

переведення на тимчасову дистанційну роботу строком до 2 місяців (ст. 60-2 КЗпП) або ж відшкодування моральної шкоди від роботодавця (ст. 237-1 КЗпП).

Таким чином, варто запропонувати провести систематизацію перелічених антидискримінаційних норм в окремий розділ КЗпП «Заборона дискримінації на роботі». Така новація дозволить учасникам трудових відносин, правозахисникам швидко продумувати алгоритм правового захисту порушених прав в сфері праці внаслідок проявів трудової дискримінації на роботі, що наблизить їхні умови праці до гідних.

Література

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PECULIARITIES OF THE PRINCIPLE OF INDEPENDENCE IN THE CIVIL PROCESS

First of all, the constitutional consolidation of the principles of justice in the civil process is of great importance, which provides a guideline for the development of the civil process. The Constitutional Court of Ukraine notes that the protection of judges is a guarantee of an independent and impartial judiciary. But in general, the principle of court independence is enshrined in both national and international standards. It should be noted that although the principle of independence of courts is not directly enshrined in the Civil Procedure Code of Ukraine, it nevertheless left its provisions in Art. 10 of the Civil Code, which indicates the rule of law and is an element of this principle.

Speaking about the very meaning of the principle, the principle of judicial independence is primarily characterized by a special procedure for their election and appointment to and dismissal from office, special security of judges and

their families, prohibition of any influence on judges, prohibition of engaging in other types of activities, prosecution of subjects for disrespect to the court, etc. In general, judges have a special status that ensures the inviolability and independence of the judicial process.

In administering justice in civil proceedings, courts should not be influenced by any influence. Interfering with the administration of justice, influencing the court or judges in any way, disrespecting the court or judges, collecting, storing, using, and disseminating information orally, in writing, or in any other way with the aim of discrediting the court or influencing the impartiality of the court, calls for non-compliance court decisions are prohibited and result in liability established by law [1]. I would also note that the independence of judges is closely interconnected with other principles of the civil process, such as the principle of judicial independence, the rule of law, impartiality, and the principle of objectivity.

The principle of independence of a judge in a civil process means an independent and impartial consideration of significant legal cases in accordance with clearly defined international and state regulatory legal acts, which minimize any possibility of influencing the civil process and directly on the judge's decision-making.

It is possible to single out and generalize the features of the principle of court independence in civil proceedings, these are first of all connected with ensuring independent and impartial consideration of the case; ensuring justice between the participants in the case; the court is free from the parties to the process, takes its own and independent position; the complete absence of accountability, including the bodies of the highest instance; making decisions based on one's own conviction, etc.

As it was mentioned above, the principle of independence was not reflected in the Civil Procedure Code of Ukraine, therefore it would be appropriate to find its direct reflection in the code because the duty of the civil judiciary was and remains to be independent and impartial consideration of the case.

In the case of quality assurance of the principle of independence of judges, it will become the basis for effective protection of the rights and interests of all participants in the civil process. However, in order to improve this principle, it is necessary to provide a system of guarantees for the independence of judges during the consideration of cases, to improve the selection for judicial positions, where one of the main criteria was high moral qualities, which would help them to perform their work exclusively according to the law and having an inner conviction to act impartially even in the event of interference and pressure on judicial activity [2, p. 417].

It is the principle of independence, not only in civil proceedings, but in other areas of judicial proceedings, that prohibits other state authorities from interfering in the activities of judicial bodies, giving instructions and orders

regarding further court proceedings, and expressing any demands regarding the consideration of the case itself. Indeed, Ukraine has already taken certain steps to strengthen the independence of the court and implement the independence of the court in reality. This is how we neutralized political influence and judicial activity, parliament and the President are removed from decision-making regarding the selection of judges, high salaries for employees of the judicial branch, transparent selection contests, etc.

Summing up the above, the principle of independence of judges is a mandatory condition of the rule of law in order to ensure all the rights and freedoms of the participants in the process. Ukraine confidently takes all steps to minimize the influence of other parties on judicial activity, to create favorable conditions for resolving disputes independently and impartially, and most importantly is to ensure quality protection of the rights and interests of the parties during the process.

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ОСОБЛИВОСТІ ОХОРОНИ АВТОРСЬКОГО ПРАВА В МІЖНАРОДНОМУ ПРИВАТНОМУ ПРАВІ

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