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LAW SUPPORT TO FOREIGNERS IN UKRAINE

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Foreigner is a person who comes to Ukraine but was born in another country and belongs to it.

There are foreigners in Ukraine who are on temporary or permanent residence and like other people need some kind of law protection. Article 26 of Constitution of Ukraine states: “Foreigners and stateless persons who are in Ukraine on legal grounds enjoy the same rights and freedoms and also bear the same duties as citizens of Ukraine, with the exceptions established by the Constitution, laws or international treaties of Ukraine, with the exceptions that are established by the Constitution of Ukraine, laws or international treaties of Ukraine”. That means that in Ukraine their rights and freedoms are also protected. So they can freely move on the territory of the country and fully enjoy all possible benefits.

Part 2 of article 3 of the Law of Ukraine “About the Legal Status of Foreigners and Stateless Persons” points that all the foreigners who are under the jurisdiction of Ukraine, with no matter of the legality of their stay, have the right for recognition of their legal personality and all the main human rights and freedoms. It means that they are guaranteed to have basic personal rights, which are recognized as natural rights of any person all over the world: the inalienable right to life and its protection; the right to liberty and personal integrity; the right to respect for dignity; the right to marriage and having a family relations; the right to have the secret of correspondence, telephone conversations, telegraph and other kinds of correspondence; the right for freedom of movement, free choice of place for residence; the right to freedom and religion; the right for freedom of thought, freedom of expression of point of view and others.

They also have numerous cultural, economic and other kinds of human rights and freedoms. For example, as subjects of private property law, foreigners can freely own, dispose and use their property or the results of their intellectual or creative activity in any manifestation. They also have the right to entrepreneurial activity, the right to work, rest and social protection, medical help and others.

Any foreigner has the right to apply to a court or other law enforcement agencies to protect their rights and freedoms in different situations. Article

56 of the Law of Ukraine “About the Constitutional Court of Ukraine” also says that foreigners may apply to the Constitutional Court of Ukraine with a constitutional complaint if it is necessary to interpret the Constitution and laws of Ukraine in order to ensure the realization or protection of their rights and freedoms. If the foreigner has to answer in the court as a defendant he/she will get a law protection of a state lawyer and an interpreter who will help him/her to be informed about all the details of the case (Article 3 of the Law “About Free Legal Aid”).

But the status of foreigners who enjoy diplomatic and consular privileges and immunities (diplomatic agents) is characterized by that fact that they are not subjects of the jurisdiction of Ukraine. The evidence of diplomatic and consular privileges and immunities provides: personal integrity, privacy, immunity from jurisdiction, fiscal immunity, custom privileges etc. Foreigners who enjoy full immunity from the jurisdiction of Ukraine are heads of diplomatic missions, members of the diplomatic staff of the missions, members of the families of heads of diplomatic missions and diplomatic staff of the missions, representatives of other states, members of parliamentary and government delegations, etc.

However, in turn each foreigner has a number of some responsibilities to Ukraine: strict abidance to the Constitution of Ukraine, laws of Ukraine and other normative legal document; not an encroachment on the rights and freedoms, honor and dignity of other people, interests of society and the country. It's defined on the part 3 of article 3 of the Law of Ukraine “About the Legal Status of Foreigners and Stateless Persons”

However, a foreigner in Ukraine has enough rights and freedoms that provide comfortable and good conditions for a temporary or permanent residence. I completely agree that they almost don't have political rights (the right to join a political party, electoral law, etc.) may have less economic, cultural or social rights than citizens of Ukraine have. Though, the state is trying to provide them with all possible qualitative living conditions and full range of services in all possible spheres of public life. It can be shown through all the necessary legislation that the government trying to make more simple and easy to use in everyday life. In this way the state may be isn't prepared well. But in conclusion there was made a good high-level base for development and support foreigners, their rights and freedoms.

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