

Парижской конвенции 1919 г. положение о суверенитете государств над своим воздушным пространством, не следовал единому подходу последней в отношении воздушного сообщения.

Сложный характер авиационного права выражается в сосуществовании публичного и частного права, международного права и внутреннего права. Эта дисциплина, ускользающая от какой-либо классификации, заимствует из публичного права все, что касается организации воздушного пространства, аэронавигационной полиции и международных воздушных отношений. Частное право регулирует статус самолетов и летного состава, а также другие элементы, отраженные в договоре о воздушной перевозке [1, с. 12].

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### **PECULIARITIES OF APPELLATE CONSIDERATION OF ECONOMIC CASES: LEGAL APPROACH OF BELARUS AND UKRAINE**

After the collapse of the USSR, the legislation of Belarus and Ukraine developed differently, but followed a common direction: implementation and codification in terms of common world and humanistic values. Commercial procedural law is no exception, as it is part of the legislation governing justice

for all types of business activities. Let's try to compare the institution of appeal of the two states.

It is worth noting that both Belarus and Ukraine first and foremost proclaim the rule of law in their own constitutions.

This principle is enshrined in Article 8 of the Constitution of Ukraine, according to which the principle of the rule of law is recognized and operates in Ukraine. The Constitution of Ukraine has the highest legal force. Laws and other normative legal acts adopted on the basis of the Constitution of Ukraine must comply with it [1].

According to Article 7 of the Constitution of the Republic of Belarus, the Belarusian legislation adheres to the same principles, as the norms of the constitution are the norms of direct action [2].

Therefore, the economic procedural legislation of both countries is based on generally accepted legal values, which allows for justice in accordance with international standards. In this way, entrepreneurs can be confident in the possibility of protecting their own interests, as well as the interests of foreign investors.

The first and most important thing is the deadline for filing an appeal, which differs in both countries. Thus, according to Article 256 of the Commercial Procedural Code of Ukraine, an appeal against a court decision is filed within twenty days, and against a court decision - within ten days from the date of its (its) promulgation [3].

In turn, Article 269 of the Commercial Procedure Code of Belarus regulates the 15-day period for such a procedure [4].

The decision to open an appeal in both codes is equally fast - only 5 days.

The deadline for reviewing appeals, in turn, is very different. Article 273 of the Code of Economic Procedure regulates the possibility of considering an appeal against the decision of the court of first instance within 60 days from the date of the decision to open appeal proceedings in the case. An appeal against a court decision is 30 days [3].

Belarusian legislation is well ahead of Ukrainian time - 15 days, including the time to open such proceedings [4].

During the review, the Belarusian and Ukrainian courts take the same position: the appellate court reviews the case on the basis of the available and additional evidence and verifies the legality and validity of the decision of the court of first instance within the arguments and requirements of the appeal; the appellate court examines the evidence relating to the facts to which the parties refer in the appeal and (or) response to it; the court of appellate instance shall not accept or consider claims and grounds of claim that were not the subject of consideration in the court of first instance.

It should also be noted that the appellate court in commercial cases is the appellate commercial court, within the appellate district of which (the territory covered by the powers of the relevant appellate commercial court) is the local

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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### **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