some interesting and innovative research is being undertaken by the assistant of the department of international law, Maryna Oleksandrivna Medvedieva. She, for the first time in Ukraine and the whole CIS, has chosen one of the most complicated topics (from the moral-ethical and legal point of view) and defended a respective thesis on international legal standards of cooperation of States in the sphere of biotechnologies — in which she proved that the rapidly-moving development of the scientific-technological base and active use of the results of biotechnological activity anticipates the process of developing respective international and national legal standards. However, even with all the benefits and gains from using the developments of genetic engineering, there is a real threat of unpredictable and potentially harmful influence on the environment, health, and life of people. The international community has to develop effective universal, regional, and national instruments of regulation that formalize in legal rules the fundamentals of biological, ecological, genetic, and medical security. Maryna Medvedieva suggested a way to resolve the aforesaid issue. As a result of the active scientific cooperation between Medvedieva and scientists from the Institute of Neurosurgery of Academician A. P. Romodanov AMN of Ukraine, a collective monograph entitled «Neurogenesis stem cells», has appeared which has no analogues anywhere (V. I. Zymbaliuk, M. A. Medvedieva, Ethical and legal aspects of the use of human or xenogenic embryo and stem cells // Zymbaliuk V. I., Medvedieva M. A. Neurogenic stem cells: monograph (K.: Koval, 2005), pp. 537–587). In view of the results of the thesis defense another monograph by Medvedieva was published on international law and biotechnologies (K.: Promeni, 2006. — 256 p.). In 2010–2011 Medvedieva returned to issues of medical biotechnologies, teaching a course entitled «International Legal Regulation of Biotechnologies» in the International Solomon University to students of the «Medical Law» Department.

Medvedieva became an assistant at the international law department in 2007 and since then, on the advice of and enjoying the support of the head of the department O. Zadorozhnii, for the first time in the history of the Institute of International Relations introduced the course «International Environmental Law» for students of international law faculty. The subject-matter of the said academic discipline is legal relations between subjects of international law concerning the prevention, limitation, and liquidation of negative impacts on the environment, as well as the harmonious exploitation of natural resources. The science of international law in Ukraine does not pay adequate attention to nature protection. The rapid deterioration of ecology and enormous pollution of the environment require the governments of States, international and non-governmental organizations, business representatives, and certain individuals to raise these questions within a framework of partnership and cooperation. Ukraine should actively participate in the processes of environmental protection decision-making and support its position. Therefore, it is necessary to form an appropriate diplomatic, governmental, scientific, and student potential. That is why one purpose of the course introduced by Medvedieva is to encourage students to form their own opinion on ecological issues and to contribute to



an understanding by the younger generation of its complicity in the fight against global environmental pollution and consumption mentality of modern society. Having in mind this purpose, since 2008 the students have been actively invited to participate in the annual Stetson International Law Moot Court Competition. Under the auspices of the international law department from 29 to 31 January 2010 the First European Regional Round of the Stetson Competition, where the team of the Institute of International Relations became the winner, was organized and held. Those who studied the course of International Environmental Law use the obtained knowledge in practice, not only in governmental authorities (the Ministry of ecology and natural resources, appropriate units of other State institutions), but also in private businesses concerned with the fulfillment of joint activities, trade in emission quotas for implementation by Ukraine of the Framework Convention on climate change and the Kyoto protocol thereto, energy-saving and utilization of alternative sources of energy, and the like. This course influenced the choice of nature protection issues by students while writing theses and dissertations prepared at the department (M. Bezdienezhna on the international legal regime of shared natural resources), and also the choice of internships and study in foreign universities.

Medvedieva is the author of more than 60 scientific and methodological works. Among her main achievements is a textbook with the approval of the Ministry of Education and Science of Ukraine, prepared in cooperation with O. Zadorozhnii (O. Zadorozhnii and M. Medvedieva, *International Environmental Law: textbook for higher institutions* (K.: Promeni, 2010). — 510 p.). She took part in sixteen theoretical and practical conferences, international, in particular. At present the main direction of her research is theoretical and practical aspects of the realization of international legal norms in the sphere of environmental protection.

International lawyers of the Chair are calling for the study of practical problems of international law making and law enforcement embodied in the specialization and differentiation of scientific research by major themes. Several major groups of department's scholars were formed which focus on major problems of modern international law:

1. Theory and history of international law, history of international legal studies — associate professor, doctor of Law Olha Butkevych, professor V. Khonin.
2. International economic law, interaction of law and economics, regulation of multilateral and bilateral economic cooperation — associate professor A. Hryhorov, associate professor D. Skrynka, assistant A. Loevin, associate professor Z. Tropin, assistant S. Bilotskyi, assistant A. Korynevych.
3. International environmental law — associate professor M. Medvedeva.
4. International humanitarian law in a broad context — international human rights law, international humanitarian law and international criminal law — Professor V. Mytsyk, associate professor M. Hnatovskyi, assistant D. Kuleba, and assistant L. Kuzmenko.
5. International security, legal international cooperation on national security guarantees, bilateral relations, foreign relations law — professor O. Zadorozhnii, associate professor V. Rzhavska, senior research fellow A. Hrinenko.
6. International legal regulation of information exchange and international information law — associate professor I. Zabara, assistant A. Paziuk.

An important aspect of departmental scholarship, its crown jewel, is publishing a series of monographs, manuals, and textbooks under the title «Library of the Chair of

International Law», underway since 2002. Most monograph publications originate in the research of department members and postgraduates. Eighteen monographs have been published together with the publishing house «Promeni».

In the course of international legal research, participation in dozens of conferences, and the preparation of publications, department scholars came to the conclusion that it was essential to renew the academic international law readings in 2010. This form of readings involves the preparation of a basic report by a speaker on a theme which this individual researches and specifically wishes to report to colleagues in order to get constructive criticism and to inform colleagues about preliminary studies and problems that have appeared recently. It is important that the report and its theme are central to the discussion that helps to focus the attention colleagues on the topic of study. Questions to speakers, criticism, and arguments pro and contra focus on the theme of the report. Deciding on this course of action was based on several factors; promoting departmental research was the decisive one. From February 2011 to February 2012, the Department resumed the practice of monthly international law readings and held 10 events of this kind. Among the participants were department members and students of different years of studying, as well as our graduates, colleagues, international lawyers from other departments and educational and research institutions — professors V. Antipenko, M. Antonovych, M. Buromenskyi, V. Butkevych, V. Vasylenko, A. Dmitriev, A. Matsko, T. Korotkyi, L. Tymchenko, L. Tymchenko, O. Vinhlovska, and many other colleagues.