

commercial court that made the appealed decision. That is, Article 253 of the Code of Economic Procedure opens the possibility of convenient consideration of cases in many districts [3].

On the other hand, the Commercial Procedure Code of Belarus in Article 268 states that appeals (or protests) are also considered by regional courts, but in the future a single commercial court of appeal will be established [4].

Thus, comparing the two institutes of appeal, namely in Ukraine and Belarus, we can see not only quite similar features, but also very different, in particular in terms. Ukrainian legislation, in fact, has more detailed articles that, although complicated, significantly complement and open the field for lawyers' opportunities. In turn, Belarus legislation will be able to be more stable in the case law of the Supreme Court.

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УДК 346.62:336(043.2)

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ECONOMIC PROCEDURAL LAW: A COMPARISON OF THE EXPERIENCE OF UKRAINE AND POLAND IN THE CONTEXT OF COURT PROCEEDINGS

The development of Ukraine as a democratic socially oriented state, the reform of the market economy necessitates the introduction of new socio-economic mechanisms for regulating and protecting the economic sphere. The problem of development economic procedure law is quite relevant at this stage of development of the country, because the legislation in the field of economic sphere is characterized by the presence of contradictions, imperfections of the law, as well as difficulties in resolving disputes over economic and business

relations.

Moreover, the current state of legal regulation, organization and direct implementation of economic activity in Ukraine is characterized by a number of problems, including: low level of protection of the rights and legitimate interests of participants in economic relations, in particular during litigation; insufficient legal regulation on the conclusion, execution and termination of contracts in the field of economic activity; lag of legal regulation from existing practices and trends. These problems negatively affect the state of Ukraine's economy, which is manifested, in particular, in the restriction of entrepreneurial initiative, reduction of industrial production, low attractiveness of Ukraine for foreign investors [1].

Ex-chairman of the Commercial Court of Kherson region M.K. Zakurin noted that modern foreign legislation addresses the question of which courts should hear economic disputes in different ways. In particular, this dilemma is solved in one of two ways: either courts of special jurisdiction are created, authorized to consider economic cases, or such cases are subject to courts of general jurisdiction. The scientist continues that most post-Soviet states have chosen the first model, according to which economic cases are considered by courts of general jurisdiction [2].

According to the Economic Procedural Code of Ukraine, all cases subject to resolution in the order of economic proceedings are considered by local economic courts as courts of first instance. Economic courts of Appeal review on appeal the court decisions of local economic courts located within the relevant appeal district. The Supreme Court reviews on appeal the court decisions of the economic courts of Appeal adopted by them as courts of first instance, as well as reviews in cassation the court decisions taken by the courts of first and appellate instances. The Appeals chamber of the Supreme intellectual property court reviews on appeal court decisions taken by the Supreme intellectual property court [3, art. 24-26].

In Poland, there is a completely different model, according to which specialized departments for the consideration of economic cases are created within the general courts. That is, depending on the structural independence and authority to consider certain economic cases, the judicial system of each of the states is unique.

In this context, it is advisable to cite the experience of Poland, in which a significant number of factors determining the structure of economic legal proceedings coincide with the relevant factors in Ukraine. In this regard, judge L. Pibiak of the Warsaw district Economic Court rightly emphasizes many common features between Ukraine and Poland, pointing out that the relevant experience of Poland is interesting for Ukraine to study for implementing reforms in the context of European integration processes [4, p. 37-38]. Commercial courts in Poland are divisions of regional and district courts that deal with economic disputes. Thus, on the one hand, Poland does not have

separate specialized courts, but disputes between business entities are considered by the relevant departments of general courts specializing in this category of disputes. This, on the one hand, increases the territorial accessibility of courts authorized to consider economic disputes, and on the other hand, it allows you to ensure the specialization of judges. K. Klekha notes that the introduction of specialized economic courts in Poland, as well as the corresponding features of proceedings in economic cases, is an attempt to ensure the speed of consideration of such cases and the execution of decisions in them [5, p. 57]. The category of economic cases in Poland includes cases arising from civil legal relations between entrepreneurs regarding their activities, legal relations regarding economic associations. The relevant cases are differentiated between regional and district courts on the basis of their complexity and/or cost in accordance with the provisions of the Polish code of civil proceedings and act as courts of first instance [5].

According to the provisions of articles 12 and 16 of the law of Poland «On the structure of general courts», the relevant courts are divided into civil and criminal departments, but the economic department «can be formed». At the same time, both in the case of district and district courts, in the absence of established departments for the consideration of economic disputes, the Minister of Justice of Poland transfers the consideration of these cases to other courts operating within the relevant appeal districts [6]. Thus, it can be noted that the corresponding system of commercial courts in Poland corresponds to the principle of specialization, but the latter act as departments in other courts of general jurisdiction. At the same time, in comparison with Ukraine, access to courts for consideration of economic disputes is geographically higher due to the significant number of courts.

Therefore, unlike Ukraine, the Polish legislation not only provides a combination of territorial proximity and specialization of courts in the consideration of economic disputes, but also allows for a narrower specialization within the framework of economic disputes themselves. Therefore, it is of particular interest to distinguish the jurisdiction of economic cases between the district and region courts of Poland.

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УДК 341.226(043.2)

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ПЕКИНСКАЯ КОНВЕНЦИЯ О БОРЬБЕ С НЕЗАКОННЫМИ АКТАМИ В ОТНОШЕНИИ МЕЖДУНАРОДНОЙ ГРАЖДАНСКОЙ АВИАЦИИ 2010 ГОДА

После террористических актов в США в 2001 г., в связи с новыми возникающими угрозами гражданской авиации Международной организацией гражданской авиации были проведены исследования, результатом которых было принятие Пекинской Конвенции о борьбе с незаконными актами в отношении международной гражданской авиации 2010 г. для модернизации и совершенствования международной нормативно-правовой базы в сфере авиационной безопасности.

Пекинская конвенция 2010 г. расширяет перечень деяний, относящихся к ненадлежащему использованию гражданской авиации.

Так, статья 1 определяет, что любое лицо совершает преступление, если это лицо незаконно и преднамеренно: совершает акт насилия в отношении лица находящегося на борту воздушного судна; разрушает или повреждает воздушное судно; помещает на воздушное судно устройство или вещество, которое может разрушить или повредить воздушное судно; разрушает или повреждает аэронавигационные средства; сообщает заведомо ложные сведения; использует воздушное судно с целью причинить смерть, серьезное увечье или значительный ущерб имуществу или окружающей среде; высвобождает или выбрасывает с борта воздушного судна любое биологическое, химическое, ядерное оружие или взрывчатые, радиоактивные или аналогичные вещества; использует их против воздушного судна; выполняет перевозку какого-либо взрывчатого вещества или радиоактивного материала, любого оружия БХЯ; совершает акт насилия в отношении лица в аэропорту; разрушает или серьезно повреждает оборудование и сооружения аэропорта; угрожает либо пытается совершить какое-либо из данных преступлений; организует других лиц или руководит ими с целью совершения преступления;