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ІМЕНІ АДМІРАЛА МАКАРОВА

ПЕРЕКЛАД ФАХОВИХ ТЕКСТІВ АНГЛІЙСЬКОЇ МОВИ

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У навчально-методичний посібник містить матеріали для практичних занять та самостійної роботи під час викладання курсу «Переклад фахових текстів англійської мови». Посібник призначено для студентів, які навчаються за освітньою програмою «Переклад» та викладачів філологічних дисциплін.

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РОЗДІЛ 1. ЗАВДАННЯ ДЛЯ ПРАКТИЧНИХ ЗАНЯТЬ

ПРАКТИЧНЕ ЗАНЯТТЯ 1

TEXT 1.

1. Read the news report and give your translation into Ukrainian.

TIME TO BAN TIKTOK AND END ITS CASUAL SUPPORT FOR TERRORISM [1]

Republican congressman on his concerns with TikTok 'information warfare' Rep. Mike Gallagher, R-Wis., on his concerns with the popular social media site and how it is negatively influencing young minds

Earlier this year, Congress appeared to be on the cusp of passing a TikTok ban. For those who have experienced the bitter partisanship in contemporary American politics, it might have seemed surprising. This is especially so given the current state of divided government in Washington where the legislative and executive branches of government – let alone the two houses of Congress – seldom seem to agree on much.

But agreement on this issue in Washington makes sense. Pew Research found in March that Americans support a ban on TikTok 50% to 22%, with the policy attracting a majority of Republicans and a plurality of Democratic support. In an era when Republicans and Democrats struggle to agree on much, this is quite notable.

As TikTok faced extinction, its China-based parent company, Bytedance, marshaled an army of lobbyists to whip up support. In just the first six months of 2023, TikTok's parent company lavished $4.28 million on federal lobbyists tasked with defending the company's interests on Capitol Hill – a tempo set to far outstrip the $5.3 million spent by the company on federal lobbying during all of 2022.

Their lobbying efforts were met with success. Rep. Jamaal Bowman, D-N.Y., the progressive "Squad" member famous for pulling a fire alarm, hosted a news conference defending the app. Sen. Rand Paul, R-Ky., took to the Senate floor to

block legislation in his chamber. And a handful of other members of Congress registered support for TikTok's continued existence.

This all happened even as the company's chief executive struggled to satisfy lawmakers who quizzed him on privacy concerns and data security in March of this year. While Shou Zi Chew empirically denied that the company shared data with the Chinese Communist Party, his defense rings hollow just months later.

In June, a former Bytedance executive leveled accusations that the company had surveilled Hong Kong TikTok users in 2018. And this month, Forbes reported that China's government conducted an inspection of "TikTok's internal workplace collaboration platform… ahead of the Chinese Community Party's 20th National Congress" in October 2022.

Bytedance still claims that CCP regulators weren't given access to "proprietary TikTok information." As a tech company headquartered in Communist-run China, however, it's hard to believe that Bytedance actually has the ability to protect the data and privacy of Americans using TikTok.

Stories like these are why America has seen action from politicians across the political spectrum – we don't want to find out in the years to come that our national security and personal privacy have been compromised by TikTok. Beginning with then Gov. Pete Ricketts in Nebraska in August 2020, governors have been signing executive orders banning the app from government devices. Late last year, President Biden finally did the same at the federal level.

But bans on government devices aren't enough – the app needs to go. It's a propaganda machine that promotes disinformation under the influence of our nation's greatest foreign competitor. This is made all the more urgent by the fact that over a quarter of Americans aged 18-29 consume news from TikTok, and there are concerns about how the app may promote content about suicide and eating disorders to young people.

When things seemed like they couldn't get any more shocking, they did last week. As Israel continued to defend itself against Hamas terrorists, TikTok influencers took to the app to promote Usama Bin Laden's so-called "Letter to

America," evangelizing antisemitism, anti-capitalism and anti-American messages. It’s downright appalling to see people mainstreaming the lies of one of the most famous and evil terrorists on American social media.

Our country is at a crossroads and it’s time for action. Congress should have banned TikTok earlier this year, but it’s not too late. We cannot let the Chinese Communist Party’s favorite social media app for Americans undermine our love for liberty and respect for human life. Congress needs to put a total TikTok ban in place quickly for the good of our country. It’s time to ban TikTok and to end its casual support for terrorism.

2. ***Give the main idea of the text.***
3. ***Point out the discussing poins of the text.***
4. ***Make vocabulary of unknown words and expressions.***

TEXT 2.

1. ***Read the news report and give your translation into English.***

ВБИВСТВО КЕННЕДІ: ЯК ПОЛІТИЧНА ТРАГЕДІЯ СТАЛА ОСНОВОЮ АМЕРИКАНСЬКОЇ КОНСПІРОЛОГІЇ [2]

Ілля Яблоков, Лектор Університету Шеффілду для ВВС

60 років тому, 22 листопада 1963 року, у Далласі вбили президента США Джона Фіцджералда Кеннеді. Вбивство, яке приголомшило Америку і весь світ, призвело до появи міфів і теорій змови. Як вони з'явилися? Джон Кеннеді, його дружина Жаклін, а також губернатор штату Техас Джон Конналі їхали в одному кабріолеті, посміхалися і махали руками громадянам, які зібралися привітати президента.

Зненацька тіло президента зігнулося вперед, він схопився за горло, з якого потекла кров. За кілька секунд над головою президента з'явилася червона кривава хмаринка, а голова схилилася назад. Це був другий постріл у Кеннеді, який вразив мозок. Губернатора, який сидів поруч, поранили у спину.

Жаклін кинулася спочатку до чоловіка, а потім до охоронця президента, який був позаду кабріолету, що повільно рухався. Кортеж президента різко

набрав швидкість і виїхав із площі. О 13:00 за місцевим часом офіційно оголосили про смерть президента Кеннеді.

Убивство Кеннеді: питання, що не дають спокою

Приблизно через годину після пострілів упіймали вбивцю Кеннеді Лі Харві Освальда, який на очах у натовпу застрелив офіцера поліції Тіппіта. Заарештований Освальд у поліцейській дільниці скаже, що він не має адвоката і його підставили.

24 листопада Освальда під час переведення в іншу в'язницю застрелить власник нічного клубу Джек Рубі. Цей запис потрапить на десяток телекамер. Наступного дня, 25 листопада, Кеннеді поховають на Арлінгтонському Національному цвинтарі у Вашингтоні, а за його похоронною процесією слідкуватиме весь світ.

Молода вдова та маленький син, який віддав честь загиблому батькові, назавжди залишаться у світовій колекції найпотужніших політичних образів. Так почалася, мабуть, найяскравіша і найтрагічніша сторінка в американській історії XX століття, неймовірно добре задокументована. Втім, вона породила сотні теорій про те, хто стояв за вбивством молодого президента.

Втрата Кеннеді, за словами його вдови Жаклін, була рівнозначною втраті легендарного царства короля Артура, де правили справедливість і добро. Вбивство Кеннеді - це ще й одна з головних теорій змови в історії США, яка регулярно займає найвищі рядки хіт-парадів теорій, в які вірять американці, а слідом за американцями завдяки Голлівуду і весь світ.

Конспірологічна епопея навколо вбивства Кеннеді стала невід'ємною частиною популярної історії XX століття, а припущення про те, що слідство "щось від громадян приховує", отримали за останні 60 років кілька потужних імпульсів — спочатку завдяки політикам та поспіхом проведеному слідству, потім завдяки Голлівуду, а у XXI столітті - і соцмережам.

"Це ти вбив мого брата?" Так, за словами кількох джерел, відреагував на вбивство Джона Кеннеді його брат Роберт, який на той час обіймав посаду

генерального прокурора. Питання він адресував різним людям: від начальника відділу ЦРУ до віцепрезидента Ліндона Джонсона.

Недовіра та параноя — ось головні почуття, які панували в американському істеблішменті того періоду. У розпал Холодної війни, на тлі провальних операцій на Кубі і Карибської кризи, загибель президента США сприймалася не інакше як успішна змова СРСР проти Америки. "Якщо вони застрелили президента, то кого вони застрелять наступним, — що відбувається у Вашингтоні і коли полетять ракети? Я думав, що це змова, і казав про це, і практично кожен, з ким я розмовляв, зі мною погоджувався", — згадував віцепрезидент Джонсон думки у перші години після вбивства Кеннеді.

Через тиждень після пострілів у Далласі, 29 листопада, тепер уже президент Джонсон оголосив про створення комісії з розслідування вбивства Кеннеді. Мета: довести, що це не бананова республіка, де уряд можна змістити за допомогою змови, вбивши лідера. Комісію назвали на честь голови Верховного суду США Ерла Воррена, членами її стали кілька сенаторів і конгресменів, колишній керівник ЦРУ Аллен Даллес (так, той самий, у неіснуючий план антирадянської змови якого так вірять у Кремлі) і колишній президент Світового банку Джон Маклой.

Чому не повірили комісії Воррена?

24 вересня 1964 року комісія випустила офіційну доповідь: 900 сторінок короткого змісту висновків комісії, 6700 посилань, а також 26 томів із розшифровками інтерв'ю та доказами.

На перший погляд, доповідь мала поставити крапку в історії із вбивством президента, але вийшло все навпаки. Американський письменник Норман Мейлер порівняв доповідь із мертвим китом, туша якого розкладається на пляжі — настільки читання було непереконливим для багатьох. І навіть сам президент Джонсон не повірив висновкам комісії.

Намагаючись швидко дати відповідь нації, хто вбивця Кеннеді, комісія та спецслужби навдивовиж неакуратно поставилися до найголовніших доказів. Лімузин Кеннеді не перевірили на докази і встигли почистити та

відремонтувати, перш ніж запит на його огляд зробили слідчі. Закривавлену сорочку губернатора Коннолі дружина встигла випрати до того, як її вилучили для аналізу. Нарешті, експеримент із мішенню, що рухається, провели не за тими правилами, які дозволили б точно зробити висновки про ймовірність влучних пострілів Освальда в Кеннеді з четвертого поверху книгосховища на площі Ділі.

Усередині комісії розійшлися думки про те, чи могла одна куля вразити і президента, і губернатора. Якщо так, то її траєкторія була неординарною, якщо ні – все вказувало на другого стрільця, а отже, ідея про те, що Освальд – самотній псих, не витримувала жодної критики. Як пише у своїй монографії британський культуролог Пітер Найт, опис показів свідків у доповіді залишає бажати кращого. Свідчення, які свідки надали для доповіді, часто розходяться зі свідченнями, які вони надали поліції, і докази не завжди виглядають так, як описує доповідь.

Ключовим свідком був Говард Бреннан, який нібито бачив людину, схожу на Освальда, у вікні четвертого поверху будівлі, звідки, за офіційною версією, пролунали постріли. Бреннан відзначав, що йому здалося, що це був Освальд, проте не був у цьому впевнений. Протилежні або такі, що суперечать цьому дані доповідь визнала "недоцільними для розгляду".

Усі зусилля комісії були спрямованими на те, щоб створити головний наратив: за вбивством стояв одинак - Лі Харві Освальд. І ця спрямованість комісії довести одну точку зору стала найважливішою помилкою, яка дозволила народитися міфу про глобальну змову проти президента та всієї нації.

Народження контрміфу

1991 рік. На екрани США виходить епічна драма Олівера Стоуна "Джон Ф. Кеннеді. Постріли в Далласі" (JFK), який ймовірно мав найкращий склад акторів того часу. Майже 3,5 години покрокового створення альтернативного міфу про те, хто вбив Кеннеді. У центрі історії — розслідування вбивства

Кеннеді окружним прокурором Нового Орлеана Джимом Гаррісоном, реальна подія другої половини 1960-х років.

Гаррісон проводив розслідування вбивства Кеннеді, і в підсумку звинуватив в ньому ЦРУ, мафію і військово-промисловий комплекс. Гаррісон програв у суді, насамперед через те, що його докази були засновані не на фактах, а скоріше на ймовірностях того, що сталося.

У його доказовій базі було дуже багато натяжок, що не сподобалося суду. Однак сам факт того, що конспірологічна версія вбивства Кеннеді досягла зали суду, вивів альтернативні інтерпретації причин вбивства Кеннеді на новий рівень. Книга, написана Гаррісоном, під назвою "Переслідуючи вбивць" (On the Trail of the Assassins), стала основою фільму.

Олівер Стоун кінематографічно ідеально складає кадри документальної хроніки з постановочними кадрами, доповнюючи прогалини знання про те, як розгорталася змова проти Кеннеді.

Елементи сценарію походять як з книги Гаррісона, так і з десятків публікацій на тему вбивства Кеннеді, написаних у 1960-80-ті роки. Фактично Стоуну треба було лише доступно розпакувати всі ці популярні версії конспірологів і донести їх до глядача. На початку 1990-х США вже існувала ціла субкультура розслідувачів вбивства Кеннеді. Вони вели листування, обмінювалися версіями, обговорювали нові докази та формулювали те, що згодом отримає назву американської "культури змови". У якийсь момент вони навіть створили конференцію розслідувачів убивства Кеннеді.

Як Стоун це зробив?

На початку фільму глядач бачить нарізку хроніки, що фактично створює потрібне сприйняття подій навколо Кеннеді: президент Ейзенхауер, який йде в 1960 році, звітує перед нацією, що військово-промисловий комплекс США стоїть на варті безпеки американців. Потім — низка кадрів щасливого сімейного життя подружжя Кеннеді, з кадрами Карибської кризи і невдалої висадки кубинських дисидентів в Затоці Свиней на Кубі, переговорами з

Хрущовим і звільненням Аллена Даллеса, керівника ЦРУ, який провалив місію на Кубі і втягнув американців у війну у В'єтнамі.

Потім — натхненна промова Кеннеді в Американському університеті у Вашингтоні, яка закликає до миру в усьому світі, і спроба вивести війська з В'єтнаму. Потім — кадри із злітно-посадкової смуги аеропорту Далласа, куди прибув Кеннеді 22 листопада 1963 року.

Потім кадри хроніки змінюються сценою спілкування двох літніх американських "силовиків", які критично відгукуються про Кеннеді та його здачу інтересів США комуністам.

Потім — постріли та сцена, де головний герой Джим Гаррісон у виконанні Кевіна Костнера бачить, як на очах руйнується вся траєкторія історії США, яка мала надію на мир та добробут. Подальший розвиток сюжету - багатошаровий пиріг з різних фактів, імен і подій, які як мали місце, так і вигаданих різними авторами за два десятиліття.

Суміш вигаданих сцен, стилізованих під хроніку, допомагає надати субкультурній версії надзвичайної популярності та прямоти. Те, що потрібно було довести у реальному житті чи кримінальному слідстві, не потрібно у кінематографі. Характерна для конспірологів любов до дрібниць, що допомагають скласти пазл змови воєдино і знайти логіку навіть там, де її немає, відправляє непідготовленого глядача в ступор, а потім втягує у вигаданий світ, допомагаючи скласти чітке уявлення щодо реальної події.

Містер Х, високопоставлений інсайдер з уряду, допомагає головному герою скласти свій чудовий наратив, в якому Кеннеді — світлий лицар Камелота, який загинув жертвою змови військово-промислового комплексу. Фільм викликав фурор у США. Преса називала його пропагандою та параноїдальною фантазією. Режисер скаржився, що ще жодного разу не знімав фільм, вихід на екрани якого йому довелося захищати пів року з моменту релізу.

Проте несподіваним наслідком фільму виявилося відкриття деяких документів Комісії Воррена для спільного доступу. У 1992 році Конгрес

ухвалив спеціальний акт (John F. Kennedy Assassination Records Collection Act), яким зажадав до 2017 року розсекретити всі документи у справі. Справа в тому, що Комісія Воррена глибоко засекретила всі дані у справі на 75 років, залишила відкритими лише ті, які опублікували в офіційній книзі. Але відмова влади підкоритися вимогам Конгресу стала черговим аргументом для тих, хто вірить у широку урядову змову проти Кеннеді.

У 2017 році президент Трамп погодився з аргументами ЦРУ, ФБР та інших силових відомств у тому, що реліз усіх документів зашкодить національній безпеці та відстрочив його на 5 років. Зокрема, американські силові органи боялися, що прізвища їхніх агентів розсекретять, а оскільки багато з них перебувають за межами США, їм не зможуть забезпечити достатню безпеку. Навіть попри заклик Байдена у 2022 році переглянути рішення та відкрити всі документи, досі близько 18 тисяч секретних документів залишаються недоступними для громадськості.

Натомість деякі прихильники Трампа, попри очевидний союз колишнього президента з ненависними спецслужбами, щиро вірили, що Трамп прийшов до влади недарма, а щоб позбутися "корумпованих педофілів" у владі та повернути до влади... Кеннеді. Рух прихильників Трампа QAnon стверджував, що Джон Кеннеді-молодший, який загинув в авіакатастрофі в 1999 році, насправді втік від змовників, щоб повернутися і покарати їх.

У листопаді 2021 року на Ділі-плаза в Далласі вийшли сотні прихильників руху QAnon, які чекали повернення сина президента Кеннеді як повернення пророка. Зрозуміло, цю історію прихильники QAnon дізналися у своїх групах у соцмережах, і, зрозуміло, що Кеннеді-молодший не повернувся.

Вічний міф

Німецький історик Майкл Баттер стверджує, що вперше в американській історії віра в теорії змови про вбивство політика стала ознакою небезпечного мислення, здатного розхитати основи держави. Це ще один доказ унікальності міфу довкола загибелі Кеннеді.Конспірологічний міф про вбивство Кеннеді — вічно живий міф, і він може розповісти нам більше про те, у що люди вірять і

як сприймають цей світ. Це коктейль з найкращих елементів сторітелінгу і недовіри своєму уряду.

Вбивство Кеннеді стало відправною точкою для низки дивних злочинів — вбивства брата Кеннеді Роберта в 1968 році, вбивства борця за права афроамериканців Мартіна Лютера Кінга того ж року, Вотергейтського скандалу з Ніксоном, який показав, що президент США готовий піти на будь-який злочин.

Для багатьох ці злочини стали ознакою того, що найкращого майбутнього в Америки вже не буде. Тому успіх змовників у 1963 році — це початок кінця прекрасної Америки, вигаданого Камелота, де політичний лідер хотів змінити світ на краще, але всесильне зло його усунуло. Повернення до цього минулого більше немає. Після Кеннеді мало хто з американських політиків отримував таку підтримку серед населення. Поступово віра простих американців у лідерів зникала, а на зміну їй приходив цинізм та відсутність довіри інститутам влади.

Досі більшість американців всіх вікових і етнічних груп відкидає теорію того, що Лі Харві Освальд діяв поодинці. Ні суд, ні медіа, ні реліз документів не змогли переконати суспільство у протилежному. Натомість у соціальних мережах широко розходиться підроблена фраза Кеннеді, нібито сказана за сім днів до загибелі: "У країні існує змова, щоб поневолити кожного чоловіка, жінку та дитину. Перш ніж залишити цю високу і почесну посаду, я маю намір розкрити цю змову".

Поки у цієї цитати залишається маса шанувальників, здається, американське суспільство матиме великі проблеми. У 1992 Конгрес США ухвалив закон, за яким усі записи пов'язані з вбивством - близько п'яти мільйонів сторінок - мали бути оприлюднені протягом 25 років.

Термін сплив у четвер цього тижня.

Більше 90 відсотків документів вже знаходяться у публічному доступі. ЦРУ, ФБР, Державний департамент США та інші служби в останній момент заявили про те, що деякі документи варто залишити в секреті. У зверненні до

керівників департаментів щодо оприлюднення документів, Дональд Трамп сказав, що громадськість Америки заслуговує на те, щоб "отримати інформацію про всі деталі цього гучного вбивства".

"Тому я наказую, щоб сьогодні вуаль нарешті підняли", - написав президент. За повідомленнями Білого дому, президент був змушений погодитися зі спецслужбами й притримати документи, що залишилися неоприлюдненими. Деякі документи відправили на перевірку на півроку. По закінченню терміну, 26 квітня наступного року, вони все ще можуть залишитися під грифом секретно. "В мене немає вибору - сьогодні - окрім того, щоб прийняти це, щоб не наражати на потенційну небезпеку нашу національну безпеку", - додав Дональд Трамп у своєму зверненні.

2. ***Give the main idea of the text.***
3. ***Point out the discussing poins of the text.***
4. ***Make vocabulary of unknown words and expressions.***

ПРАКТИЧНЕ ЗАНЯТТЯ 2

TEXT 1.

1. Read the news report and give your translation into Ukrainian.

FRENCH ARRESTS AFTER BOMB SCARES TRIGGER EVACUATIONS AT AIRPORTS AND VERSAILLES [3]

By Ido Vock, BBC News

At least 18 people have been arrested after a wave of hoax bomb threats prompted evacuations across France. The Palace of Versailles, the Louvre, as well as schools, airports and hospitals have all been targeted. Those behind the disruption are mostly minors, authorities say. The threats come at a time of heightened tension in France, after a teacher was fatally stabbed by an alleged jihadist last week at a school in the northern city of Arras.

Fifteen regional airports had threats made against them on Friday, from Biarritz, Bordeaux, Nice and Toulouse in the south to Lille and Brest in the north. Airports have been evacuated on several days this week, causing the cancellation of at least 130 flights. Tourist sites have also been targeted. The Palace of Versailles was closed for the fifth time in a week on Friday after yet another threat, affecting thousands of visitors. Mayor François de Mazières appealed for the "idiocy" to stop, telling Franceinfo that 10,000-15,000 people visited France's former royal residence every day and warned the hoaxes "could have consequences for attendance".

The Louvre in Paris was also forced to evacuate thousands of visitors last Saturday. Twenty-two investigations have been launched, Justice Minister Éric Dupond-Moretti told RTL radio on Friday, but the arrests appeared to have no effect on the spate of scares. France was placed on its highest state of counter-terrorism alert last week following the killing of 57-year-old teacher Dominique Bernard. The suspect, a former pupil at the Gambetta high school in Arras, is a Russian national of Chechen origin.

On Friday, a high school in Grenoble in the south-east was evacuated for the second time in two days, and students and staff were also forced to leave a high

school in Bourg-en-Bresse in the east. Earlier this week, pupils in one Toulouse school were told to go under their tables when a suspect package was spotted in front of the building. Authorities have arrested several students they suspect of being behind the scares. A 16-year-old was arrested on Thursday a few hours after his school in Val-d'Oise, north of Paris, was evacuated. Another student suspected of calling in a hoax threat was arrested a few hours after 1,200 pupils had to leave their school premises.

Interior Minister Gérald Darmanin said on Thursday night that 18 people, mainly minors, had been arrested in a space of 48 hours but he stressed that France was under no specific threat. The threats have been made by phone or email, via a website launched in 2020 to text police officers direct, and by contacting official police social media accounts. Mr Dupond-Moretti warned those he called "little jokers" that they would be "found and punished". Authorities are using IP addresses and phone numbers to identify those responsible. Calling in a fake bomb threat is a crime in France that carries up to three years in prison and a €45,000 (£39,000) fine.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 2.

1. Read the news report and give your translation into Ukrainian.

HARTLEPOOL: MAN CHARGED WITH MURDER BY COUNTER-TERROR POLICE [4]

A man has been charged with murder after a 70-year-old died in Hartlepool, counter-terrorism police said. Terrence Carney was found seriously injured on Tees Street on Sunday morning and died at the scene. Another man was found with non-life threatening injuries at a property half a mile away. Ahmed Alid, from Wharton Terrace, has been charged with murder and attempted murder. The 44-year-old is due to appear at Westminster Magistrates' Court in London on Tuesday.

He was charged on Monday evening following an investigation by Counter Terrorism Policing North East and Cleveland Police. Police were called to a property in Wharton Terrace at around 05:17 BST on Sunday, and found the man with non-life threatening injuries. He remains in hospital. Shortly after, officers found Mr Carney half a mile away in Tees Street, where he died despite efforts from the emergency services. Det Ch Supt James Dunkerley, head of Counter Terrorism Policing North East, said the force was "satisfied that this was an isolated incident and are not seeking anyone else in connection with this matter.

"We are grateful for the support and understanding of the local community during this investigation, which has caused understandable concern among local people." Deputy Chief Constable Victoria Fuller, from Cleveland Police, added: "I am extremely proud of the bravery of the attending officers, that enabled the incident to be dealt with swiftly. "We would also like to add our thanks to the local community for their support during this investigation. "Our thoughts remain with the family of Mr Carney, and the second man involved in Sunday's incident."

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 3.

1. Read the news report and give your translation into Ukrainian.

Hartlepool: Victim named in anti-terrorism murder investigation [5]

By Philippa Goymer and Chris Robinson, BBC News

A man has died and another remains in hospital after an attack that is being investigated by counter-terrorism police. Terrence Carney, 70, was pronounced dead at the scene after being found on Tees Street, Hartlepool, on Sunday morning. Another man had already been discovered at a house in nearby Wharton Terrace, also in Hartlepool. A man, 44, was arrested on suspicion of murder and attempted

murder. Inquiries suggest that Mr Carney, from Hartlepool, had been a passer-by and had used a cash machine shortly before his death, police said.

A spokesperson for Counter Terrorism Policing North East and Cleveland Police added that their "thoughts and deepest sympathies" were with Mr Carney's "family and friends". The surviving victim, whose age has not been released, has been taken to hospital with injuries that are not believed to be life-threatening. Investigators wearing white hazmat suits were spotted entering the house in Wharton Terrace, where a police cordon remained on Monday morning.

The house was occupied by four men of different nationalities, the BBC has learned. Flowers have been left outside. Counter Terrorism Police North East is leading the investigation. Det Ch Supt James Dunkerley said: "From the inquiries undertaken so far, there is no evidence to suggest that there was any other person involved in the attack and, at this time, we are not looking for anyone else in relation to the incident.

"Our deepest sympathies go out to the family and friends of the man killed yesterday, and our thoughts are with the man who remains in hospital." A spokesperson for Cleveland Police said that its officers were patrolling the area to reassure the community.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 4.

1. Read the news report and give your translation into English.

"СПРАВА МАЙДАНУ" [6]

Суд у Києві ухвалив вирок бійцям міліцейського спецпідрозділу "Беркут", визнавши частину з них винними в розстрілах на Майдані. Це відбулось майже 10 років тому на антиурядовій акції протесту в самому центрі

Києва. І фактично поклало початок подій, що вилились в російсько-українську війну.

У березні-квітні 2014 року правоохоронці затримали трьох перших підозрюваних "беркутівців": Дмитра Садовника, Сергія Зінченка і Павла Аброськіна. **В жовтні** того ж року Садовник втік з-під домашнього арешту і переховується в РФ.**У лютому 2015 року** були затримані ще двоє бійців – Сергій Тамтура і Олександр Марінченко. В **червні** того ж року був затриманий ще один підозрюваний – Олег Янішевський.

У **травні 2016 року** Святошинський райсуд Києва почав розглядати об'єднану справу проти цих "беркутівців", тобто усіх, крім Садовника. Їх звинуватили у причетності **до вбивства 48 і поранення 80 людей** на вул. Інститутській біля Майдану Незалежності, викраденні зброї, перевищенні повноважень і вчиненні терористичного акту. Усім "беркутівцям" загрожувало **довічне** позбавлення волі.

28 г**рудня 2019 року** Апеляційний суд відпустив з-під варти усіх обвинувачених "беркутівців". Їх передали в Росію в рамках обміну полоненими. Взамін Україна отримала своїх військових розвідників, затриманих на окупованому Донбасі. **У лютому 2020 року** двоє звільнених "беркутівців" – Сергій Тамтура і Олександр Марінченко – добровільно повернулись в Україну. **У листопаді 2020 року** суд за їхньої участі відновив розгляд справи про розстріли на Майдані. У **листопаді 2022 року** суд завершив розгляд справи і пішов до нарадчої кімнати. **18 жовтня 2023 року** суддя Сергій Дячук проголосив вирок. Він набуде чинності після апеляційного розгляду.

Встановити і засудити тих невідомих "людей в чорному" – це завдання, яке публічно ставить перед собою нова українська влада, що прийшла на хвилі перемоги революції і втечі президента Віктора Януковича в Росію.З різних боків лунають різноманітні версії, хто міг бути тими загадковими "снайперами". Кажуть про російських, литовських, американських і навіть

грузинських спецпризначенців. Однак, вже навесні 2014 року українські правоохоронці заявляють, що вийшли на слід підозрюваних.

Доволі неочікувано, ними виявляються українці – бійці спецроти київського "Беркуту" – підрозділу міліції, створено для придушення масових заворушень. Це так звана "чорна рота" під керівництвом однорукого майора Дмитра Садовника. Слідство каже, що він і ще 20 його бійців на виконання вказівок керівництва держави почали стрілянину по мітингувальниках на Майдані.

Довести це було надзвичайно складно. По-перше, як я вже зазначав, вбивці були в масках і камуфляжі, по-друге, всю зброю київського "Беркуту" вивезли і знищили. Її залишки правоохоронці знайшли у водоймі на околиці столиці лише в лютому 2016 року. І найголовніше – більшість міліцейського керівництва і безпосередньо "беркутівці" втекли в Росію, а ті, хто залишився, навідріз відмовлялись давати свідчення.

Проте навесні 2014 року силовикам вдалося затримати деяких з бійців спецроти "Беркуту". Ними виявились командир Дмитро Садовник і його підлеглі Павло Аброськін і Сергій Зінченко. І якщо двоє останніх опинилися під арештом, то їхній командир зміг в жовтні того ж року втекти в окупований Крим, скориставшись тим, що Печерський райсуд Києва не продовжив вчасно його утримання під вартою. В 2015 році правоохоронці затримали ще двох бійців "чорної роти" Сергія Тамтуру і Олександра Марінченка, а також заступника начальника київського полку "Беркут" Олега Янішевського.

Врешті-решт, минув рік і усіх п'ятьох заарештованих "беркутівців" почали судити. Процес відбувався в складі суду присяжних, що є новим механізмом для українського правосуддя. Це, а також звичні проблеми української Феміди, такі як недосконале законодавство, брак кадрів, недостатнє технічне забезпечення і фінансування, вказували на те, що судовий процес "найважливішої справи в історії України" буде тривалим і непростим. Так і сталося. Попри те, що судові засідання зазвичай проводились двічі на тиждень, розгляд справи затягнувся на понад 7 років.

Загалом провели 320 засідань, під час яких допитали 245 осіб, зокрема і колишнього президента Януковича по відеозв'язку з Росії. Якщо на перші засідання приходили натовпи журналістів і політиків, то в останні роки судова зала була майже порожня. Вирок у цьому провадженні теж не викликав ажіотажу серед ЗМІ. Чому так сталося? Одна з причин – в грудні 2019 року нова влада на чолі з Володимиром Зеленським пішла на радикальний крок і виконала побажання Росії, відпустивши усіх "беркутівців" з-під варти для участі в процесі обміну полоненими.

Провести таку операцію просто розчерком пера президента було неможливо. Група прокурорів, що роками вела цей процес, заявила демарш і відмовилась клопотати перед судом про звільнення обвинувачених з-за ґрат. Тодішній генпрокурор Руслан Рябошапка був змушений негайно змінювати цих прокурорів на "лояльних". В результаті, за декілька днів до Нового року усі п'ятеро підсудних вийшли на волю, попри протести активістів в суді і біля Лук'янівського СІЗО.

"З приводу "Беркуту". Так, це була умова (Росії, - Ред.). Рішення було прийняте складне. Але я вважаю, що наші військові та журналісти - герої. Для нас пріоритет повернути наших людей. – пояснив цей обмін Зеленський. – Я з повагою ставлюся до тих, хто втратив близьких на Майдані. Ми, на жаль, не можемо їх повернути. Але ми можемо повернути живих".

Далі доля Янішевського, Зінченка, Аброськіна, Тамтури і Марінченка склалася по різному. Останні двоє через декілька місяців вирішили повернутись в Україну і продовжити доводити свою невинуватість у суді. Можливо мотивом було те, що, дійсно, саме проти цих двох слідство мало найменше доказів їх безпосередньої участі у вбивстві людей. Інші "беркутівці" залишись на окупованих Росією територіях Донбасу і деякі з них, за даними прокуратури, навіть доєднались до збройних формувань бойовиків "ДНР".

Тим не менш, надалі слід їх губиться. Де вони зараз? Чи отримали вони як і інші бійці "Беркута" російські паспорти і посади в міліції РФ? Чи брали участь у війні проти України? Відповідей на ці питання не мають ні їхні

адвокати, ні слідство. Через ситуацію, пов'язану з обміном, а потім повернення частини обвинувачених, а також через недосконаліть українського закону про заочне судочинство, справа Майдану знову стала на паузу. В 2020-21 роках розгляд відновився і дійшов до фінального етапу.

Рішення суду. По-перше, суд визнав, що київський "Беркут" дійсно вчинив 20 лютого 2014 року масове вбивство беззбройних протестувальників на вул. Інститутській в центрі Києва. Жодної "третьої сили", "загадкових снайперів" там не було, наголосив суд. Але безпосередню причетність до вбивств вдалося довести лише у трьох з п'яти обвинувачених. Згідно з рішенням суду, підполковник міліції Олег Янішевський близько 9-ї ранку 20 лютого віддав наказ своїм підлеглим відкрити вогонь по протестувальниках на Майдані. Вони начебто мали прикрити евакуацію правоохоронців з будівлі Жовтневого палацу.

Суд встановив, що в той день зі штатної зброї, закріпленої за бійцями Аброськіним, Янішевським і Зінченком, вбили не менше 31 людини і поранено ще 44. Відповідно, суд вирішив за масове вбивство громадян заочно присудити Янішевському довічний термін позбавлення волі, а Аброськіну і Зінченку – по 15 років. Доказів, що Тамтура і Марінченко також причетні до вбивств на Майдані, суд присяжних не знайшов. Першого взагалі виправдали за усіма статтями, бо йому також інкримінували вчинення теракту і викрадення зброї.

Марінченка також виправдали за більшістю статей обвинувачення, окрім перевищення службових повноважень, що супроводжувалось насильством (ч.2 ст.365 Кримінального кодексу). За цією статтею він отримав 5 років тюрми, які вже давно відбув, враховуючи "закон Савченко" (закон про врахування 1 дня в слідчому ізоляторі як 2 днів тюремного покарання). Таким чином, жоден з обвинувачених в одному з найбільш кривавих епізодів української історії не опинився за ґратами після вироку.

Більш того, суд зняв з усіх "беркутівці" обвинувачення в тероризмі. Саме цей факт обурив прокуратуру. "Ми безумовно будемо оскаржувати цей вирок.

Усіх виправдали за статтею про тероризм, нас категорично не влаштовує така кваліфікація", – сказав ВВС Україна прокурор Олексій Донськой.

Адвокати "беркутівців", як і їхні клієнти, виглядали задоволеними після засідання. Хоча заявили, що також планують подати апеляцію. "Нас не влаштовує вирок в частині тих обвинувачених, яких визнали винними в скоєнні навмисних вбивств. Ми стверджуємо, що навмисних вбивств не було, – сказав ВВС адвокат Стефан Решко. - Трагедія, яка сталася 20 лютого 2014 року, стала наслідком протиправних дій деяких осіб з-поміж мітингувальників".

Юрист також звернув увагу, що суд не встановив наявності будь-якого наказу вищого керівництва держави на розстріл мітингувальників, про що раніше заявляла прокуратура. Відвідавши сотні резонансних судів в Україні завжди привертав увагу такий момент. Залежно від рішення суду присутні в залі найчастіше або аплодували суддям або кричали "Ганьба". Вранці 18 жовтня вирок суду по справі Майдану усі присутні зустріли гробовою тишею.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

ПРАКТИЧНЕ ЗАНЯТТЯ 3

TEXT 1.

1. Read the news report and give your translation into Ukrainian.

PHYLLIS LATOUR: THE SECRET LIFE OF A WW2 HEROINE REVEALED [7]

By Sanchia Berg, BBC News

Phyllis Latour, the last of the 39 female secret agents who served in Sir Winston Churchill's "secret army" in France, has died aged 102. Now, previously classified official files paint a vivid portrait of her life as a World War Two spy behind enemy lines. In the summer of 1944, in a village in German-occupied western France, a slim young woman with dark hair and grey-green eyes sat in a building with a wireless set, tapping out messages in Morse code. She was an agent in the Special Operations Executive (SOE), known as Churchill's Secret Army. Her codename was Genevieve and she was sending urgent messages back to London.

The French resistance in the area was sabotaging key transport links, disrupting German forces as they fought the Allied advance. For this they needed supplies - dropped by air from Britain - and aerial support. The messages being sent by Genevieve were vital intelligence from inside enemy territory, as they included precise locations for the RAF to bomb, as well as where to drop equipment. As she typed out her transmission, two German soldiers opened the door, looking for food. Calmly, she closed up the wireless set, pretending it was a case she was packing. Genevieve told them she had scarlet fever - which had been sweeping the area - and said she had to get out of the village. The soldiers left quickly.

This was one of several close shaves for Genevieve. Working behind German lines, as the fighting grew closer, was incredibly dangerous, but she never lost her nerve. She had "tons of guts" according to her citation for the MBE at the end of the war. Genevieve's real name was Phyllis Latour. After she married, she became known as Pippa Doyle, moved to New Zealand, and rarely spoke about her wartime

career. Now she has died at the age of 102, and for the first time her full wartime story can be told.

A yearning for adventure

Latour's wartime SOE file has been released by the National Archives and shows exactly what she did, painting a vivid portrait of one of the little-known heroines of the war.

Born in South Africa in 1921 to a French father and British mother, Phyllis was orphaned at the age of four and went to live with an uncle in Jadotville in the Belgian Congo. She spent all her spare time on "saffaris [sic]" with her guardian, according to her SOE form, travelling around the country as her uncle tried to stop the smuggling of ivory. It was an exciting time - when she was training for SOE one report noted that she was "always talking about the Belgian Congo".

Phyllis spoke English, French, some Arabic, Swahili and Kikuyu. At 16 she was sent to boarding school in Kenya, then in May 1939 she left with her guardians for Europe. In November 1941 she joined the Women's Auxiliary Air Force, or WAAF, as a balloon operator. But it is clear from her files that she yearned for more adventure, and by autumn 1943 she was training for SOE. She was a "simple-minded, naïve, ingenuous girl", according to her first report. She was "bright, eager and plucky", with a dislike of "sedentary" duties - office-based work, in other words. She was "childlike" and had "no grasp of the realities of life".

Male trainers at SOE often underestimated the female agents, according to Clare Mulley, who has written several books about women agents in World War Two."Latour's training reports appear dismissive, warning that she is 'unsuitable' for work in the field, but in France she gave exceptional service," says Ms Mulley. According to the historian, this was not uncommon. Ms. Mulley recalls another trainee's report, which read: "Would make an excellent wife for an unimaginative man." A former agent turned trainer, Odette Wilen, dismissed Phyllis Latour on New Year's Day, 1944, as a "cheerfull [sic] little scatterbrain" who was "uncontrolled and stubborn". She was "too unreliable emotionally for this type of work".

But Phyllis's reports improved. She was good with a pistol, although a 9mm was too heavy for her. She was sent to SOE's Special Training School in January 1944 and took to parachute jumping with great enthusiasm - though on her first attempt she landed on top of another student. She was allocated to the network of agents - or circuit - codenamed "Scientist". Her keyword for communicating with HQ was SMOKE GETS IN YOUR EYES . The circuit was run by Claude de Baissac, who the head of F (France) section described as "the most difficult of my officers". It ran operations across a large swathe of Normandy.

Behind enemy lines

Phyllis arrived in France on 1 May, 1944. At first she travelled around the area of Caen and Vire with another agent, who would be covering the area. The Gestapo heard of their presence - and they even encountered a German vehicle full of Allied parachutes which they had found. Phyllis and her colleague got away, but then had to pack up their base in a village called Champgeneteux in the middle of the night, destroying documents and decamping to St Mars, a resistance base near Nantes.

One citation in the file notes how she had to move constantly, without a change of shoes or clothes. "This did not worry her," the file said, "so great was her eagerness to serve". In one of the rare interviews she gave in later life, Phyllis described how she hid her codes, on fine silk, by wrapping them round a knitting needle, then feeding that into a shoelace, which she used to secure her hair

She didn't carry the bulky wireless sets around - she had 17 of them, in different places. She carried out 135 transmissions in the few weeks she was in France.

As the Americans began to advance rapidly, life became even more difficult behind the German lines. The SOE agents used to stay on farms, but once the RAF bombing increased, the Germans occupied these. Phyllis started sending her transmissions from the open fields instead. At the beginning of August, as the US forces had taken over, Phyllis contacted them, but was initially taken prisoner, until they confirmed her identity.

Return to England

Back in Britain, Phyllis looked for other work as an agent in the field, trying to avoid being sent back to WAAF and a "disciplined" existence, which "horrified" her. On 7 December 1944 one senior officer wrote he had seen her, saying: "Latour seemed to think that SOE was displaying gross ingratitude towards her and others like her. She told me that no attempt had been made to find her other employment. "She asked to go to the Far East, but was told there was no employment there for women as agents. Then, she was recommended to MI5, but they had no "suitable employment" either.

So she volunteered to go to Germany for SOE and another round of intensive training followed, this time with glowing reports, especially from parachute training. "She is extremely keen on her job and will put her whole heart and soul into the work," the instructor wrote. Phyllis was, he said, the first woman who enjoyed the experience and asked to have an extra turn. The instructors turned her down as they "didn't want to set a precedent". But the Allied armies' rapid advance meant Phyllis was never sent on this second mission. She stayed in England, a change in fortune which appeared not to suit her. In June 1945 one note says: "Since the collapse of Germany, Miss Latour has suffered from severe nervous strain."

She had seen the resident psychiatrist at the Air Ministry, who recommended she be released "immediately" from her home military department, the WAAF. They wanted Phyllis to return "home" to South Africa as soon as possible. In September 1945, Phyllis was awarded an MBE. The recommendation says she was "a bit scatters" - a scatterbrain, in other words. "Always wanted to be doing something dangerous but had no idea it was dangerous. Thought it was all rather fun. Tons of guts. Wants to go on with the work, provided it's dangerous enough."

Vera Atkins, who was in charge of female SOE agents in France, wrote to Phyllis that she was "delighted" by the MBE. She asked whether Phyllis had "settled down again to shooting elephants and ostriches and other peace-time occupations". "After the thrill of clandestine resistance in enemy-occupied territory, many former SOE agents found it hard to adjust to what one called 'the horrors of peace'," says

historian Clare Mulley, adding that returning SOE agents were given no support or counselling to help them adjust.

There was little opportunity to make use of their exceptional field skills. After World War Two, Phyllis married and lived in Kenya, Fiji and Australia, before settling in New Zealand. France had already awarded Phyllis the Croix de Guerre, but in 2014 she was made a Chevalier of the Legion d'Honneur, the country's highest decoration, in a special ceremony in New Zealand. the 39 women agents who served with Special Operations Executive in the field in France, Phyllis Latour - Pippa Doyle - was the last survivor.

2. ***Give the main idea of the text.***
3. ***Point out the discussing poins of the text.***
4. ***Make vocabulary of unknown words and expressions.***

TEXT 2.

1. Read the news report and give your translation into Ukrainian.

UKRAINE CYBER-CONFLICT: HACKING GANGS VOW TO DE-ESCALATE [8]

By Joe Tidy, Cyber correspondent

The two largest hacktivist groups in the Ukraine conflict have vowed to de-escalate cyber-attacks and comply with new rules of engagement published by a war watchdog. On Wednesday, the International Committee of the Red Cross (ICRC) issued the first list of rules for civilian hackers ever created. Dubbed a "Geneva Code of cyber-war", it was initially criticized as unworkable. But now Ukrainian and Russian hackers say they will comply with the rules. Since the invasion of Ukraine there has been a steady stream of disruptive cyber-attacks against public services in both Ukraine and Russia with varying degrees of impact.

Hacktivist groups have been using largely unsophisticated forms of cyber-attack, but successfully temporarily disrupted banks, companies, pharmacies, hospitals, railway networks and civilian government services for Ukrainian and

Russian citizens. With few soft targets in government or military, hacktivists on both sides have reveled in causing friction for ordinary people to further their causes, often collecting angry social media posts from those affected by their attacks. By vowing to comply with the ICRC rules, hacker groups will avoid cyber-attacks that affect civilians.

Speaking to the BBC, the leader of the infamous pro-Russian hacking group Killnet said he "agrees to the terms and rules of the Red Cross, let this be the first step from Killnet to peace".

Killmilk, as he is known, started the Telegram group for Killnet shortly after his country invaded, and now has 90,000 followers. Killmilk has posted videos of himself urinating on the flags of Ukraine and Nato, and the group was highlighted as a persistent source of low-level disruptive attacks on Ukrainian targets.

The group has been accused of having close links to the Kremlin, but has always denied this.

In April, the UK's National Cyber Security Centre highlighted groups like Killnet as a new threat facing Ukraine allies, warning UK businesses that attacks from them on are on rise. If Killnet keeps to its word, then cyber-attacks on civilian targets, including those of Ukraine's allies, will stop. The IT Army of Ukraine also said it would be following the ICRC's eight rules. The group, which has 160,000 members on its Telegram channel, also targets public services such as railway systems and banks.

Its spokesman told BBC News that the group will "make best efforts to follow the rules", even though it may place them at a disadvantage to their adversaries. The spokesman added that attacks on healthcare targets have been a long-standing red line already. The news means that there will likely be a major reduction in the number of cyber attacks as groups restrict their activities to official or military targets. But other hacktivist groups working for other patriotic or ethical causes in the world told the BBC they would not be following the rules at all. The ICRC issued the eight rules of engagement in an attempt to end the free-for-all that has accelerated

during the Ukraine cyber-conflict, warning that unprecedented numbers of people are joining patriotic cyber-gangs.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 3.

1. Read the news report and give your translation into English

АМЕРИКАНСЬКИЙ ЛЕНД-ЛІЗ ДЛЯ УКРАЇНИ ЗАКІНЧИВСЯ, ТАК І НЕ ПОЧАВШИСЬ. ЧОМУ ВІН НЕ ЗАПРАЦЮВАВ [9]

Хоча закон, який має офіційну назву "Закон про ленд-ліз на захист демократії в Україні 2022 року", набув чинності ще в травні минулого року, але досі цей механізм так і не був задіяний. Річ у тім, що військова допомога Україні поки що виділялась за трьома іншими програмами з федерального бюджету США: Ініціатива сприяння безпеці України (Ukraine Security Assistance Initiative, USAI), зовнішнє військове фінансування (Foreign Military Financing, FMF) та вилучення із запасів зброї США (Replenishment of U.S. weapons stocks або ж PDA – Presidential Drawdown). Всі вони для України безкоштовні, на відміну від ленд-лізу.

Представники і української, і американської влади публічно називали ленд-ліз "запасним" або "страхувальним" варіантом. Тобто, якщо Конгрес, де в листопаді минулого року Демократична партія США втратила більшість в Палаті представників, відмовиться виділяти кошти з бюджету за трьома першими програмами, то тоді президент Байден зможе використати інструмент передачі озброєння Україні за ленд-лізом.

В тексті закону прямо прописано, що президенту США "надаються розширені повноваження укладати договори з урядом України про надання в оренду або в лізинг оборонних засобів для захисту цивільного населення в Україні від російського військового вторгнення та для інших цілей".Однак, по-

перше, Київ та Вашингтон так і не уклали відповідні угоди, де, вочевидь, були б прописані всі необхідні умови і об'єми військової допомоги, а, по-друге, що більш важливо, цей закон діяв лише на 2022 і 2023 фіскальні роки в США. Новий фіскальний рік в Америці наступив з жовтня.

Колишній посол України в США Валерій Чалий звертає увагу, що поправка про продовження ленд-лізу є в проєкті оборонного бюджету США на 2024 рік. Тож, цілком можливо, говорити про кінець цього механізму дещо передчасно. "Ще є можливість, що ленд-ліз буде продовжений через поправку внесену в оборонний бюджет на 2024 рік (National Defense Authorization Act for Fiscal Year 2024). – сказав дипломат ВВС Україна. – І це буде правильно, тому що цей інструмент, на мій погляд, має бути "під рукою", тобто в доступі, щоб він був в нинішніх умовах".

Ще в липні поточного року наступник Чалого на посаді українського амбасадора Оксана Маркарова заявляла, що "активно працює" над тим, щоб переконати американський Конгрес продовжити термін дії закону про ленд-ліз. "Наявність опції лізингу чи оренди зброї дуже важлива, щоб вона також залишалася можливою", – зауважила вона в інтерв'ю "Радіо Свобода". Поки що американські можновладці, вочевидь, до її прохань не дослухались.

Хоча 3 жовтня пані Маркарова оприлюднила в фейсбуці спільне фото з автором минулорічного закону про ленд-ліз, сенатором-республіканцем Джоном Корниним.

Вона повідомила, що обговорювала з ним питання продовження терміну дії цього документу на наступний рік. "Звірили наші годинники в питанні спільної праці, спрямованої на продовження дії закону про ленд-ліз для оборони демократії України на 2024 фіскальний рік. Закон і на думку сенатора, і на нашу, є важливим запасним інструментом отримання зброї на додаток до безповоротних програм PDA, USAI та FMF".

Питання, чому ленд-ліз так і не запрацював за півтора року повномасштабної війни, неодноразово підіймалося в Україні і в США. Адміністрація Байдена заявляла, що зосереджена на наданні Україні

військової допомоги на безоплатній основі, а не в оренду чи лізинг.“Наразі ми ставимо в пріоритет безпекову допомогу для України, за яку їм пізніше не потрібно буде повертати кошти”, - цитував "Голос Америки" позицію Білого Дому з цього питання.

Українська влада спочатку голосно називала закон про ленд-ліз "доказом того, що свобода вміє захищатися від тиранії" і запевняла, що він допоможе подолати Росію. "Я впевнений, зараз ленд-ліз допоможе Україні та всьому вільному світу подолати ідейних спадкоємців нацистів, які розв'язали війну проти нас на нашій землі. Ленд-ліз та інші програми підтримки України – це конкретний доказ того, що свобода й нині уміє захищатися від тиранії", – казав навесні 2022 року президент Володимир Зеленський.

Однак згодом позиція дещо змінилась. Наприклад, Міністерство закордонних справ почало наголошувати на першочерговій важливості безоплатних механізмів передачі озброєнні Україні, а не ленд-лізу. "Те, що ми отримуємо зараз, нам просто дають у подарунок. Такого, аби оренда повністю замінила подарунки, не буде", – заявляв міністр Дмитро Кулеба в інтерв'ю Forbes.

ВВС Україна звернулось із проханням про актуальний коментар до МЗС щодо завершення дії американського закону про ленд-ліз з жовтня. Експосол Валерій Чалий визнає, що закон про ленд-ліз на початок повномасштабного вторгнення був певним "сигналом" для Кремля, але не "запасним варіантом" "Мені здається, це був сигнал Москві про можливість масштабних великих поставок озброєння для України".

Однак відкритим залишається питання, чому ні Київ, ні Вашингтон так і не сформували хоча б попереднього варіанту угоди про постачання військової допомоги, як передбачено законом про ленд-ліз. Там мали б бути прописані, зокрема, умови, на яких Україна отримуватиме її.

"В мене виникає питання, а чому всі вважають, що треба буде платити (за передану зброю)? Річ у тому, що все це має бути прописано в угоді. Платити чи не платити, або взагалі буде просто умова повернути неушкоджену

техніку (після війни, – Ред.), ми не знаємо, тому що навіть проєкту такої угоди немає", – зауважує дипломат.

Він вважає правильним продовжити дію закону про ленд-ліз на наступний рік і спробувати "протестувати" цей механізм військової допомоги. "Давайте подивимось, як це буде діяти, бо поки це все гіпотетичні розмови". Джерело ВВС, дотичне до цього питання, допускає, що однією з причин не введення в дію ленд-лізу є те, що для Білого дому виявилось "зручніше" розподіляти безпосередньо фінансові кошти, а не військову техніку.

Тобто Конгрес виділяє з бюджету кошти на військову допомогу Україні, а Білий дім і Пентагон вже самі вирішують, на які конкретно зразки озброєння їх витратити чи яким саме військовим заводам розподілити.Це також "більш гнучкий" механізм, на який не має впливу опозиція серед конгресменів-республіканців, наголошує джерело.

Можливо, американські законодавці і встигли б проголосувати новий закон про ленд-ліз до 1 жовтня, але в Америці почалась "активна фаза" політичної боротьби між демократами і республіканцями, зокрема, їх найбільш радикальним крилом – трампістами. Лише в останній можливий день – 30 вересня – Палата представників Конгресу США, а слідом за нею і Сенат, схвалили законопроєкт про тимчасове фінансування уряду, щоби запобігти шатдауну (припинення фінансування бюджетників), який міг розпочатись в ніч на 1 жовтня.

Президент Джо Байден підписав документ лише за кілька хвилин до дедлайну. Цей бюджет, ухвалений лише на 45 днів, не передбачає допомоги Україні.

У заяві, оприлюдненій невдовзі після голосування у Сенаті, Байден заявив, що "крайні республіканці у Палаті представників" прагнули створити "сфабриковану кризу". Він закликав спікера Палати представників Кевіна Маккарті ухвалити рішення про подальшу допомогу Україні без зволікань.

"Ми ні за яких обставин не можемо допустити, щоб Америка припинила підтримку України", – заявив Байден. Щоправда, вже 3 жовтня республіканець

Маккарті вперше в історії США був знятий з посади спікера. Його звільнення підтримали демократи і частина республіканців. Експерт-американіст з Ради зовнішньої політики "Українська призма" Олександр Краєв вважає, що в таких умовах проукраїнські сили в США вирішили не порушувати питання ленд-лізу перед голосування за бюджет, бо воно є "дратівливим"

"Питання ленд-лізу вочевидь не підіймають, щоб не підвищувати градус цього протистояння. Бо тоді посиплються всі домовленості". Однак експерт запевняє ВВС Україна, що ленд-ліз ще може бути продовжений саме з такою метою, як і минулого року. Тобто, щоб дати американському президенту інструмент для військової допомоги Україні в обхід Конгресу.

"Він може ще бути ухвалений просто для запобігання якихось маніпуляцій, бо наступного року не тільки президентські, але й конгресові вибори в США. І для того, щоб убезпечити Україну від нових політичних криз, для того, щоб убезпечити Україну від маніпулювання з боку Конгресу, в принципі ще є шанс того, що на якомусь етапі повернуться до питання ленд-лізу"

Валерій Чалий впевнений, що військова підтримка з боку США для України залишиться у будь-якому випадку."Це питання національної безпеки США, це розуміють і демократи, і республіканці", – каже дипломат, але зауважує одну проблему.

"Проблема в тому, що надано поганий сигнал – wrong message. Що питання допомоги Україні може бути використано у внутрішній дискусії демократів і республіканців. Це питання має об'єднувати дві партії, не можна допустити, щоб воно стало "розмінною монетою" в політичній боротьбі".

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

ПРАКТИЧНЕ ЗАНЯТТЯ 4

TEXT 1.

1. Read the news report and give your translation into Ukrainian.

RUDY GIULIANI HAS BEEN LEFT 'PENNILESS' AFTER MOUNTING LEGAL FEES AND SPENDING $250,000 A MONTH 'ON FUN' - DESPITE ONCE BEING WORTH $100 MILLION, HIS BIOGRAPHER CLAIMS [10]

By PERKIN AMALARAJ

Former **New York City** Mayor **Rudy Giuliani** has been left 'penniless' amid mounting legal fees and after he spent $250,000 a month 'on fun', his biographer has claimed. Andrew Kirtzman, a journalist who has covered Giuliani for decades and published a critically-acclaimed biography of him last year, told **CNN** that, despite making $100 million in five years, he has squandered it all.

'He's had several divorces. He lived very high, his ex-wife said that they were burning through $250,000 a month on sheer fun.

'He lived very well and now he's penniless and facing prison. 'Giuliani was once worth $100 million. His Giuliani Partners was founded to capitalize on his **9/11** fame. The place made $100 million over five years,' the biographer added. Giuliani, who played a major role in the response to the September 11 attacks while serving as the 107th mayor of New York, is now facing a litany of civil and criminal legal woes.

He was sued Tuesday by his former lawyer and longtime friend Robert Costello over allegations that he owes him $1.36 million in unpaid legal fees from several cases. Giuliani told **The New York Times** that he was 'personally hurt' by Costello's actions.

'It’s a real shame when lawyers do things like this, and all I will say is that their bill is way in excess to anything approaching legitimate fees,' he added. The pair first met when Costello was a law student working for Giuliani's Manhattan federal

prosecutor's office as the Brooklyn-native earned his reputation in taking down some of the biggest figures in the Big Apple's criminal underworld.

Kirtzman told CNN: 'Costello has represented him through four investigations – three of them criminal – 10 civil suits, two disbarment hearings. I don't even know if that includes the **sexual harassment** by a former employee. 'Giuliani has just this deep attraction to danger and he has no one to blame but himself.'

The former US attorney for the Southern District of New York, one of the most prestigious posts in the prosecutorial world, is also **under indictment in Georgia** over his alleged efforts to overturn the state's 2020 presidential election in Donald Trump's favor.

He's also involved in a civil case in which a jury will decide how much he owes **two Georgia election workers** for defaming them.

Kirtzman said that Guiliani will have to take a long look at himself in the near future, as much of his recent life has been in service of twice-impeached former president. 'It's all in service of Donald Trump, and I think if one day Giuliani ends up sitting in a jail cell, he's really gonna have to think through whether it was all worth it,' he starkly warned.

2. ***Give the main idea of the text.***
3. ***Point out the discussing poins of the text.***
4. ***Make vocabulary of unknown words and expressions.***

TEXT 2.

1. Read the news report and give your translation into Ukrainian.

WHY YOU SHOULDN'T DELAY WRITING A WILL (AND HOW TO DO IT AFFORDABLY AND WITH EASE) AD FEATURE BY FAREWILL [11]

When is a good time to write a will? Ask this question and you're likely to get a range of answers, but many will reveal the belief that it's something you can usually delay until later in life. This is reflected in one shocking statistic: 31 million adults*

in the UK haven't yet got round to making a will. For a bit of perspective, that's three in five of us who are at risk of dying without having made our wishes clear first.

We often delay tasks that are difficult, inconvenient or expensive. And traditionally that's often been the case with wills - leaving many people putting off making one until it's too late.

But no longer: with Farewill, you can write your will online in as little as 15 minutes, allowing you to take care of what really matters in a way that is quick, easy and affordable. And right now, they're offering a discount to readers so you can get your will for just £70 - down from £100 RRP. Just enter the code DM3ON^ at the checkout.

Below, their specialist team reveals why the time to do this essential task is NOW.

Your estate - your choice. Most of us own assets, whether it's money in the bank, investments, a house or a car. If you write a will you can be sure these are divided in a way you chose. But if you don't, it will be down to a set of rules known as the laws of intestacy. The law must necessarily take a one-size-fits-all approach, so your estate may not be divided up in a way you would have liked.

And if you are married or in a civil partnership, your children will only inherit from your estate if it is valued at over £322,000. This means they may be left with nothing unless you specifically write them into your will. The law also fails to take into account modern family structures. For example, if you live with your partner but are not married or in a civil partnership they may not be entitled to inherit anything from your estate. The same goes for step-children, who could also miss out on any inheritance unless you include them in a written will.

It's important to note that the intestacy rules only apply to assets you own by yourself or, in the case of real estate, where you have a distinct share in a property which you own jointly with someone else. If you have a joint bank account with a partner, or own a house with them as a joint tenants, then everything will automatically pass to them if you die.

To write a will you need to be able to communicate your wishes yourself and have the required mental capacity. Illnesses can be unexpected, so it's better to get it done while you are still healthy.

Look after young children (and pets). Any parent will be concerned about looking after their children's future. In a will, you can appoint legal guardians for any children you have who are under 18. If you do not appoint anyone and there is no one surviving person with parental responsibility for your kids, then social services will intervene in the first instance.

Four trends that show the changing ways Brits deal with death

Farewill's Year in Will's Report 2022 uncovered some fascinating trends in the way the UK plans for death. Here are four takeaways - **More people are including pets in their wills**: 32% of people made plans for their pets in their will over 2022. That represents a 2% increase since 2020, perhaps as a result of all the pets bought during lockdown.

More people are helping charities: Over £200 million was pledged to charities in legacy gifts in wills written with Farewill over the course of 2022. The percentage of people leaving gifts to charities was up by 8.7% overall. **Young people are realising the importance of wills**: The percentage of wills written by Gen Z (born 1997 – 2012) doubled in 2022 year on year, and the number of Millennials writing wills increased by 6% compared to 2021.

Wednesday is the most popular time to write a will: Wednesday mornings overtook Monday mornings by a whisker to be the most popular time of the week to write a will in 2022. You are best placed to decide who should look after your kids. So, if you have young children, writing a will in a timely manner will ensure they are cared for by people of your choosing. The same applies if you are among the 17 million households in Britain with a pet.

Pet ownership increased dramatically during the pandemic, with more than half of new owners between 16 and 34**. By writing a will and appointing a legal guardian for your pet, you can enjoy the relief of knowing they'll continue to be well

looked after if you die before them. If you don't make your wishes clear, your pets may end up going to a shelter or rescue centre if nobody is willing to take care of them. In the worst cases, unwanted pets can even be put down.

Avoid hassle and heartache

Losing a loved one is always painful, but things can be made even worse if they have died without leaving a will. Arguments can sometimes arise between survivors if there is no will that makes your wishes clear. With emotions already high following your passing, this can cause a large amount of stress and damage personal relationships. Setting just a short time aside now could save your family from a huge amount of hassle and heartache.

Whether you die with or without a will, your loved ones may still need to apply for probate. Many deaths in the UK do not need probate, so the first thing to do is find out whether it is required for your situation. Farewill can help you work out if you need to apply for probate in just a few minutes. And if you do, they'll give you a quote for a specialist probate service at a fixed price. Visit the probate page of the Farewill website to get a quote.

If you're the person entitled to make the application for the grant of probate or letters of administration in an Intestacy, once the application is complete, you'll be granted the rights of a personal representative. This will allow you to access the estate and distribute assets according to the law. If probate is needed and the estate is complex, or you don't have time to deal with it, you can also talk to Farewill over the phone about their Complete Probate service.

They've made the process of making your will quick, simple and affordable. You can write yours online or over the phone from the comfort of your own home in as little as 15 minutes. Prices start at just £100 – saving you up to £150 compared to the average solicitor on the high street. And if you opt to write your will online with Farewill, use the code DM30N at the checkout to save an extra £30^.

A check by one of the Farewill team will make sure your wishes are clear, while their unlimited update service lets you make as many changes as you need to

in the future for just £10 a year. Arranging your will could be one of the quickest and easiest things you can do to look after your family's welfare.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 3.

1. Read the news report and give your translation into Ukrainian.

ЯК І ЧОМУ ПОСВАРИЛИСЯ УКРАЇНА ТА ПОЛЬЩА [12]

Конфлікт Польщі та України навколо зерна перейшов на новий рівень після гострих висловлювань Анджея Дуди і Володимира Зеленського у Нью-Йорку. Обидва лідери прибули туди для участі в Генасамблеї ООН. Президент Дуда у спілкуванні з журналістами відстоював рішення продовжити ембарго на імпорт українського зерна після 15 вересня і порівняв Україну з людиною, яка тоне і може затягнути свого рятівника, тобто Польщу, на дно.

"Кожен, хто хоч раз брав участь у порятунку людини, яка тоне, знає, що така людина небезпечна... може затягнути вас на глибину", - заявив він. Кількома годинами пізніше Володимир Зеленський розкритикував заборону на імпорт українського зерна з трибуни Генасамблеї. "Тривожно бачити, як у цей час дехто в Європі підриває солідарність і влаштовує політичний театр, роблячи із зерна трилер. Може здаватися, що вони грають власну роль, але натомість вони допомагають підготувати сцену для московського актора", - відзначив Зеленський.

Польща відповіла протестом, а в соцмережах обох країн почалася дискусія, хто є винним в конфлікті.

20 вересня прем’єр Матеуш Моравецький нагадав, що Польща надала Україні значну гуманітарну та військову допомогу. "Не може бути так, що після всього цього ми чуємо якісь двозначні, а дехто вважає, що зовсім не двозначні формулювання, які зводять нас до позиції байдужої держави", - наголосив він. МЗС Польщі висловило протест щодо

заяви Зеленського про те, що деякі країни ЄС удавали солідарність, опосередковано підтримуючи Росію.

"Заступник керівника МЗС зазначив, що ця теза є неправдивою щодо Польщі і, тим більше, неспровокованою щодо нашої країни, яка з перших днів війни підтримує Україну", - йдеться в заяві. В МЗС Польщі твердять, що деякі українські високопосадовці нав'язують однобокий погляд на проблему експорту агропродукції, а тиск на Польщу в рамках міжнародних організацій не змусить Варшаву відмовитися від захисту інтересів польських фермерів. Відомство також викликало посла України Василя Зварича.

Речник МЗС України Олег Ніколенко повідомив, що Зварич під час зустрічі роз'яснив позицію щодо неприйнятності для України польської односторонньої заборони на імпорт українського зерна, а також натякнув на некоректність вислову президента Дуди в Нью-Йорку. "Закликаємо наших польських друзів відкинути емоції. Українська сторона запропонувала Польщі конструктивний шлях вирішення зернової проблематики", - наголосив він.

Урядовий Центр стратегічних комунікацій назвав заяви Дуди некоректними. "Дуда натякає, що Україна мала б поступитися своїй "рятівниці" Польщі. Ця аналогія є невдалою, адже відстоювання Україною своїх економічних інтересів не становить смертельну небезпеку для Польщі. На відміну від ризику для рятівника, який допомагає потопельнику", - відзначили в центрі. Там нагадали, що підтримка України є в інтересах Польщі, бо українці перебувають на передовій стримування російської агресії, а суперечки щодо збіжжя вирішить Світова організація торгівлі, куди Україна подала позов проти Польщі, Угорщини та Словаччини за односторонню заборону ввезення зерна.

Раніше, 15 вересня Єврокомісія вирішила не продовжувати заборону на ввезення аграрної продукції з України, але Польща, Угорщина та Словаччина продовжили її в односторонньому порядку. 19 вересня прем'єр Денис Шмигаль повідомив, що Україна подає позов до цих трьох країн в Світову організацію торгівлі. Він попередив про можливість заборони імпорту до України певних категорій товарів з Польщі та Угорщини.

Буря в соцмережах

Конфлікт у відносинах держав викликав гаряче обговорення в соцмережах. При цьому серед українських користувачів були як і критики дій влади, так і захисники. "Україна

не продає зерно Польщі. Це роблять українські зернотрейдери. Польща не купляє зерно в України. Це роблять польські зернотрейдери. Є конкретні люди як з української, так і з польської сторони, які вирішили скористатися можливістю для власного збагачення, але я не розумію, чому за це має розплачуватися як український, так і польський народ", - пише телеведучий Андрій Булгаров у фейсбуці.

Він пропонує оприлюднити назви агрокомпаній, які заробляли на торгівлі українським зерном на польському ринку. "Дії Польщі логічні з її точки зору. Так, вони бояться українського зерна, воно набагато дешевше, але дешевше через неринкові фактори. Не секрет, скільки наші агрохолдинги платять своїм співробітникам. Це копійки. Не секрет, які нікчемні у нас ставки оренди за паї. І зараз багато аграріїв і того людям не платять. Не секрет, що сільське господарство унас ведеться екстенсивно, з порушенням законодавства", - пише журналіст Сергій Костеж у фейсбуці.

Він нагадує, що Польща приймала мільйони біженців, польською територією йде військова логістика України. Але є й ті, хто підтримав позицію української влади. "Те, як зараз активні хейтери влади поводяться в історії з Польщею та загостренням стосунків, ігноруючи факт, що у них відбуваються вибори, і "вболіваючи" проти власної держави - це рівнозначна за модулем інфантильність. "Так його, клятого Зеленського! Буде знати, як суб'єктність проявляти", - пише викладач Київської школи економіки Дмитро Яровий у фейсбуці.

У Польщі українського президента засудили деякі консервативні публіцисти. "Хтось сьогодні може здивуватися, що такий улюблений у Польщі Зеленський вирішив напасти на Польщу, порівняв найвірнішого союзника з агресором. Багато експертів намагалися стверджувати, що "цар хороший" і що проти Польщі були "погані бояри", хоча з самого початку (принаймні для мене) було очевидно, що Зеленський був по тому ж боці барикади", - пише публіцист з видання Do Rzeczy Мацей Пєчинський в соцмережі X.

Ще задовго до висловлювань Дуди та Зеленського в Україні була популярна думка, що причиною ембарго на імпорт українського зерна є бажання уряду "Права та справедливості" в Польщі отримати додаткові голоси на виборах в парламент 15 жовтня. Мовляв, консерватори хочуть отримати голоси фермерів під час напруженої боротьби і з соцопитуваннями, згідно з якими, вони можуть втратити парламентську більшість.

Український політолог Станіслав Желіховський, який постійно висвітлює питання польсько-українських відносин, теж пов’язує ситуацію з виборами, які мають відбутися 15 жовтня, та політикою уряду на чолі з Моравецьким.

"Постулати цього уряду йдуть всупереч з нормальними відносинами з багатьма країнами. Україна не єдина в цьому списку, відбувається погіршення відносин Польщі з Німеччиною, Брюсселем", - каже він. На думку Желіховського, відносини з цим урядом в України ніколи не були ідеальними. Попри допомогу з озброєнням і транзитом важливих товарів під час повномасштабної війни. Він нагадує про конфлікти щодо питань історичної пам'яті та оцінки ролі УПА.

"Багато чого замовчувалося, Україна не йшла на конфронтацію щодо питань історичної пам'яті. Але якщо подивитися польське інформаційне поле, там завжди риторика на цю тему починає загострюватися напередодні виборів", - нагадує Желіховський. Водночас, на його думку, від постачання українського зерна, що спровокувало протести фермерів та ембарго, виграли і українські, і деякі польські підприємці.

"Збували українське збіжжя, оскільки українське зерно дешевше. Але Україна мала право це робити, бо ЄС зняв всі бар'єри на той момент. Просто українського зерна на польському ринкустало настільки багато, щозерносховища немогли вже вміщати польське зерно, і почався обвал цін на польському ринку", - пояснює він.

Проте як тільки тему падіння цін на збіжжя польських фермерів почали використовувати деякі польські опозиціонери та селянські рухи, влада вирішила накласти ембаргона імпорт українського збіжжя.

На думку Желіховського, ситуація для України може змінитися, якщо переможе опозиція і до керівної коаліції увійде Громадянська платформа на чолі з Дональдом Туском, яка спирається на виборців з великих міст, а не з сільської місцевості. Але якщо до тієї ж коаліції увійде Польська селянська партія, то вона теж відстоюватиме інтереси польських фермерів. "Якщо ситуація у відносинах буде і далі загострюватися, буде тяжко насамперед нам, в контексті боротьби з Росією. Але це невигідно буде і Польщі, яка потерпає від гібридних атак збоку Білорусі, абез України неможемати безпечного майбутнього. Це буде тільки на радість Кремлю", - попереджає він.

Натомість польський історик і політолог, віцедиректор Центру діалогу Мєрошевського Лукаш Адамський відзначає, що поляків непокоїть образлива риторика на адресу країни. На його думку, значення поставок зерна у нинішньому конфлікті є перебільшеним. "Зеленський фактично сказав, що Польща грає під дудку Росії. Слова президента Зеленського викликали суспільне обурення і політичний ступор. В ЄС подібні суперечки є звичайними, була суперечка з Чехією, і Польща мусила платити штраф, але такої недружньої риторики не було", - каже політолог.

На його думку, ситуація може призвести до кризи довіри, а деякі польські політики під час передвиборчої кампанії можуть почати змагатися за те, хто жорсткіше відповість Україні на таку критику. Також в польському суспільстві поширюються різні версії, чому Володимир Зеленський так критично висловився.

"Є версія, що президент Зеленський перебуває під впливом великих агрохолдингів, до яких залучений великий західноєвропейський капітал", - розповідає Лукаш Адамський. Версію про вплив олігархів, які володіють агрохолдингами, озвучив раніше в інтерв'ю RFM24 речник уряду Польщі Пьотр Мюллер. "Є лобі українських олігархів, які є найбільшими власниками цих господарств в Україні. І це теж певний політичний вплив, який діє всередині України", - відзначив він.

Окрім того, в Польщі є ті, хто незадоволений зближенням Києва з Німеччиною, яку польське керівництво часто критикує. "Інша інтерпретація - німецькі політичні еліти залучають президента Зеленського на свій бік, щоб нехтувати роллю Польщі в Європі, робити ставку на Францію та Німеччину, тобто повернутися до тієї політики, яку раніше проводив президент Порошенко. Ця інтерпретація може бути і фальшивою, але вона в Польщі лунає", - каже Адамський.

На думку політолога, в ЄС дійсно зберігається домінування Німеччини та Франції, і у випадку вступу до об'єднання України Польща могла б отримати цінного союзника для противаги цьому. "Є різне бачення майбутнього ЄС у польських консервативних еліт та уряду Німеччини", - нагадує він.

На думку Адамського, високопосадовцям з обох країн треба утримуватися від недружньої риторики, дочекатися кінця виборів в Польщі, вирішити проблеми, які

накопичилися. У цьому випадку також можна призначити в обох урядах спецпредставників з українсько-польських відносин, які б постійно комунікували.

Переважно говорять і пишуть, що великої активності на ринку зерна – і це у розпал нового врожаю – немає. Фермери чекають на зростання цін, але його, очевидно, найближчим часом не буде. І не через українське зерно, яке не надходить у Польщу від травня. Від солідарності до конвоїв. Що розповіла зернова криза про західних сусідів, ЄС і саму Україну "Винна" загальнаситуація насвітових ринках. Черезвійну Росіїпроти України ціни на зерно і загалом харчі спочатку злетіли до рекордів, а потім знизилися. Завдяки, зокрема, й зерновому коридору в Чорному морі, через який пішов потік збіжжя.

Відчутним падіння цін (менше психологічно важливого рівня у 1000 злотих/215 євро за тонну) стало у перші місяці 2023 року, коли, власне, і почалися протести польських фермерів. До квітня знайшли головного винуватця у падінні – український зерновий експорт. Саме під цим соусом у травні під тиском Польщі Єврокомісія запровадила заборону на імпорт українського збіжжя у сусідні країни ЄС.

Але і у вересні, за даними Зернової палати Польщі, ціни на зерно залишаються нижчими за 1 000 злотих за тонну. Отже, майже піврічна відсутність українського зерна на польському ринку нічого не дала. Крім додаткових дотацій від ЄС. І те, що врешті Єврокомісія вирішила неподовжувати заборону, свідчить, щосуттєвих економічних доказів про шкоду українського зерна для ринку країн-сусідів вона не отримала. Для розуміння ситуації варто згадати й ще кілька цифр.

Понад половина бюджету ЄС іде на дотації аграріям. І Польща, як великий агарний виробник, претендує на значну частку дотаційного "пирога".

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

ПРАКТИЧНЕ ЗАНЯТТЯ 5

TEXT 1.

1. Read the news report and give your translation into Ukrainian.

FRANCISCO OROPESA: TEXAS SHOOTING SUSPECT CAPTURED AFTER TIP-OFF [13]

By Bernd Debusmann Jr & Max Matza, BBC News

A man suspected of killing five of his neighbours in Texas has been arrested after police found him hiding in a cupboard underneath a pile of laundry. Francisco Oropesa was detained north of Houston. He was several miles from his own home in the small town of Cleveland where the shootings happened on Friday. Mr Oropesa is accused of attacking his neighbours after they allegedly asked him to stop practicing with his rifle as the noise was keeping a baby awake. The victims included a nine-year-old.

They were all from Honduras, and the country's foreign ministry identified them as Sonia Guzman, 28; Diana Velasquez, 21; Obdulia Molina, 31; Jonathan Caceres, 18, and Daniel Enrique Lazo, nine. The arrest of Mr Oropesa, a 38-year-old Mexican national, brings to an end a four-day manhunt that swept up law enforcement officials across multiple jurisdictions, including the FBI. Drones and scent-tracking dogs were used as police searched an area as far south as the Mexican border.

Authorities offered a reward of $80,000 (£64,000) for information leading to his arrest and, only on Tuesday, the FBI said Mr Oropesa "could be anywhere" as the days-long search failed to yield any leads. But a member of the public contacted the FBI's tip line on Tuesday evening and the suspect was captured just over an hour later, officials said in a news conference. Police have not said who owns the home he was arrested in, but the New York Times reported that property records show it belongs to a relative.

"They can rest easy now, because he is behind bars," Sherriff Greg Capers said of the families of the victims. "He will live out his life behind bars for killing those five." The suspect was taken into custody by members of the Border Patrol Tactical Unit, or Bortac, a specialised unit, said Sheriff Capers of San Jacinto County. He will be charged with five counts of murder. The alleged attacker was deported four times between 2009 and 2016, US immigration officials said.

An investigation is under way into how the suspect obtained the weapon used in the killings, which was an AR-style rifle. Police said those who were at the residence at the time of Mr Oropesa's arrest are being questioned, but no-one else was in custody as of Tuesday evening. A makeshift memorial with floral tributes, balloons and soft toys has been placed outside the home where the shooting took place.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 2.

1. Read the news report and give your translation into Ukrainian.

A TOP-SECRET ATOMIC BUNKER HAS OPENED TO THE PUBLIC IN DENMARK. BUILT TO WITHSTAND A NUCLEAR ATTACK, IT'S NOW AN ASTONISHING SUBTERRANEAN MUSEUM THAT SHEDS LIGHT ON COLD WAR PARANOIA [14]

By Adrienne Murray Nielsen, 2nd May 2023

Hidden in northern Jutland's Rold Forest, some 400km north-west of Copenhagen, is the sprawling bunker complex of Koldrigsmuseet REGAN Vest (The Cold War Museum REGAN West). Secretly built in the 1960s at the height of Cold War tensions, this is where the Danish government and even the queen would have been evacuated if nuclear war had broken out.

The plan was to run the country from inside this shelter, 60m below ground, and its very existence was kept hushed for decades until it was finally revealed in

2012. After years of preparations, it opened to the public for the first time in February 2023 as a museum. Only 50,000 visitors are permitted annually, and access has been limited to small groups of 10 on 90-minute guided tours that explore 2km of the labyrinthine bunker system. It's an eye-opening journey into the heart of a Cold War-era time capsule.

Stepping out of the train station in the small town of Skørping, I jumped straight into a taxi for the short ride to Rold Forest. The local driver had never heard of the mysterious bunker, and with no phone signal, we ended up driving around in circles trying to find it. Luckily, before long we chanced upon the road leading towards a cluster of dark metal and glass buildings partly obscured in the hillside that's home to the smart new visitor centre.

Under towering woodland and a brilliant blue sky, I trampled along a short track to the bunker's entrance, a spot that would once have been guarded by policemen armed with pistols and hand grenades. The weathered concrete doorframe had turned green with moss and damp, and it was so ordinary looking that the expansive tunnel network it concealed was all the more astounding.

"This was part of keeping it secret," said Bodil Frandsen, museum curator and historian, as she welcomed me inside with her colleague, Lars Christian Nørbach, North Jutland Museums' director. Entering the tunnel, I felt as though I was stepping into a secret parallel universe. I'd never seen anywhere quite like it. "Listen," said Nørbach, as the door thudded shut, sealing off the last rays of natural light and sending an echo reverberating down the 300m-long tunnel ahead of us.

My sense of anticipation only grew as we continued along the passageway that was carved into the chalk and limestone hillside. What was only a few minutes' walk felt much longer as we tracked the curving, ribbed walls that were designed to slow down the pressure wave of a nuclear blast. Eventually we reached a pair of heavy, air-tight doors that marked the beginning of the actual bunker. Our first stop was the engine room, where diesel generators would keep the facility running. Once sealed off from the outside world, there would be sufficient electricity, recycled air

and other supplies for 10 days, explained Frandsen, likening it to a submarine, "just on land".

The Cold War was a period of acute political and military tension between Western and Eastern blocs, aligned with the US and Soviet Union, that spanned from shortly after World War Two until the early 1990s, triggering a nuclear arms race. After Soviet testing of a potentially catastrophic hydrogen bomb – and later the Cuban Missile Crisis – fears of Armageddon were fuelled further. "You'd never seen a weapon like it," posited Frandsen. "It was just way stronger and way more devastating. It demanded a new way of thinking and planning."

A NATO member since 1949, Denmark's location at the mouth of the Baltic Sea was (and still is) strategically important, but its proximity to the Iron Curtain also made it vulnerable, which is why the country prepared for the worst. Construction of REGAN Vest began in 1963 and was completed five years later. The resulting nuclear-proof bunker was a staggering 5,500sq m behemoth, shaped like two large, connected rings, each with an upper and lower floor, and more than 230 rooms that would house around 350 personnel. Mostly these would be ministers and civil servants, part of a slimmed down administration tasked with running the nation's affairs during the darkest of times, plus a few medical staff, several journalists and a priest.

As we navigated a bleak corridor, I was dumfounded by the sight of untouched offices still equipped with old-fashioned telephones and stationery, a communication room and small radio studio, all frozen in time. Much of the decor stemmed from the 1960s and '70s, including dozens of original classic chairs by iconic Danish designer Arne Jacobsen. "It's a different world here," remarked Nørbach. "What's special here is that this bunker stands authentic. It's kind of a time capsule. Quite a huge time capsule." And that's why REGAN Vest is so unique. Other government bunkers exist, he explained, but have been updated, had contents removed, or aren't open to the public.

Thankfully World War Three didn't occur and the facility was only used for practice drills, though it remained on standby right until 2003, when it was

eventually taken out of service. Nine years later, the long-held secret came to an end and then came almost decade-long preparations to preserve the bunker as museum. Although I have memories of the Berlin Wall falling, as a 1980s child, the Cold War was an era I'd never really known. However, entering the bunker's "Situation Room" was a stark lesson. Military maps of Scandinavia and the Soviet Union covered the walls, ready for meetings that never took place.

"If you look at the map, and remember how the division in Germany was, then Denmark is a frontline country," explained Frandsen. This was a time of fear and paranoia, but also preparedness. From basements in kindergartens to military forts, approximately 14,000 Cold War-era structures were erected across Denmark – and I was surprised to learn that another similarly large complex exists, called Regan Øst (East). "I cannot tell you much more about that, because it's still in operation and it's kept secret," said Frandsen. Moving along the rounded hallways of the residential quarters was somewhat disorientating. And but for the stairwells painted green, blue, yellow and orange, it would have been easy to get lost. I caught glimpses of a surreal life: austere rooms with bunk beds; hard hats still standing ready.

"This is the VIP room. There's carpet on the floor," Nørbach announced, as we entered a larger spartan bedroom with two single beds, its own bathroom and small office. These unlikely quarters were intended for Queen Margrethe. She had, in fact, visited once, I was told, and had even approved the wall paintings in her room. The sleek lounge was perhaps the most vivid timepiece of all. Furnishings, light fittings and wallpaper, all emerald green, seemed straight from the pages of a 1970s magazine. And among the shelves of videotapes and books was a humorous touch: a copy of the James Bond novel "From Russia with Love". As we walked, I thought about the West's current geopolitical tensions with Russia and how the museum's opening seems particularly timely.

Our underground journey drew to a close inside the cafeteria where rows of identical black lampshades hung low over tables and photorealistic wallpaper depicted a forest scene. Piped birdsong had once played from a cassette machine, part of a surreal upgrade to improve the wellbeing of the few workers who

occasionally came here, isolated deep beneath ground. Afterwards, I lingered at the visitor center where the exhibition delves further into Cold War history and society, and then entered the nearby Machinist's House, a typical yellow-brick property. It's been refurbished with 1980s decor and paraphernalia but was once home to an engineer who maintained the bunker. He'd lived there with his family until 2010, with a top-secret facility just beyond their backyard. The fact it stayed hidden for half a century is remarkable and I was curious to know what locals thought about it. "People can't wait to go down and finally see what it is," Frandsen answered. "Many of them say, 'I knew it'," Nørbach laughed. "But don't believe them.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 3.

1. Read the reports of CNN reporters and give your translation into Ukrainian

ORAL ARGUMENTS BEGIN IN HARVARD CHALLENGE [16]

From CNN's Dan Berman

The Supreme Court is now beginning oral arguments in the challenge against the use of race in admissions at Harvard. Cameron T. Norris, representing the Students for Fair Admissions, will begin arguing the challenge to Harvard's policies. He previously defended Trump in the financial-documents litigation in Trump v. Mazars before an appeals court. Norris is also a former Thomas clerk.

Former Solicitor General Seth P. Waxman will argue for Harvard. He has delivered more than 80 arguments at the Supreme Court. Solicitor General Elizabeth Prelogar will rise to again argue for the United States.

In its filings, Students for Fair Admissions asserted that Harvard engaged in unlawful "racial balancing," by holding Asian American applicants to higher

standards than Black and Latino students. SFFA also contends admissions officers adopted stereotypes as they applied to "personal ratings," categorizing Asian Americans as one-dimensional, lacking leadership qualities and falling short on traits such as "likeability."

The Asian American element in the claim against the storied Harvard campus – emphasized by the challengers as they recall caps on Jewish students at Ivy League institutions decades ago – has drawn more national attention compared with the UNC lawsuit.

2. ***Give the main idea of the text.***
3. ***Point out the discussing poins of the text.***
4. ***Make vocabulary of unknown words and expressions.***

ПРАКТИЧНЕ ЗАНЯТТЯ 6

TEXT 1.

1. Read the news report and give your translation into Ukrainian.

ALITO ASKS LAWYER REPRESENTING STUDENTS DEFENDING AFFIRMATIVE ACTION ABOUT DISCRIMINATION AGAINST ASIANS [17]

From CNN's Tierney Sneed

With a lawyer for University of North Carolina students defending affirmative action up for questioning, Justice Samuel Alito asked him to address discrimination against Asian applicants in college admissions. "I was struck by the fact that the word Asian does not appear one time in your brief.

Yet, Asian Americans have been subjected to … segregation," Alito told the lawyer David Hinojosa, of the Lawyers' Committee for Civil Rights. "They have been subjected to many forms of mistreatment and discrimination, including internment. So, do you have anything to say this morning about the interests of students of Asian background and how your arguments impact them?

Hinojosa pointed out that the case against UNC was not alleging discrimination against Asian American applicants. Those allegations, however, are a focus of the allegations against Harvard and the challenge to Harvard's program is being heard separately later Monday.

"There were no claims developed by petitioner involving the mistreatment or maltreatment of Asian American students" at UNC, Hinojosa said, adding that discrimination against Asian Americans is "wrong" and "bad."

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 2.

1. Read the news report and give your translation into Ukrainian.

US SOLICITOR GENERAL SAYS DIVERSITY IN MILITARY AND SERVICE ACADEMIES ARE KEY [18]

From CNN's Ariane de Vogue

Solicitor General Elizabeth Prelogar has taken the podium in the University of North Carolina case on behalf of the Biden administration. She is representing the US Justice Department siding with both schools seeking to maintain their affirmative action policies In court briefs, Prelogar said that court precedent has played a vital role in bringing diversity in higher education that has had rippling effect in the work force.

"The Nation's military leaders, for example, have learned through hard experience that the effectiveness of our military depends on a diverse officer corps that is ready to lead an increasingly diverse fighting force," she wrote. She said court precedent has proven "eminently workable, carefully limiting the consideration of race and requiring use of race-neutral alternatives to the extent possible."

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 3.

1. Read the news report and give your translation into Ukrainian.

CONSERVATIVE JUSTICES EMPHASIZE A NEED TO END RELIANCE ON RACE: "HOW DO YOU KNOW WHEN YOU'RE DONE?" [19]

From CNN's Tierney Sneed

North Carolina Solicitor General Ryan Park received a stretch of hostile questioning from conservative justices wary of the idea that affirmative action should be allowed to continue indefinitely. Justice Samuel Alito grilled Park on

what would count as achieving the diversity sought with the program without looking at racial statistics.

"You have to achieve diversity, though. That's the goal. So how do you do that?" Alito said. Justice Amy Coney Barrett jumped in, raising the language of the 2003 Supreme Court ruling known as Grutter that sanctioned the use of race in college admissions in limited circumstances.

"When is your sunset? When will you know? Because Grutter very clearly says this is so dangerous. Grutter doesn't say this is great," she said. "Grutter says this is dangerous and it has to have an endpoint. And I hear you telling Justice Alito there is no endpoint." Not satisfied with Park's answers, she follows up "How do you know when you're done?" Chief Justice John Roberts joined in as well.

"I don't see how you can say that the program will ever end," Roberts said. "Your position is that race matters because it's necessary for diversity, which is necessary for the sort of education you want. It's not going to stop mattering at some particular point, you're always going to have to look at race because you say race matters to give us the necessary diversity."

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 4.

1. Read the news report and give your translation into English

ВІКТОРІЯ ГРИБ: РОСІЙСЬКИЙ ЕНЕРГЕТИЧНИЙ ТЕРОР УКРАЇНИ МАТИМЕ ПРЯМІ НАСЛІДКИ ДЛЯ ЄВРОСОЮЗУ [20]

1. Ракетний терор проти української енергетичної системи має подвійне призначення. Перше і головне – спробувати занурити українців у пітьму напередодні опалювального сезону. Друга місія – створити проблеми для європейської енергетичної мережі, складовою якої від лютого 2022 року є Україна.

2. Внаслідок нечуваних атак на об’єкти критичної інфраструктури Україна змушена припинити експорт електроенергії до Європейського Союзу, який підтримував енергосистему країн-партнерів та був важливим чинником надходження в Україну валютної виручки. Це дозволяло українській генерації краще підготуватися до зими, провести ремонти та закупити вугілля. Європа ж натомість мала нагоду швидше відмовитися від російських енергоресурсів.

3. Навіть після зупинки Запорізької АЕС, котра понад сім місяців знаходиться в окупації, Україна підтримувала європейських партнерів, експортуючи електроенергію до країн Євросоюзу. Росіяни "подбали", аби ЄС залишився без "українського світла".

4. Ракетні обстріли створили суттєві проблеми з електропостачанням практично в кожному куточку України. За 2 тижні ударів по критичній інфраструктурі росіяни уразили понад третину наших енергетичних об’єктів. Ворог знеструмив понад 4 тис. населених пунктів, пошкоджені об’єкти критичної інфраструктури в 11 областях.

5. Зараз неможливо прогнозувати кінцеві наслідки атак, адже вони продовжуються. Поза сумнівом, наступний опалювальний сезон стане найважчим з часів проголошення незалежності. Доведеться суттєво зменшити не лише споживання електроенергії, але й газу та нафтопродуктів. За таких обставин особливої актуальності набуває питання зниження витрат енергії, а отже енергоефективності. Те, до чого ми роками рухались надто повільно. Те, що сьогодні залишається єдиним місточком для утримання енергетичної стабільності та безпеки.

6. В Україні існує закон "про енергоефективність", який визначає комплексну трансформацію всіх секторів енергетики та енергоспоживання – від міської забудови та комунальної інфраструктури до промисловості та сільського господарства. Наразі варто довершити гармонізацію нормативно-методичних документів та напрацювати змістовний покроковий план дій – своєрідний дороговказ для майбутніх змін. Комплексна робота повинна здійснюватися не лише на регіональному, але й на національному рівні.

7. Зрештою, від того, наскільки економно ми витрачатимемо теплову та електричну енергію, залежить добробут країни загалом та кожного українця зокрема. Варто пам’ятати, що у енергетиків існує власний фронт боротьби з агресором. В умовах нескінченних обстрілів та ракетного терору вони роблять усе можливе для підтримки стабільної роботи енергосистеми.

8. Що варто зробити просто зараз і чим ми можемо допомогти енергетикам? По-перше, збалансувати енергосистему. Для цього варто економно підійти до споживання світла: під час ранкових та вечірніх піків за можливості не вмикати потужні електроприлади – пральні машини, праски, кондиціонери, електрочайники. По-друге, варто якнайшвидше (принаймні тимчасово) звільнити від ввізного мита критично необхідне обладнання, що у вигляді технічної допомоги надають українським енергетикам іноземні держави та організації.

9. Це вже завдання для Верховної Ради. Ще влітку ми звільнили від мита товари для зберігання зернових та олійних культур – машини та обладнання, що призначені для їх завантаження та розвантаження. Тоді це було вкрай важливим з огляду на фізичне знищення багатьох зерносховищ. Тепер маємо допомогти енергетикам.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

ПРАКТИЧНЕ ЗАНЯТТЯ 7

TEXT 1.

1. Read the news report and give your translation into Ukrainian.

DETROIT LEGAL NEWS PUBLISHING STATEMENT OF PRIVACY POLICY [21]

I. Regarding Mortgage Foreclosure Notices

Detroit Legal News Publishing, LLC ("DLNP") is in the business of publishing a legal newspaper of general circulation. DLNP's business activities include the publication of news relating to the legal profession and of notices of legal actions and proceedings requiring publication in a newspaper of general circulation. Among such notices are notices of mortgage foreclosure for publication as required by applicable statute. The content of the notices to be published and the directions to publish them, are provided by customers based on information known only to DLNP's customers.

When provided to DLNP, the notices are intended to be published, and DLNP receives them on that basis. In addition to publishing notices in newspapers owned by or affiliated with it, DLNP causes publication of legal notices to be made in other newspapers throughout the State of Michigan on a contract basis when publication in counties in which DLNP does not own a newspaper is required. In connection with its publication of notices of mortgage foreclosure, DLNP also manages certain administrative aspects of foreclosures of mortgaged property on a fee basis at the request of its customers.

This Statement covers information submitted to DLNP by customers for the purpose of publication and related foreclosure activities. The information that is Confidential information or Internal Use information (as those terms are defined in the DLNP Clean Desk/Clear Screen Standard) shall not be disclosed to any persons other than those to whom DLNP considers necessary to effect a service that it has been instructed to perform or to facilitate or consummate business transactions with

third persons. These persons include employees of DLNP, and its officers and legal counsel, and third person vendors.

If a client of DLNP directs DLNP not to publish Confidential information, DLNP shall order those to whom such Confidential information has been disclosed to delete the data from the hard drives of any individual PCs, laptops, notebooks, netbooks, tablets, pad PCs, PDAs, smart phones or other individual computing devices. Hard copies of Confidential information, including unpublished notices of mortgage foreclosure, are shredded in a controlled shredder. A record of such Confidential information may be retained as a separate file in the archives of DLNP as a normal part of its business practice, but accessible only by a password known to [Level A personnel], and managed by the Director of Information Technology. Employees of DLNP and third persons to whom Confidential information or Internal Use information has been disclosed are instructed not to make further disclosure of such information in any manner as long as it is Confidential information or Internal Use information.

Additionally, all personally identifiable information received from third parties in connection with orders for publication, except for the content of notices submitted for publication, will be treated in the same manner as set forth in general Privacy Policy of DLNP which may be modified as set forth in that policy. The purpose of this policy is to retain privacy of unpublished information. Once published as requested by a client, the information published is no longer subject to privacy. Customers are expressly discouraged from sharing any information with DLNP that is not to be published.

II. Regarding Foreclosure Sale Documents

Foreclosure sale documents (sheriff's deeds and bidding instructions) delivered to DLNP are not Confidential information or Internal Use information. They are subject to safekeeping and due care standards applicable to all customer documents, but when delivered are intended for public sale and are not private. If DLNP is instructed not to deliver a foreclosure sale document to the selling officer, the documents shall be disposed of in the DLNP shredder. Supporting affidavits of

DLNP and its vendors relating to publication and posting may be retained by DLNP in its files or provided to the customer, but are not themselves Confidential information or Internal Use information.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 2.

1. Read the news report and give your translation into Ukrainian.

OFFICIAL TERMINATION OF THE 1993 CONVENTION ON LEGAL AID AND LEGAL RELATIONS [22]

Starting from 19 May 2024, the Convention on Legal Aid and Legal Relations in Civil, Family and Criminal Case of 1993, as well as its 1997 Protocol, will officially terminate. In addition to Ukraine, the parties to this document are also Azerbaijan, Belarus, Armenia, Georgia, Kazakhstan, Kyrgyzstan, Moldova, the Russian federation, Tajikistan, Turkmenistan and Uzbekistan. On 27 December 2022, the Convention was suspended in relations with the russian federation and the Republic of Belarus.

Legal cooperation in civil and criminal cases with these countries will be based on bilateral international treaties. In addition, the cooperation will be carried out within the framework of international legal instruments operating within the Council of Europe, the United Nations and the Hague Conference on Private International Law, which were in force in relations with the above-mentioned states.

Thus, starting from 19 May 2024, when the Convention will officially cease to be in force, the use of documents issued in the above-mentioned states will require the use of an apostille. Moldova, Uzbekistan and Georgia will be the exceptions to this rule. Further cooperation in these countries will be based on existing bilateral agreements.

The Treaty on Legal Aid and Legal Relations in Civil and Criminal Cases of 1993 will remain in force between Ukraine and Moldova. The Treaty on Legal Aid and Legal Relations in Civil and Criminal Cases of 1995 between Ukraine and the Republic of Georgia will be in force. The Treaty on Legal Aid and Legal Relations in Civil and Family Cases of 1998 will be in force between Ukraine and the Republic of Uzbekistan accordingly. Thus, based on the existing agreements between these countries, after 19 May 2024, all documents issued in these countries will be valid without the need for additional certification.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 3.

1. Read the news report and give your translation into Ukrainian.

LONDON FIRM AND SOLICITOR CAN FIGHT CONSPIRACY CLAIMS AFTER HIGH COURT RULES ON LEGAL PRIVILEGE [23]

London firm and a solicitor will be able to defend themselves against conspiracy allegations after a High Court judge found the iniquity exception means legal professional privilege does not apply.

The case in East-West United Bank S.A. v Vladimir Gusinski & Ors centres on claims by a Luxembourg-incorporated bank that businessman Vladimir Gusinski, GSC Solicitors LLP, and solicitor and consultant Barry Samuels conspired to avoid paying the bank after it provided a $75m credit facility in 2013.

The bank alleges that Gusinski and his companies, including the New Media Group, avoided repaying the debt by misleading the Swiss courts and an arbitral tribunal by moving funds within the companies. GSC acted for the respondent companies, and Samuels had day-to-day conduct, in arbitration over the dispute. Both the firm and Samuels took instructions from Gusinski. The bank alleges

Gusinski ‘conspired…to “use both lawful and unlawful means to delay and ultimately avoid payment”.’

Gusinski denied the allegations against him. GSC and Samuels also denied the allegations but argued that their response was constrained by privilege. Deputy Master Scher found there is a ‘prima facie case’ for allowing the iniquity exception and that the alleged conduct ‘falls within the category of wrongdoing’. He said if GSC and Samuels were not involved in the alleged scheme, it would mean they and the arbitral tribunal were misled by Gusinski. ‘That would be an abuse of the normal solicitor/client relationship, and an indicator (indeed, a “hallmark”) of the kind of iniquity which negates legal professional privilege,’ the judge said.

It appeared ‘more likely than not on the balance of probabilities’ that Gusinski misled the arbitral tribunal and that funds which could have been seized by the bank were diverted to other companies. The firm and Samuels will now be able to fully defend themselves in the High Court against allegations that they were part of the alleged conspiracy. According to the judgment, both GSC and Samuels can use ‘documents and communications brought into existence as part of or in furtherance of the alleged decision by Mr Gusinski to avoid the New Media Group repaying the sums owed'.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 4.

1. Read the news report and give your translation into Ukrainian.

JUNIOR LAWYER STRUCK OFF FOR FAILING TO DISCLOSE SACKING [24]

By Bianca Castro, 29 August 2024

A solicitor who did not reveal in a job application that she had been sacked by her previous firm for falsifying emails has been struck off the roll. Jessica Kate

Harris, admitted in 2021, was working as a solicitor at Weightmans LLP when she was asked to draft witness statements, the Solicitors Disciplinary Tribunal heard yesterday. When asked about her progress, Harris said she was awaiting signed statements from witnesses when she had not sent out drafts. She then falsified emails to show she had sent them.

Following an investigation, the national firm terminated Harris' employment. Harris applied for a job at Capsticks that same day and 'falsely represented the reason for her departure' from Weightmans. The SDT was told that an agreed outcome had been reached between Harris and the Solicitors Regulation Authority. Delme Griffiths, appearing for the SRA, said Harris had been dishonest when applying to Capsticks and had acknowledged it was 'an act for personal gain or self-preservation'.

Reading from a statement from Harris, who represented herself, Griffiths said: 'My intention was never malicious at all but was simply out of self-preservation.' Asked what she thought now about what she had done, Harris said: 'Going over it all this morning, hearing the details of it again, quite frankly it is embarrassing and shameful. Those are probably the two clearest ways I could describe how I feel about it.'

She told the tribunal that events leading up to the misconduct included completing her training contract and working through the pandemic and the bereavement of a close family member. The three-person panel accepted the agreed outcome and found the two allegations against Harris, dating back to 2021, proved.

Paul Housego, chair of the SDT panel, acknowledged that Harris had shown 'symptoms of grief' but found it 'would not account for the initial untruth and the actions that followed'. He described the misrepresentation to Capsticks over the reason for her leaving Weightmans as 'similar to falsifying a CV'.

He said: 'Miss Harris conceded enough to say she would not have got the job if she was truthful [about why she left Weightmans]. We took into account that from Weightmans' point of view there was no loss to anyone and no gain to Miss Harris.

There was harm to Weightmans' reputation because they had to contact clients and harm to the reputation [of solicitors].

'This was an initial error of judgment…[there is] no one else to blame and no outside pressure and for all those reasons we are unable to find exceptional circumstances.' Striking off Harris, who now works 'happily' in the third sector and does not have a current practising certificate, the chair expressed 'great regret' for Harris' personal circumstances. Harris was also ordered to pay £5,000 in costs.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 5.

1. Read the news report and give your translation into Ukrainian.

COURTWATCH LONDON RELEASES GUIDE TO OBSERVING MAGISTRATES COURTS [25]

By Bianca Castro, 30 August 2024

A new guide has been published by a magistrates' court observation project to help others set up similar schemes. CourtWatch London first reported on its volunteers' findings earlier this year. Some 82 trained volunteers observed Highbury Corner (pictured above), Thames and Croydon magistrates' courts. Volunteers were encouraged to attend a mix of hearings and make notes on their observations.

The short guide is split into three key sections - volunteers, data and the court system. It is hoped that it will help other communities, organisations and individuals begin their own courtwatching projects in their local areas. The 'incredibly rich dataset' collected from volunteers who took part in CourtWatch London was used to create three reports: on how young adults are treated in the magistrates' court; court transparency; and how defendants are treated. The project aims to make recommendations on how to improve access to justice.

Fionnula Ratcliffe, research and policy lead at Transform Justice, co-authored the guide. She said: ‘We were blown away by how many people were keen to courtwatch for us. The public is clearly ready, willing and able to help make our court system fairer and more just. With a little bit of training, public volunteers were able to gather more and better evidence of what’s (not) working in our courts than we ever could alone. We hope this guide will help anyone working for change in the justice system to consider courtwatching as a vital tool in their arsenal.’

Reckless youth? Why courts should pay more attention to maturity. She added: ‘The more different groups that can make use of this guide and go into court and observe what is happening, the better. I think it would be really valuable to have courtwatching of people that come from different perspectives and different motivations.’ A CourtWatch London volunteer said the best thing about being part of the project was ‘the opportunity to exercise my right of public access to the courts and be able to listen to and scrutinise the proceedings in a range of cases’.

The report acknowledged courtwatching in the US is a ‘growing phenomenon’. It added: ‘Community observations have generated evidence to challenge unfair behaviour from judges and achieve changes to unjust and discriminatory laws. ‘By being present in court and documenting what happens, courtwatchers highlight the failings in our justice system so we can make our courts fairer, more open and more just.’

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 6.

1. Read the news report and give your translation into Ukrainian.

INVESTING IN LEGAL AID COULD SAVE TREASURY £11BN OVER 10 YEARS, ACCESS TO JUSTICE REPORT FINDS [26]

By Bianca Castro, 30 August 2024

More than £11bn in savings could be made by the Treasury over the next decade if the government were to invest in legal aid, according to a new report. The Value of Justice for All report estimates that providing specialist free legal advice could save around £4.5bn for every 500,000 people who receive it in the first year. The finding is based on figures showing that, in 2023, provision of legal aid saved the Treasury some £9,100 per case.

The report, commissioned by Access to Justice Foundation in partnership with the Bar Council, said for every £1 spent on legal aid in 2023, there was a saving to government of £2.71. More than 20 free specialist legal advice providers were interviewed by researchers from Pragmatix Advisory Limited, who also gathered data from 54 organisations that helped more than 129,000 people last year. The report said the majority of advice providers spoken to received funding from 'a combination of…sources' which could 'lead to complex financial management of budgets for advice providers'.

It acknowledged 'in some cases' the cost to government of a positive outcome from free legal advice 'may be a net loss', adding that 'alternative outcomes for these individuals and families will more often than not result in costs to local or central government which are generally much higher'. The report found for each person who receives advice, 0.39 additional household members become employable. It estimated that advising 100,000 clients could lead to 38,900 more people entering the workforce and generating approximately £81m in income tax and national insurance contributions, based on an average annual salary of £20,000.

Bar chair Sam Townend KC said the government 'should adopt a fresh approach' to legal aid and 'recognise this is an area where it can spend to save. The report makes plain how a properly funded free legal advice sector would make a huge difference to the hundreds of thousands of people behind each case, those working in the system and the public purse in just one year alone.'

Clare Carter, chief executive of the Access to Justice Foundation, said: 'Without increased and sustained investment, we risk failing the people, places, and communities who need us most. This report demonstrates that funding free legal

advice is both an ethical obligation and a wise financial decision.' Meanwhile research from the Law Society and the Legal Service Board has found that 38% of people with legal issues did not receive any help, while 13% assumed it was too expensive and 8% did not know how to find an adviser.

Law Society president Nick Emmerson said: 'It is disheartening that our justice system has failed to provide support for those who cannot pay legal costs. Not only have massive cuts in legal aid left countless without access to justice, but weak public legal education has also left millions in the dark.'

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

ПРАКТИЧНЕ ЗАНЯТТЯ 8

TEXT 1.

1. Read the news report and give your translation into Ukrainian.

PRISONS CRISIS: KNOW WHAT TO DO IF CLIENT UNLAWFULLY DETAINED, SOLICITORS TOLD [27]

By Monidipa Fouzder, 29 August 2024

Criminal defence solicitors should be clued up on what to do if their client is unlawfully detained, a prominent member of the Law Society's criminal law committee has said, as the government prepares to release 5,500 prisoners earlier than planned to tackle the prison population crisis. A temporary measure announced by lord chancellor Shabana Mahmood in July - lowering the automatic release point for certain custodial sentences from 50% to 40% - will lead to 5,500 offenders being released between September and October. The scheme, known as 'SDS40', will begin on 10 September.

Writing in the Gazette today, solicitor Dr Laura Janes, a member of the Society's criminal law committee, said the complex array of different provisions that could result in automatic or discretionary release earlier than expected is likely to cause confusion and stress for clients and their solicitors. Janes said: 'There is a risk that if a person is released early and then recalled, then they will spend the remaining 60% or more of their sentence in custody. It is therefore really important to ensure that good release planning takes place and people are not released and set up to fail.

'There is a clear and ancient remedy when a person is deprived of their liberty without any lawful authority. It is the legal principle of habeas corpus, literally meaning possession of your body, and by extension your liberty. 'It is vital, now more than ever, that criminal practitioners are aware of how to activate this remedy when they think that there is a prima facie case that their clients have been unlawfully detained.'

The forthcoming release of 5,550 prisoners under SDS40 will be Shabana Mahmood's first major test as lord chancellor. The number of remaining prison

places has been dominating recent headlines. Meanwhile, Martin Jones, the chief inspector for probation, told The Times this week that it was realistic to expect that some of those released earlier than planned will reoffend during a period when they would have been in prison.

‘I think it’s inevitable, being realistic about it, that things will go wrong. I wish we could live in a perfect world where that doesn’t happen. What I think you should, you should start to see, at least, is that if people have to focus on those, that they start to identify where things go wrong, and they draw lessons from that quite quickly.’

A Ministry of Justice spokesperson said: 'The new government inherited a prison system in crisis, which is putting pressure on the wider justice system particularly probation staff. Because of this, the government has been forced into taking difficult but necessary action so it can keep locking up dangerous criminals and protect the public.'

'The new lord chancellor announced in July that she was scrapping the old early release scheme introduced by the previous government and replacing it with a system which gives probation staff more time to prepare for a prisoner’s release. The government has also set out plans to recruit over 1,000 new trainee probation officers by March 2025 to meet additional demand.'

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 2.

1. Read the news report and give your translation into Ukrainian.

JUDGE ALLOWS FEES CLAIM DESPITE 'RETROSPECTIVELY CREATED' CLIENT CARE LETTER [28]

By John Hyde, 29 August 2024

West London firm claiming for unpaid fees has successfully argued that it was entitled to charge an hourly rate for litigation. But ruling in SZ Solicitors & ors v Bharj, His Honour Judge Monty KC also found that SZ Solicitors had 'retrospectively created' a client care letter in order to support its claim.

The court heard that much of the work in the underlying litigation had been done by Kiran Bharj, the daughter of the clients, who was employed under a training contract with SZ. The nature of that arrangement was also in dispute, but it appeared that Kiran Bharj had negotiated a costs settlement of £180,000 after the retainer between SZ and her parents had ended. SZ sent a bill to the Bharjs in 2015, stating that £223,250 was still unpaid.

The court heard that the retainer had ended when SZ partner Raghwinder Siddhu met with Mr Bharj to discuss fees. He claimed that the client had become angry and aggressive, to the extent that police were called. Siddhu denied a suggestion that the firm would prepare client care letters after the event. The judge said he treated Siddhu's evidence with 'some caution' and that his answers about the failure to disclose the firm's ledgers were unsatisfactory.

The firm's senior fee-earner and senior managing partner Mohammed Zafar said there was no need for attendance notes in the litigation as Bharj attended the office so frequently. The judge noted there was no receipt for any transactions in the case and said it was 'incumbent' on solicitors to keep proper records. The judge was concerned about how payments had been made to SZ and said Zafar's evidence was 'rather poor' about the process for producing a costs bill.

The trial on unpaid fees was adjourned halfway through after it emerged that Bharj, whose first language is Punjabi, had produced a statement by drafting a handwritten note, telling his daughter what he wanted to say, for her to instruct counsel. The judge reminded the parties that the rules state witness statements by non-English speakers must be drafted in their preferred language and then translated in full.

Kiran Bharj was called as a witness and confirmed that Zafar, who was now suing her parents, was her supervising partner during her training years. She said the

firm had a ‘very relaxed’ attitude to compliance and it was ‘very rare’ to come across a signed retainer letter. She recalled Zafar and Siddhu retrospectively preparing such letters ahead of Solicitors Regulation Authority inspections.

She also claimed that Zafar had told her to maximise the bill of costs by using his hourly rate where possible, even if she had done the work. The judge said this reflected ‘very badly’ on both Zafar and Kiran Bharj. The judge accepted the defendants’ evidence that there was no client care letter and described Zafar’s explanations as ‘highly unconvincing’. But Monty said the clients had been wrong about the fixed fee agreement and said SZ was able to charge the hourly rate. He awarded recoverable costs of around £74,000 and ordered the defendants to pay £20,550 in costs.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 3.

Практичне заняття 2.

1. Read the news report and give your translation into Ukrainian.

URGENT CALL TO PLACE TRAINEES AS TOP US FIRM ARMSTRONG TEASDALE CLOSES LONDON OFFICE [29]

By Michael Cross, 28 August 2024

Top-200 US firm Armstrong Teasdale is to close its London office 'imminently' barely three years after arriving in the UK with the acquisition of London firm Kerman & Co. The closure potentially puts more than 50 roles at risk - including those of 10 trainees. The City of London Law Society wrote to members yesterday asking for help in finding the trainees new placements. Four of the trainees are about to qualify next month, two next year and four to join (two next week). 'This situation has come to light only very recently and is now urgent,' chair Colin

Passmore wrote. 'We have some information on these futuree solicitors and are reassured they would be strong candidates.'

Armstrong Teasdale, founded in 1901, has expanded rapidly internationally, opening eight offices around the world between 2018 and 2021. It announced the acquisition of Kerman & Co, founded by Anthony Kerman, in 2021. The London firm moved into prestige new premises, in the refurbished Royal College of Surgeons building by Lincoln's Inn Fields, the following year. At the time, it said the move would put the firm in a position to take advantage of 'tremendous growth opportunities in London'.

In his letter, Passmore said that Armstrong Teasdale had contacted the chair of the City of London Law Society's training committee about the closure. He reminded members that last summer, the society was among those that stepped up to help Ince & Co trainees as that firm imploded. 'We hope for a similar outcome this time,' he said. Armstrong Teasdale has been approached for comment.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 4.

1. Read the news report and give your translation into Ukrainian.

SRA FORCED TO DELAY RISE IN COMPENSATION FUND LEVIES [30]

By John Hyde, 28 August 2024

The body approving potential hikes in solicitors’ contributions to the compensation fund has delayed its decision for up to three months. In a letter to Solicitors Regulation Authority chief executive Paul Philip, Legal Services Board interim chief executive Richard Orpin has said the super-regulator needed more time to decide on such a large increase.

It is the first time that the LSB has invoked its power to delay a decision when considering potential fee changes by the solicitors' regulator. The increased contributions are required, according to the SRA, to rebalance the compensation fund following expensive interventions in recent years. The most costly of those was into national firm Axiom Ince, and the SRA is currently under investigation by the LSB for its response to the Axiom collapse. That review is now months overdue and the LSB has yet to explain why, meaning the oversight regulator is still investigating the SRA while simultaneously deciding whether to approve its fee hike application.

In his letter, Orpin said: 'The application proposes significant increases to the level of contributions by authorised persons to the SRA's compensation fund, an important component of the SRA's consumer protection arrangements. Therefore, the LSB is extending the initial decision period to allow time to facilitate full scrutiny and consideration of the application.'

The LSB has the power under the Legal Services Act to postpone a decision on any application from an approved regulator to take a maximum of 90 days. This power is occasionally invoked but - until now - has never been on an issue relating to fees. The delay means the financial black hole the SRA was hoping to fill will remain open for longer than it expected. A decision must be made by November 3 although it could be that the LSB approves the application sooner than that.

The SRA wants to increase individual contributions from £30 to £90 and firm contributions from £600 to £2,220. In practice, most individual contributions are met by firms, meaning they will face huge costs increases in the next year if the plan is approved. During the 2022/23 financial year the SRA intervened into 65 practices – a significant rise on previous years – and estimates that the cost of these rose from £4m to £20.5m in 12 months. Reserves in the compensation fund fell from £54.2m to £25.1m during the year to October 2023.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 5.

1. Read the news report and give your translation into Ukrainian.

LANDMARK VICTIMS' SURVEY REVEALS LACK OF CONFIDENCE IN CPS [31]

By Monidipa Fouzder, 28 August 2024

Six in 10 crime victims do not feel confident that the Crown Prosecution Service is effective at prosecuting people accused of a crime, according to the largest ever survey conducted by the Victims' Commissioner. The survey of 3,048 crime victims, published yesterday, also paints a picture of a justice system in which victims said they waited too long for a case to reach trial, felt unsupported during the court process, and, in some instances, were not told about the outcome of a case until they asked.

Baroness Newlove: 'Victims deserve a system that treats them fairly'. Only 8% of the 1,991 respondents for whom a report was made to the police saw the case go to court and 6% saw a conviction. In a sample size of 158 people, 30% were not kept well informed about the progress of the case and 37% felt they waited too long before the case reached trial.

In one respondent's 'unique' case, there were 14 separate sentencing dates and times agreed – but each one failed and the victim did not know why. 'In the end I wrote to the head of the CPS because it was a joke that this many dates could be arranged by judges in a Crown court, and yet the sentencing does not occur. Every month I would be on tenterhooks awaiting an outcome that never occurred. Finally, six letters later and 18 months and 14 sentencing dates - it finally occurred,' the respondent said.

A victim over 65 only found out about the accused's court appearance afterwards. In a case where the defendant was arrested for threats to life and ABH, the victim said 'it was disgusting' that the defence offered a lower charge of affray and the CPS accepted it. Victims' Commissioner Baroness Newlove said victims deserve a system that treats them fairly.

Baljit Ubhey, director of strategy and policy at the CPS, said work to reduce delays includes 'stopping the back and forth' of case files between police and prosecutors, serving a full case on defendants before the first hearing to encourage an early guilty plea, and boosting the number of prosecutors. Measures to support victims better include new trauma-informed training programmes for frontline staff and hiring specialist victim liaison officers in every part of the country. Victims minister Alex Davies-Jones said the government will strengthen the victims' commissioner's powers to hold the system to account.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

ПРАКТИЧНЕ ЗАНЯТТЯ 9

TEXT 1.

1. Read the news report and give your translation into Ukrainian.

IN DEPTH: WAR OF WORDS - IS INTER-STATE JUSTICE IN DANGER OF BECOMING A DEAD LETTER? [32]

By Eduardo Reyes, 8 April 2024

Against a backdrop of Ukraine's cases at the International Court of Justice, is inter-state justice a dusty irrelevance, or a key part of a long game to frustrate aggressors and win the peace?

The aftermath of a Russian missile strike in Kharkiv.

The United Nations' highest court, the International Court of Justice, is having a moment right now. Sitting in The Hague, its deliberations on inter-state disputes have typically taken years, and while the world has no higher court, it seems its only enforcement mechanism is the confidence that states will not want to act illegally.

The limits of that sanction in a world where authoritarianism and acts of state aggression have risen in concert are plain. It would be tempting to see the ICJ as an exemplar of a creaking post-war international architecture that has been neither maintained nor replaced. But the ICJ has advantages. Russia and Israel, for example, recognise the court. While the World Trade Organization's appellate body has been essentially non-functioning since 2019, and the International Criminal Court struggles with cooperation, membership and jurisdiction, the ICJ has no such problems.

South Africa applied to the ICJ seeking 'provisional measures' directing Israel to cease military operations in Gaza – and the court showed a willingness to pick up the pace of its proceedings. The case was brought on 29 December, public hearings were held on 11 and 12 January, and the court issued an order on 26 January. It is central to the case made by 613 lawyers, academics and former jurists in a letter to the prime minister on 3 April in which they called for a halt to UK arms sales to

Israel. Signatories say the order supports their view that there was ‘a plausible risk of genocide in Gaza’.

The ICJ has also been the principal forum to which Ukraine has turned since 2014 to seek determinations against Russia. With Ukraine’s cases being much further advanced than proceedings related to Gaza, they allow us to better assess the court’s current importance in the context of armed conflicts. Ukraine has substantively succeeded in two cases this year, which have significance in its legal and actual battles with Russia. International firm Covington has acted for Ukraine in its ICJ cases.

Terrorism and racial discrimination

Within the UN system, declarations and ideals are made real through conventions, which is where state commitments are made. Disagreements over those commitments land at the ICJ.

A judgment on 31 January held Russia liable for violations of core obligations under two conventions – the International Convention for the Suppression of the Financing of Terrorism and the International Convention on the Elimination of All Forms of Racial Discrimination. The judgment confirmed a provisional measures order obtained in 2017, after Russia’s annexation of Ukraine’s Crimea region but before the 2022 invasion.

'The Russian Federation had never been held accountable by any counterparty for its violations of international law'. First, the court declared that Russia violated its obligation under the terrorism financing convention to investigate allegations of terrorism financing by persons in Russia, including by failing to cooperate with Ukraine in the investigation of terrorism financing offences. Ukraine’s case had been that when it faced terror and violence in the Donbas region, from 2014, it asked for Russia’s cooperation, which was refused.

Second, the court found that Russia violated the racial discrimination convention when it significantly reduced the availability of education in the Ukrainian language in Crimea after 2014, producing a disparate adverse impact on the Ukrainian community in Crimea. This amounted to a pattern of racial

discrimination and failed to give due regard to the rights and needs of Ukrainian children and their parents.

This is, says Covington partner Jonathan Gimblett, a significant case. ‘The Russian Federation had never been held accountable by any counterparty for its violations of international law,’ he tells the Gazette. ‘This was also the court’s first chance to judge violations under the two conventions.’

Genocide

The second judgment, on 2 February 2024, concerned one of Russia’s stated justifications for its 2022 invasion – that Ukraine had committed genocide. The accusation was a pretext for Russia’s recognition in 2022 of the Donetsk and Luhansk People’s Republics on 21 February, and its full-scale invasion of Ukraine on 24 February. Thirty-two states intervened in the case in support of Ukraine’s contention that the allegations are false.

This judgment rejected Russia’s attempt to have the case dismissed as outside the court’s jurisdiction or inadmissible in its entirety. The court upheld jurisdiction over Ukraine’s request that the court declare that it is not responsible for committing genocide as alleged by Russia, which the court confirmed was Russia’s stated purpose for its full-scale invasion. 'By rejecting Russia’s effort to shield its false claims from scrutiny, the court has cleared the way for Ukraine to demonstrate on the merits that Russia’s stated justification for its full-scale invasion of Ukraine was baseless'

It was not quite a clean sweep for Ukraine’s position. The court concluded that it lacked jurisdiction over one of Ukraine’s claims concerning Russia’s abuse of the Genocide Convention. But the judgment means that the court will hear, on the merits, Ukraine’s claim concerning Russia’s justification for aggression – that since 2014, Russia has falsely accused Ukraine of committing genocide in the Donbas region of Ukraine.

Covington partner David Zionts says the judgment’s significance is that, ‘by rejecting Russia’s effort to shield its false claims from scrutiny, the court has cleared the way for Ukraine to demonstrate on the merits that Russia’s stated justification

for its full-scale invasion of Ukraine was baseless'. The case, Gimblett adds, needs to be read in the context of the ICJ's provisional measures order of 16 March 2022, which ordered Russia to 'immediately suspend the military operations that it commenced on 24 February 2022 in the territory of Ukraine'. The 2 February judgment confirms the jurisdiction asserted by the court in the provisional measures order. 'This was Ukraine calling Russia out. This was necessary. We should also note that the provisional measures order remains in force… It's Russia's turn to explain itself,' he says. This is unequivocally 'an important victory', Covington said in a press statement.

Enforcement

Critics of the ICJ question the significance of its judgments. Relying on states' fear of acting in violation of international law can be perceived as wholly inadequate in the current global environment. Where, they ask, are the consequences for acting with impunity? Part of the long game here involves use of the law and legal process to create a record that reflects reality. In events that overlapped with the early days of the ICJ, the purpose of the Nuremberg trials was not just to secure punishment for the crimes of the second world war, but to create a record.

The record is important here, Gimblett argues. 'That is why this process is important in the context of Russia's aggression,' he says. 'Faced with a violation, it is creating the record.' A harder-edged point is that where states take action that is reliant on an established legal point, international law is thereby developed.

'When the court lacks jurisdiction to address a particular violation of international law, it is all the more important that states – whose practice is what creates international law – are ready to speak up and to act,' Gimblett notes. 'The current consideration being given by G7 and EU states to the potential confiscation of immobilised Russian state assets as a countermeasure to Russia's war of aggression is a great example of the role states can play in encouraging compliance with international law.'

The rulings and even the thinking of the ICJ, like the European Court of Human Rights, can be both persuasive and influential in national courts like those

of the UK. The road to legal justice for Ukraine appears long, but ICJ judgments continue to assist its search for justice. But for all its lack of teeth, if the ICJ were a mere dusty irrelevance, would Russia, and indeed Israel, bother with representations at its hearings?

This week the European Commission co-hosts a conference for foreign and justice ministers in The Hague. Titled 'Restoring Justice for Ukraine', it focuses on ensuring criminal and civil liability for crimes committed in Ukraine. For Ukraine and its supporters, the law remains a central remedy for the justice sought for Russian aggression.

Ukrainian Bar Association

Ukraine's lawyers continue to provide a voice on the war with Russia. On 31 March, the Ukrainian Bar Association (UBA) issued an appeal to the international community over Russian-held elections in occupied Ukraine. Polls for Russia's presidential election were held in occupied Ukraine from 15-17 March. UBA set out 'prompt, decisive, practical, and effective actions to bring the war to a definitive end'. Its legal demands include a request for 'the prosecutor of the International Criminal Court to accelerate the investigation of Russia's crimes and to apply to the judges of the International Criminal Court for arrest warrants for all members of Russia's senior political and military leadership involved in the aggression against Ukraine and the genocide of the Ukrainian population'.

It wants to see the establishment of a 'Special Tribunal for the Crime of Aggression against Ukraine'. UBA also calls on 'countries with universal jurisdiction – to continue to initiate and conduct investigations and trials of war crimes and crimes against humanity committed by Russia in Ukraine'. There is a concluding appeal for 'international and foreign legal associations – to publicly condemn the war and annexation and call on governments to take decisive action'.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 2.

1. Read the news report and give your translation into Ukrainian.

A NEW DECLARATION COULD HERALD THE ESTABLISHMENT BY THE UNITED NATIONS OF AN INTERNATIONAL JUDICIAL WELLBEING DAY [33]

Judicial wellbeing has come under the spotlight in recent years. In the 2022 UK Judicial Attitude Survey, one in 10 judges reported bullying. The judiciary published a 'statement of expected behaviour' after research found allegations of bullying, harassment and discrimination.

These problems are not unique to the UK, according to a survey conducted by the UN Office on Drugs and Crime's Global Judicial Integrity Network. Some 83% of 758 members of the judiciary from 102 countries felt the level of support available in their jurisdictions was inadequate, while 97% thought more prominence should be given to promoting judicial wellbeing. Last month marked a significant milestone in this regard. Nauru, an island country in the central Pacific, hosted a Regional Judicial Conference on Integrity and Judicial Wellbeing, attended by judges and stakeholders from across the globe. The 'Nauru Declaration on Judicial Wellbeing' was officially adopted.

The declaration states that:

judicial wellbeing is essential and must be recognised and supported;

judicial stress is not a weakness and must not be stigmatised;

judicial wellbeing is a responsibility of individual judges and judicial institutions;

judicial wellbeing is supported by an ethical and inclusive judicial culture;

promoting judicial wellbeing requires a combination of awareness-raising, prevention and management activities;

judicial wellbeing initiatives must suit the unique circumstances and requirements of national jurisdictions; and

judicial wellbeing is enhanced by human rights.

The driving force behind the declaration is Justice Rangajeeva Wimalasena, president of the Court of Appeal in Nauru, to whom I spoke this week. A decade ago in Sri Lanka, Wimalasena saw several colleagues suffer anxiety and stress. When he became secretary of the Judicial Service Association, he organised performing arts sessions to help. In 2021, Wimalasena attended a Commonwealth Magistrates' and Judges' Association conference, where he was present for a speech by Her Honour Judge Kalyani Kaul KC, a circuit judge in England and Wales and founder of the Judicial Support Network.

'She did a very inspiring and eye-opening presentation on how judicial bullying and other matters can cause a lot of stress on judicial officers. It was the first time I realised this is not something unique to the developing world.' Wimalasena reached out to the two people who inspired him to do something about judicial wellbeing: Kaul and Dr Carly Schrever, who had conducted Australia's first empirical and psychologically grounded research into the sources and nature of work-related stress among the Australian judiciary.

Wimalasena then spoke at an anti-corruption conference in Fiji, where he met Marie Pegie Cauchois, a regional anti-corruption adviser at the UNODC. 'She came to me and said she really liked my speech. That's when I pitched my idea', Wimalasena said. The idea? A conference on integrity and judicial wellbeing. 'In most of the judiciaries, judicial wellbeing is still taboo. It is one of the least spoken [about] areas. People think they should not talk about it because the public could lose confidence in the judicial system if they think judges get stressed.'

Members of the draft committee for the declaration include the president of the Court of Appeal in Portugal, chief justices of the Solomon Islands, Papua New Guinea, Kiribati and Jamaica, president of the Caribbean Court of Justice, and judges from England and Wales, Canada, Tuvalu, Nigeria, Ukraine and Singapore.

The draft committee met virtually. The time differences saw some members log on after midnight. Their research was based on various studies, including the UNODC and Global Judicial Integrity Network's report on linkages between judicial wellbeing and integrity. On the connection between judicial wellbeing and

anti-corruption, Cauchois told me that where there is more stress, there is more risk. ‘If judicial wellbeing is not addressed, that’s where integrity could be at risk. And not just integrity in itself, but perceived integrity.’

The Nauru Declaration is not legally binding; countries can adopt it or tailor it according to their needs, Wimalasena said. He asked the Republic of Nauru if it would be willing to submit a resolution to the UN General Assembly to declare a day for judicial wellbeing. To his ‘surprise and delight’, the minister of justice told the conference that Nauru’s cabinet said ‘yes’. An explanatory memorandum on the declaration will follow and another conference is planned for next year. ‘We want to keep this momentum going,’ said Wimalasena. ‘I have seen how people suffer. This is a universal problem.’

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

ПРАКТИЧНЕ ЗАНЯТТЯ 10

TEXT 1.

1. Read the news report and give your translation into Ukrainian.

FORMER TOP JUDGES TELL GOVERNMENT TO REVERSE SENTENCE INFLATION [34]

BY MONIDIPA FOUZDER, 6 SEPTEMBER 2024

Five of the former most senior judges have intervened in the debate over the prison population crisis to urge the government to reverse the trend of locking people up for longer – declaring that 'radical solutions' are required to tackle the prison population crisis. Today's report from the Howard League for Penal Reform, *Sentence Inflation: a judicial critique*, is signed by former lord chief justice Lord Woolf, Lord Phillips of Worth Matravers, Lord Thomas of Cwmgiedd and Lord Burnett of Maldon, and former Queen's Bench Division president Sir Brian Leveson. It comes as the government prepares to release 5,500 prisoners earlier than planned.

The judges said custodial sentence lengths have doubled in over the half-century they were involved in the law. 'There is nothing that justifies this doubling of sentence lengths. Government legislation relating to sentencing has consistently provided that imprisonment should only be imposed if there is no suitable alternative punishment, and that imprisonment should be for the minimum period commensurate with the crime. The law dictates this,' they said.

'The problem is that there is no objective measure for deciding what term of imprisonment is commensurate with a particular offence. Nor have governments always been content to leave it to the judges to decide the appropriate sentence.' Legislative changes such as statutory starting points for the minimum terms for murder and increasing the statutory maximum for death by dangerous driving have driven sentence inflation, they said. 'Indeed, the extent of legislative change has not only made the judge's job much more difficult but represents worrying influences

on sentencing law and policy. Many of the changes have been driven by single-issue campaigns which attract emotive media attention. This type of legislation interferes with good sentencing practice.'

The judges welcomed the government's decision to urgently review sentencing legislation and practice, but called for 'an honest conversation about what custodial sentences can and cannot achieve' and 'a return to more modest proportionate sentences across the board'. Tackling the crisis requires 'radical solutions', they said. Suggestions include removing from prison those who are elderly, dying or suffering dementia.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 2.

1. Read the news report and give your translation into Ukrainian.

ENGLISH NATIONALIST'S 'ANTI-ISLAMIC VIEWS' NOT PROTECTED BY EQUALITIES LAW, EMPLOYMENT JUDGE RULES [35]

By Charlie Moloney, 6 September 2024

An English nationalist has lost his appeal in a discrimination case, after a court found his views are not capable of protection under equalities laws. Steven Thomas had his role providing consultancy services to the Surrey and Borders Partnership NHS Foundation Trust terminated in 2018. The trust's stated reason was that it had come to light that Thomas had an unspent conviction which he had failed to declare. Thomas believed the real reason elated to his philosophical belief, which he described as 'English nationalism'. Thomas, who stood for the English Democrats party in several elections between 2004 and 2016, was represented in court by the party's chairman, solicitor Robin Tilbrook.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 3.

1. Read the news report and give your translation into Ukrainian.

IN DEPTH: GRENFELL BEREAVED FACE DECADE-LONG WAIT FOR JUSTICE [36]

By Monidipa Fouzder, 6 September 2024

A public inquiry into the fire at Grenfell Tower in June 2017 that killed 72 people published its final report this week. The report was both forensic and scathing, but attention quickly shifted from its devastating conclusions to the years of further heartache survivors and the bereaved will have to suffer before justice is served. It would seem that a decade or more will have elapsed before that happens, if it happens at all. Once again, British justice is in the dock.

The inquiry, led by retired Court of Appeal Judge Sir Martin Moore-Bick, was established two months after the tragedy. Its investigation was conducted in two phases. Phase 1 concerned events on the day and the inquiry published a report in October 2019. Wednesday's report concerned phase 2 – the underlying causes of the fire with a view to identifying where mistakes were made and ensuring a similar disaster cannot occur again.

The inquiry concluded that the fire 'was the culmination of decades of failure by central government and other bodies in positions of responsibility in the construction industry to look carefully into the danger of incorporating combustible materials into the external walls of high-rise residential buildings and to act on the information available to them'. Moore-Bick said: 'The simple truth is that the deaths that occurred were all avoidable and that those who lived in the tower were badly failed over a number of years and in a number of different ways by those who were responsible for ensuring the safety of the building and its occupants.'

Not all of them bear the same degree of responsibility, Moore-Bick noted. ‘But, as our reports show, all contributed to it in one way or another, in most cases through incompetence but in some cases through dishonesty and greed.’ So what now? Graham French, a consultant at Russell-Cooke, was legal adviser to a group of the bereaved, survivors and residents. He said: ‘The victims of the disaster whom we represent wish to see justice in the form of criminal prosecutions of those who deliberately cheated the regulatory system, knowing they were risking lives, motivated by profit. We will be actively pursuing the issue of prosecutions and liaising with the police and Crown Prosecution Service on our clients’ behalf.’

Grenfell United, a group of survivors and bereaved families, said: ‘We have an expectation that the Met Police and the CPS ensure that those who are truly responsible are held to account and brought to justice.’ Met Police deputy assistant commissioner Stuart Cundy said the phase 2 report was ‘direct, comprehensive and reaches clear conclusions’. However, he added: ‘Our investigation is independent of the public inquiry. It operates under a different legal framework and so we cannot simply use the report’s findings as evidence to bring charges. To secure justice for those [affected], we must examine the report – line by line – alongside the evidence from the criminal investigation.’

That process will take at least 12-18 months. Cundy said: ‘I can’t pretend to imagine the impact of such a long police investigation on the bereaved and survivors, but we have one chance to get our investigation right. We will be thorough and diligent in our investigation while moving as swiftly as possible.’ Frank Ferguson, head of the CPS special crime and counter terrorism division, said the prosecuting body does not expect to be in a position to make any charging decisions until the end of 2026.

The inquiry’s report contained several recommendations. These include the establishment of a construction regulator responsible to a single secretary of state, an urgent review of the definition of a higher-risk building for the purposes of the Building Safety Act, and a legal duty on the government to maintain a publicly accessible record of recommendations made by select committees, coroners and

public inquiries, with a description of the steps taken in response. Grenfell United urged the government to implement all of the recommendations ‘without further delay’.

Prime minister Sir Keir Starmer told the Commons on Wednesday the government will respond in full to the inquiry’s recommendations within six months, but signalled swifter action on addressing the remaining buildings with unsafe cladding. Moore-Bick closed his public statement on Wednesday with a reminder that the fire ‘was and remains an intensely personal tragedy for all those who lived in and around the tower and above all for those who died, their families and friends’, before reading out the names of the 72 people who died. The pain, and the fight for justice, endures.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 4.

1. Read the news report and give your translation into Ukrainian.

SOLICITOR FINED £2,500 OVER COVID VACCINE LETTERS SENT TO SCHOOLS [37]

By Bianca Castro, 5 September 2024

Solicitor who made unjustified legal threats in letters sent to some 240 schools over Covid safety measures has been fined £2,500. Lois Yvonne Bayliss was found by the Solicitors Disciplinary Tribunal to have sent letters containing implied legal threats to between 244-247 schools and more than 400 recipients. She relied on her position as a solicitor to tell recipients they could be at risk of criminal/civil liability if they required face masks to be worn in schools, carried out routine lateral flow tests or facilitated Covid vaccinations for children aged 12-17, the tribunal found.

Part of the first allegation, which accused Bayliss of encouraging others to send the letters, was found not proved and a second allegation that the threats were

misleading was also found not proved. SDT panel chair Lisa Boyce said the panel's findings were based on Bayliss' conduct as a solicitor and not her beliefs. She added: 'We find the letters were threatening and find that part of the allegation proved on the basis it was an implied threat. There was some evidence of encouragement but not enough to make a finding of encouraging others to send letters.'

The panel added that it found Bayliss in breach of principles 2 and 5 of the 2019 Principles and rule 1.2 of the Code of Conduct for Individuals 2019 taking into Peter Field, for Bayliss, said Bayliss, of Sheffield-based firm Broad Yorkshire Law, had 'a long-standing career of 18 years in practice, 11 years running her own firm [and] an unblemished record'. He added: 'In that context, the circumstances are clearly extraordinary, it is not [Bayliss'] normal course of behaviour. It is almost beyond question her purpose was to protect children.' Bayliss, admitted in 2006, was fined £2,500 and ordered to pay £30,000 costs. A written judgment will be published in due course.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 5.

1. Read the news report and give your translation into Ukrainian.

RACIAL DISCRIMINATION CLAIMS AGAINST CITY FIRM AND FORMER CEO DISMISSED BY EMPLOYMENT TRIBUNAL [38]

By Bianca Castro, 5 September 2024

City firm and its former chief executive have been cleared of racial discrimination by an employment tribunal. Employment solicitor Noel Deans, who is of African/Caribbean heritage, brought claims of racial discrimination and wrongful dismissal against RBL Law Limited, now RBG Holdings, its former chief executive Nicola Foulston, founder and senior partner Ian Rosenblatt and compliance officer Anthony Field.

The tribunal found that although Dean's first complaint of race-related harassment/direct race discrimination was well founded, it was out of time and therefore dismissed. The judgment said it did not grant Deans an extension of time as he was 'fully aware that he could pursue the complaint…but chose in the full knowledge of all his employment rights, not to take the matter any further, either internally or externally'.

It added: 'In our judgement, he has only sought to revive it in order to cause maximum embarrassment to the respondents'. Dean's other complaints including unfair dismissal, wrongful dismissal, and breach of contract failed on their merits and were dismissed. Deans joined Rosenblatt as an employment partner in 2017. He was head of the department until he left the firm in 2020.

Part of his employment tribunal claim covered a 2018 dinner which Rosenblatt hosted to update the firm's partners on the parent company's London Stock Exchange listing. During the dinner, former chief executive Nicola Foulston used a racist phrase to refer to a 'tricky aspect of the IPO'. Foulston, while giving evidence at the tribunal, apologised for her use of the word. Deans claimed Rosenblatt had laughed, which he denied. Rosenblatt said he had interrupted Foulston and told her she could not say what she had said.

Employment judge Emma Burns said: 'Our finding is that he did not laugh, but was offended by what Ms Foulston had said and admonished her in response.' Acknowledging that Foulston's evidence corroborated Rosenblatt's, the judge added: 'Ms Foulston had ceased to be employed by [the firm] and was in dispute with [the firm]. There was therefore no reason for her to be unduly loyal to Mr Rosenblatt.'

Considering Foulston's use of the racist phrase, the judgment said: 'We were satisfied that Ms Foulston did not use the phrase with the purpose of violating the claimant's dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for him. Our decision, however, is that using the word had the effect of creating an offensive environment for the claimant, albeit that this was fleeting in duration.

‘We add that this effect was not unique to the claimant. Mr Rosenblatt and others in attendance at the dinner also found the word offensive. However, given the claimant’s race and heritage, he had a unique personal connection to the phrase used because of its origins from the times of slavery.’ Considering Rosenblatt’s greeting of Deans with a fist bump, the judgment said that the gesture was a ‘misjudgement’ and ‘insensitive’ but did not find the conduct met the threshold for constituting unlawful race-related harassment.

A spokesperson for RBG Holdings plc, said: ‘We are pleased the tribunal has unanimously dismissed each and every claim made by Noel Deans. This has been an extremely time-consuming and distressing process for our team to endure, and we hope the spotlight can now return to the great work that we are known for. ’Nicola Foulston said: ‘I welcome the judge’s verdict and reiterate my commitment to inclusive workplaces. I look forward to continuing working in the private equity and venture capital space at an incredibly exciting time for the sector.’

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 6.

1. Read the news report and give your translation into Ukrainian.

COURT GRANTS 'PERSONS UNKNOWN' INJUNCTION AGAINST STREET RACING IN WEST MIDLANDS [39]

By Bianca Castro, 5 September 2024

The High Court has granted a full injunction to cover four boroughs across the West Midlands in a bid to stop street racing. In Wolverhampton City Council v Persons Unknown, Mr Justice Julian Knowles said the injunctions were sought to ‘restrain what is euphemistically known as “car cruising”’. Such injunctions were originally granted in 2014 and 2016 and ran until the early 2020s when the law relating to 'persons unknown' orders began to develop. As a result of the

developments, new applications for an injunction were brought by local authorities particularly affected by street racing.

Referring to the Supreme Court judgment in the Wolverhampton Travellers case, the judge said the requirements and procedural safeguards considered by the Supreme Court were satisfied in the current case. 'While the geographical area concerned is substantial, that is no impediment to an injunction being granted of itself and, indeed, far more extensive injunctions have been granted,' the judge said.

'Such an extensive area' was necessary given that street racing is a 'mobile activity', he added. The injunction, brought by Wolverhampton City Council, Birmingham City Council and Dudley, Sandwell and Walsall metropolitan borough councils, prohibits people from participating, as a driver, rider or passenger, in a gathering of two or more people where some of those present engage in car racing, vehicular stunts or other dangerous or obstructive driving.

Granting the injunction, the judge said: 'I am satisfied not only that those who engage in car cruising are deliberately, intentionally and flagrantly flouting the law, but that they will continue to do so unless and until effectively restrained by an injunction, and that nothing short of an injunction will be effective to restrain them.'

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

ПРАКТИЧНЕ ЗАНЯТТЯ 11

TEXT 1.

1. Read the news report and give your translation into Ukrainian.

ROBIN TILBROOK REPRESENTED THOMAS [40]

Source: Alamy

Employment Judge Hyde, at London South Employment tribunal, dismissed Thomas's claim for discrimination under the Equality Act 2010, on the basis that his belief in English nationalism, which includes anti-Islamic views, is not capable of being a protected belief.

The judge said Thomas's beliefs in English nationalism itself - which was described as promoting the cultural unity of English people with a focus on national identity which does not depend upon ancestry or race - would likely have been protected at law. But Thomas also had anti-Islamic beliefs, which included a belief in the 'coercive removal' of Muslims from the United Kingdom, the judge said. The findings were partly based on Thomas's social media posts, one of which carried the hashtag 'RemoveAllMuslims'.

Oscar Davies, the barrister representing Thomas, argued Thomas's views had been 'misunderstood or misinterpreted'. Thomas argued he had only used the hashtag on one occasion on June 4 2017 while he was in a 'very emotional state' after the London Bridge terror attack.

At the Employment Appeal Tribunal, Davies argued Thomas's belief was 'nowhere near the types of beliefs that should be restricted' under Article 17 of the European Convention on Human Rights, which provides states with a mechanism for ensuring that individuals or groups who seek to employ the right to freedom of expression for ends clearly contrary to the values of the convention are not protected.

But Mr Justice Sheldon ruled that the claimant's views of an English nationalism which believes that there is no place in British society for Muslims or Islam itself aligned with the types of belief which would fall foul of Article 17 of

the convention. The judge said: ‘In my judgment, that shares features with an ideology such as Nazism which did not see there being any place within German society for Jews. In my judgment, these views are not capable of protection under the convention as they would offend Article 17.’

Commenting on the decision, Tilbrook, of Ongar, Essex firm Tilbrook’s Solicitors, said his client is planning an appeal.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 2.

1. Read the news report and give your translation into English.

ЧОМУ США ГАЛЬМУЮТЬ ВІЙСЬКОВУ ДОПОМОГУ УКРАЇНІ [41]

Адміністрація президента Байдена веде дискусії з членами Конгресу щодо того, як використати 6 млрд доларів військової допомоги Україні до 30 вересня, коли у США завершується фінансовий рік. Про це пише Reuters з посиланням на учасників цих дискусій.

Спроба домовитися відбувається "у момент високих ризиків для української армії, яка, з одного боку, просувається у Курській області Росії, а з іншого – намагається втримати оборону під Покровськом", зазначає Reuters.

У квітні США ухвалили допомоговий пакет Україні на понад 60 млрд доларів, частину із якої президент може виділяти власним рішенням за механізмом, що називається Presidential Drawdown Authority (PDA). Він передбачає повноваження президента Америки щодо списання озброєнь, які міністерство оборони США використовує для постачання в Україну зі своїх запасів.

Саме цей механізм використовували найбільше для поставок американської зброї Києву. Проте більшу частину із 7,8 млрд доларів із механізму PDA у допомоговому пакеті, схвалено у квітні, досі не використали.

І нині політикам доводиться вишукувати шляхи, як зробити так, щоб ці 6 млрд доларів були доступними після початку нового фінансового року 1 жовтня. За даними джерел Reuters, компромісне рішення буде. З огляду на те, що підтримку Україні декларують представники обох головних політичних партій США – демократи та республіканці.

До того ж, до кінця цього місяця, як очікується, Зеленський має відвідати Сполучені Штати, де представить Байдену "план перемоги". Разом із тим, співрозмовники Reuters в Конгресі так і не змогли дати чіткої відповіді, чому цього року надання Україні зброї від США загальмувалося.

Однією з причин цього може бути побоювання Пентагону, що його запаси будуть виснажені через повільне поповнення, адже виробники зброї стикаються із проблемами у ланцюжку поставок.

Як працює американська допомога Україні

Загалом від початку масштабного російського вторгнення США надали Києву допомоги та зброї на 175 млрд доларів, значна частина якої походить з коштів на фінансування американських виробників зброї, адже Пентагон заміщає у своєму арсеналі те, що відправляє Україні.

Саме тому представники адміністрації Байдена постійно заявляли, що від допомоги Україні виграють американські зброярі. У такий спосіб демократи відповідали на критику республіканців, що, мовляв, гроші американських платників податків треба використовувати вдома, а не витрачати за кордоном.

Прикметно, що компанія RTX, яка випускає ЗРК Patriot, відкрила нову філію в Аризоні, а General Dynamics, що виробляє 155-мм снаряди, - у Пенсильванії. Аризона та Пенсильванія є так званими хиткими штатами. Вони, як вважають, можуть вирішити долю цьогорічних президентських виборів.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 3.

1. Read the news report and give your translation into Ukrainian.

SRA FINANCIAL PENALTIES: 'THE SKY'S THE LIMIT' [42]

By Andrew Katzen, 6 September 2024

In 28th June this year the SRA published on its website a consultation paper on plans to update its approach to financial penalties in the light of new powers obtained under the Economic Crime and Corporate Transparency Act 2023. The consultation's title 'Financial Penalties: further developing our framework' may make this seem straightforward. But the 32-page document holds the potential to substantially increase the SRA's power over the lawyers it regulates. It merits close attention.

Increased fines

The most significant change is the SRA's plan to extend its internal powers to allow for unlimited fines for all forms of misconduct (not just financial). The SRA first gained the ability to fine law firms and individual solicitors without limit for misconduct related to economic crime in March this year. Five months later (and before an evaluation of how those changes have operated in practice) it wants to apply this power across the board.

Whilst it is true that some other professional regulators have unlimited fining powers, it is startling to see such a rapid escalation in the SRA's capacity to fine. The SRA says the change 'will help us to deliver a strong and credible deterrent against breaches of our standards'. But it is unclear that such an increase in maximum fines will achieve this. I am unaware of empirical studies showing either that solicitors are behaving worse than before, or that existing sanctions aren't a sufficient deterrent.

The SRA wants to introduce two new higher fining bands for what it considers to be the most serious examples of misconduct. Under the current system, a firm found in breach of SRA Standards and Regulations can be hit with a maximum fine of 5% of its annual domestic turnover; while the most a solicitor can be fined is 97% of annual gross income.

Under the proposed new band E, the maximum penalty for a firm would double to 10% of its annual turnover. For individuals it would reach up to 145% of annual income. Under proposed new band F there would be no upper limit on the financial penalties on either firms or individual solicitors.

Each fining band has a minimum fine level. The lowest possible fine under band F would be £500,000 for a firm and £100,000 for an individual. The SRA acknowledges that the new fines could disproportionately impact smaller firms and individuals who earn less money (including those from a BAME background) and states this will be mitigated by 'more explicit' guidance on affordability.

There are implications for international law firms in the SRA proposals too. The regulator is considering fines based on global rather than domestic revenue. If this plan is adopted, we could see law firms with even a small London presence facing mammoth financial sanctions based on the actions of only its UK staff.

Impact on the Tribunal

One rationale for the SRA extending its internal powers has been to reduce the number of cases referred to the Tribunal. The impact of this paper, however, could be the opposite. It has long been the case that firms and solicitors have preferred to settle with the SRA rather than risk the trouble, expense and negative publicity of a hearing at the Tribunal. However, the methodology currently used by the SDT to calculate fines would result in lower penalties than under the SRA's proposed new scheme.

There could be some cases in which individual solicitors and law firms take the view that the difference in potential fine is so great that it is worth facing the risks of a Tribunal hearing rather than settling. Interestingly, the possibility that could happen is accepted by the SRA in its consultation. Further to this, one wonders

what the SRA would do if the Tribunal continues to use its own fining principles rather than follow those of the SRA. Would the SRA appeal? And, if so, how would the High Court choose between the different approaches?

Drink driving

Finally - but not insignificantly - the SRA uses its consultation to clarify its position on drink driving. There has recently been some controversy about solicitors who pleaded guilty to (and self-reported) a drink driving offence, without apparent aggravating factors, given fines by the SRA many times greater than those imposed by a Court.

In its updated guidance on this topic the SRA states that "the presence of mitigating features without any aggravating features may result in no action being taken. In the majority of cases, where a sanction is required, a letter of warning or a rebuke will be appropriate. The appropriate sanction will depend on the nature of the aggravating features and the balancing of those against any mitigating features. However, we will not impose a financial penalty following a conviction for drink driving."

In my view, the SRA should be given credit for being prepared to change a policy that is plainly wrong. While it remains unclear how the SRA will deal with existing drink driving cases or those referred before any new guidance is implemented, I hope that common sense prevails. The SRA's consultation on its proposal is open for submissions until Friday 20th September. I would urge all solicitors and law firms to read and consider its plans carefully.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

ПРАКТИЧНЕ ЗАНЯТТЯ 12

TEXT 1.

1. Read the news report and give your translation into Ukrainian.

ENDING 'NO FAULT' EVICTIONS AND THE RENTERS' RIGHTS BILL: LESSONS FROM SCOTLAND [43]

By Malcolm Combe, 23 August 2024

One of the casualties of the recent UK general election was a bill that would have changed the law regulating privately rented homes in Great Britain. The Renters Reform Bill – as it was known before it fell when parliament was prorogued – contained a key feature that was a fulfilment of the then Conservative government's election manifesto, namely to end so-called 'no fault' evictions. The commitment even pre-dated that manifesto: Theresa May called for an end to 'these unfair evictions' back in 2019.

The new Labour government has now been left to pick up the mantle. The first King's speech since the election makes clear that they will do just that, via a new Renters' Rights Bill. It remains to be seen whether that subtle change from 'Renters Reform' to 'Renters' Rights' will be reflected in stronger protections for tenants. Either way, with a change to the law all but guaranteed, now is an appropriate time to consider what this might mean for tenants and landlords. The experience of Scotland could be instructive in this regard, given that Scots law recently changed to do away with 'no fault' evictions for most new private rentals of a home.

Durable residential tenancies – from deregulation to regulation

To put it mildly, the balance between landlords and tenants in Britain has fluctuated over the years. To simplify matters, we can begin this chapter of landlord and tenant relations with the deregulatory housing law reforms of 1988. The Housing (Scotland) Act 1988 and Housing Act 1988 changed private renting in Scotland and in England and Wales to allow landlords to enter into fixed-duration tenancies. Assuming various formalities were complied with by the landlord, these

arrangements could then be brought to an end at the expiry of that fixed-term, even where the tenant had behaved impeccably. This is where the term ‘no fault’ eviction stems from. Eviction prior to the expiry date was also catered for, notably where a tenant defaulted on the rent. In England, a ‘no fault’ eviction is termed a section 21 notice, named after the relevant section of the Housing Act 1988.

In 2016, Scotland passed a law to introduce a new form of tenancy for the private rented sector – known simply as the ‘private residential tenancy’ (PRT)– which would run on open-ended basis. A PRT can only be brought to an end by the tenant (on 28 days’ notice) or by the landlord where they have a valid eviction ground. Some eviction grounds relate to the tenant’s conduct, whereas others relate to the landlord’s circumstances. Any landlord seeking to recover possession of the let property needs to establish the existence of at least one eviction ground at a tribunal, and a further reform made all evictions at the discretion of that tribunal (such that it has to be satisfied it is reasonable to grant an eviction order given the comparative circumstances of the tenant and the landlord). All of this represents a huge change to the 1988 regime.

Reform and the Renters’ Rights Bill

The background briefing notes to the King’s speech make clear that the Renters’ Rights Bill will overhaul the private rented sector by abolishing ‘no fault’ evictions, and thus ‘removing the threat of arbitrary evictions and increasing tenant security and stability’. The potential human impact of a section 21 notice is touched on in this BBC report from earlier this year.

Now that it seems England is to venture on a similar course to Scotland for its private rented sector, it can at least look north for a bit of insight. (Wales has already narrowed the circumstances where ‘no fault’ eviction can take place and tweaked its law to extend notice periods where ‘no fault’ evictions remain possible.) One thing that will need to be considered is measures to protect tenants from unscrupulous landlords who seek to manufacture an eviction ground when no such ground actually exists: although Scotland has some protections built into its law (which can force a former landlord to pay a penalty to a former tenant), there have been some wrinkles

with this ‘wrongful-termination order’ regime, plus research by Generation Rent suggests one eviction ground – allowing a landlord to sell the let property with vacant possession – has been subject to some abuse. The aforementioned briefing notes highlight that ‘New clear and expanded possession grounds will be introduced so landlords can reclaim their properties when they need to’ – no doubt these will be much debated over the course of the bill’s passage through parliament.

Another challenge for the government will be to ensure landlords are kept informed about what reforms are happening and not spooked by fears of what could happen, lest there be a surge in section 21 notices (as apparently happened earlier in 2024) from landlords seeking to either exit the sector or end the relationship with their existing tenant (even though such existing tenancies would probably not be affected by any law change, as the reforms are unlikely to be retrospective).

The impact of private rented sector reforms

Tinkering with the law and indeed the tax treatment around private renting might change landlord behaviour, but it is always tricky to ascertain the precise impact of a particular legal change on the housing mix. The size of Scotland’s private rented sector has remained relatively steady since the end of ‘no fault’ evictions, but there have been some recent reports of a drop in new lets being made available and much speculation about why this might be the case; a recent rent regulation measure brought in for the cost of living crisis may feature in this analysis, but wider regulation could also be seen as playing a part.

Of course, when a private landlord leaves the rental market, the building will still be there (unless the previously let property is actually derelict or destroyed, and as such no loss to the future housing mix). In a situation of housing pressure, the question that inevitably arises is 'what happens to that property'? It may well be that such a property goes to a new owner-occupier who would otherwise have been renting, but facilitating that might be another challenge for any government. There may also be follow-on considerations relating to the location, quality and price of the rental property that remains (or becomes) available on the market. These are all difficult issues, that might be explored on another day.

Meanwhile, a new Housing (Scotland) Bill is being considered by the Scottish parliament. It contains some features that were decidedly absent from the Renters Reform Bill and do not appear likely to feature in the Renters' Rights Bill, establishing a new system to allow for rent regulation in particular localities. Another reform in the new Scottish Bill - giving tenants a right to request consent for a pet from their landlord – is also likely to feature in the Renters' Rights Bill. One thing the Scottish Bill doesn't contain though is a reform to prevent a landlord discriminating against tenants who are on benefits or have children, this being something that is better catered for at Westminster in terms of the devolution settlement, and as such the Renters' Rights Bill will have an impact in Scotland even though its focus lies south of Anglo-Scottish border.

What next?

The text of the Renters' Rights Bill is keenly awaited. There has been some speculation that details of it won't be available until October, so we are in something of a waiting game until then. For those who rely on the private rented sector in England, this waiting game is nothing new, although that familiarity will be scant comfort. At least they can take some consolation that it seems a racing certainty that legislation really will be passed in this parliamentary term.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 2.

1. Read the news report and give your translation into English

НАГАЛЬНІ ПИТАННЯ ПРОФЕСІЙНОГО РОЗВИТКУ ЮРИСТА В СУЧАСНИХ РЕАЛІЯХ [44]

Компанії все частіше шукають інноваційні способи забезпечення своєї комерційної конкурентоспроможності на постійно змінюваному ринку, і юридична галузь не є винятком. Те, що колись вважалося традиційним

сектором, тепер стає більш комерційно орієнтованим, і юристи постійно адаптують свої навички, щоб йти в ногу з цією зростаючою тенденцією. Одним із найважливіших аспектів є прагнення юристів до здобуття ключових знань, необхідних для того, щоб бути ефективним фахівцем у сучасній модернізованій юридичній галузі.

Глобалізація, технологічний прогрес, війна та постійні зміни в законодавстві створюють безпрецедентні виклики. Щоб успішно працювати в таких умовах, юристи повинні постійно оновлювати свої знання. Розвиток ключових навичок є не просто бажанням, а необхідністю для виживання в сучасній юридичній сфері.

Проблеми, які можуть очікувати на юристів

Як і у будь-який період значних змін, перехід до нового способу роботи в юридичній галузі, орієнтованого на технології, може викликати ряд проблем у тих, хто звик до більш традиційних методів. Молоді фахівці в галузі права краще підготовлені до використання технологій у своєму повсякденному житті, однак їхні старші, більш досвідчені колеги можуть вважати цей перехід до технологічно орієнтованих ролей складнішим завданням. Технології стають дедалі важливішими, і технічна обізнаність тепер є величезною перевагою. Технології змінюють способи роботи в усіх галузях, і тепер юридична сфера також шукає співробітників, які мають уявлення про те, як зробити існуючі процеси більш ефективними.

Крім того, юристи всіх вікових груп і рівнів досвіду неминуче стикаються з певними труднощами, оскільки їхня роль стає більш багатогранною. Надання юридичних консультацій саме по собі є надзвичайно складним і вимагає багато часу, тож постає проблема знайти можливість також розвивати комерційні аспекти, необхідні для адаптації до змін у галузі. У зв'язку з цим, хоча управління часом є важливою навичкою для багатьох професій, для юристів у цифрову епоху вона стає ключовим пріоритетом. Сучасний юрист повинен володіти м'якими навичками, такими як емоційний

інтелект, ефективна комунікація, ділова кмітливість і здатність управляти кількома проектами одночасно, щоб успішно працювати в своїй компанії.

Характеристики сучасного юриста

Бути сучасним юристом означає бути багатовимірним фахівцем. Надання висококласних юридичних консультацій залишається необхідним, але тепер перед юристами постає завдання визначити, де саме вони можуть принести найбільшу користь компаніям, у яких працюють. Останнім часом ми спостерігаємо зростання попиту на юридичний персонал, здатний надавати індивідуальні комерційні консультації в юридичних фірмах, окрім традиційної юридичної експертизи.

Ця комерційна кмітливість є відносно новою вимогою в юридичній сфері, але вона яскраво ілюструє напрямок розвитку галузі. Постійний тиск на скорочення витрат змушує юридичні фірми об'єднувати послуги та впроваджувати внутрішні процеси, які раніше могли бути передані на аутсорсинг. В результаті працівники таких фірм, що розвиваються стикаються з необхідністю стати «універсальними» фахівцями з набором різноманітних навичок, які легко можна застосувати в різних сферах.

Лідерські навички та адаптивність — це ще два необхідні вміння, які має демонструвати юрист нашого часу. Однак тепер також важливо мати чітке уявлення про компанію, в якій він працює, і вміти співпрацювати з усіма зацікавленими сторонами, щоб оптимізувати процеси та заощадити кошти для бізнесу. Як і багато інших галузей, юридичний сектор також використовує можливості соціальних мереж для просування своїх послуг та взаємодії з відповідною аудиторією. Через це від сучасних юристів очікується активне використання цих платформ для створення сильної ринкової присутності та профілю, щоб виділитися серед конкурентів. Юридична сфера приділяє все більше уваги особистому брендингу як ключовому аспекту розвитку персоналу, і від юристів все частіше вимагається передавати основні цінності бізнесу через платформи соціальних мереж.

Юрист сьогодні є багатогранним фахівцем, від якого очікується володіння основними навичками та знаннями, необхідними для професійної діяльності, з додаванням кількох додаткових атрибутів, щоб він міг ефективно інтегруватися в динамічне бізнес-середовище. Роль юриста ніколи не була легкою, але цей перехід до більш комерційно орієнтованого, універсального професіонала, який має глибокі загальні та спеціальні знання, обіцяє захопливе майбутнє для всієї галузі.

Як юристу забезпечити свій постійний розвиток?

Для забезпечення постійного розвитку юриста необхідно звернути увагу на кілька важливих аспектів. По-перше, це оновлення професійних знань. Юридична сфера зазнає постійних змін: нові закони, поправки та судові рішення можуть швидко змінити правове поле. Юристам необхідно оперативно адаптуватися до цих змін. Це досягається шляхом регулярного відвідування професійних тренінгів, конференцій та семінарів. Окрім того, важливим є поглиблення знань у вузьких спеціалізаціях. Це дозволяє не лише підтримувати високий рівень експертності, а й відкривати нові можливості для кар'єрного росту.

По-друге, сучасні реалії вимагають від юристів розвитку нових навичок, серед яких ключове місце займає цифрова грамотність. Використання новітніх технологій у роботі, таких як штучний інтелект, аналітика даних та цифрові інструменти для управління проектами, стає невід'ємною частиною юридичної практики. Інвестування часу у вивчення та опанування цих технологій дозволяє оптимізувати робочі процеси та підвищити ефективність роботи.

Третім важливим елементом є розвиток емоційного інтелекту та комунікативних навичок. Успішний юрист сьогодні — це не лише той, хто добре знає закон, але й той, хто вміє ефективно взаємодіяти з клієнтами, колегами та партнерами. Вміння розуміти емоції, працювати в команді та вирішувати конфлікти стають визначальними факторами у досягненні професійного успіху. Юристи, які володіють високим рівнем комунікації, не

тільки здатні захищати інтереси клієнтів, але й створювати міцні партнерські відносини, що значно підвищує їх конкурентоспроможність на ринку праці.

Етичність та відповідальність

Професіоналізм є фундаментальним аспектом юридичної етики. Він вимагає від юристів діяти старанно, ввічливо та з повагою до правової системи. Вони повинні демонструвати прагнення служити інтересам своїх клієнтів, дотримуючись при цьому правил і норм професії. Професіоналізм також передбачає ставлення до всіх сторін, що беруть участь у правових процесах, зі справедливістю та ввічливістю, сприяючи створенню атмосфери довіри та співпраці.

Ще один важливий вимір юридичної етики — доброчесність. Очікується, що юристи будуть чесними та прозорими у відносинах з клієнтами, колегами та судом. Вони повинні уникати будь-якої форми обману, шахрайства чи неправдивих тверджень, оскільки ці дії можуть підірвати довіру до правової системи.

Одним з основних аспектів професійної відповідальності є обов'язок адвокатів перед своїми клієнтами. Адвокати зобов'язані діяти в інтересах своїх клієнтів, забезпечуючи старанне та компетентне представництво, зберігаючи при цьому конфіденційність. Цей обов'язок відображає довіру, яку клієнти надають своїм адвокатам, і є важливим для функціонування справедливої правової системи.

Професійна відповідальність поширюється не лише на окремі справи, вона також стосується ширших суспільних зобов'язань правників. Юристи-практики зобов'язані сприяти верховенству права, доступу до правосуддя та довіри суспільства до правової системи. Очікується, що вони будуть працювати pro bono, брати участь у правничій освіті та реформах, а також дотримуватися найвищих етичних стандартів задля підтримання репутації професії.

Отже, професійний розвиток юриста чи адвоката у сучасних реаліях – це безперервний процес, який включає як оновлення знань, так і розвиток нових

навичок, що відповідають потребам часу. Тільки так можна залишатися успішним і конкурентоспроможним фахівцем у динамічному юридичному світі.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

ПРАКТИЧНЕ ЗАНЯТТЯ 13

TEXT 1.

1. Read the news report and give your translation into Ukrainian.

ON OUR GUARD AGAINST AI LEGAL IMPERIALISM [45]

Jonathan Goldsmith

Long time ago, I used to become exercised about American cultural imperialism (music, films, words). I gave it up because I realised that the American version was a good deal better than any offered by alternative powers – and there was nothing I could do about it anyway. Now, looking to the future, I wonder about a creeping American legal imperialism. Again, it is obviously a good deal better than any other on offer, and we may not notice it much because of the similarity between our legal systems. But we should at least be aware of it.

It has risen to recent prominence because of the ongoing spat between Twitter/X and the Supreme Court of Brazil. Should an American behemoth, operating under an understanding of the First Amendment to the US constitution, be able to impose its version of free speech on another country, which has a different legal framework for free speech? The legal answer may be ‘no’, but politics and money can settle these issues, and so we will see.

The Brazil instance reminds me of developments in AI, where again we operate under an American umbrella. Good for the USA: it has the brains, energy, money and legal framework to become a world leader. It hasn’t conquered the AI landscape through war, but through size, wealth and talent. Yet should its AI legal framework become our legal framework by default?

We know that the EU is trying to regulate AI, to much criticism because it has not developed economic or technological competitors to the US models. But I am not speaking about regulation, rather the development of AI systems. Large language models of AI operate by being fed huge quantities of other peoples’ work. (That

gives rise to another legal complaint around copyright/theft/breach of contract, but the copyright/theft issues are not my concern here, either.)

My focus is mainly on countries which don't speak English. If those countries have large populations and a commonly spoken language – think France or Germany – then little or no problem might arise, since there might be enough material to feed the machine to come up with a properly operating large language model, and there might be sufficient investment to back its development.

As we know, what is fed in is what comes out. There are already concerns that AI-produced material is re-entering the feeding cycle, with the possibility (given the tendency for the current state of AI to come up with nonsense) that rubbish is fed in and more rubbish comes out.

But what if you are a little country like Latvia or Slovenia, with a language little-spoken within or outside your borders (compared to English) - is enough material going in to ensure that quality comes out? And is the market big enough to ensure that someone somewhere is feeding the machine with up-to-date legal material to ensure that your lawyers and courts can rely on it? If AI is the future for competitiveness and access to justice by citizens, will the lawyers and citizens of those countries be stuck with a second-class service? More to the point, will they rely instead on English language models, so easily available, but which have been fed with documents which do not reflect their legal culture?

Even if you speak a widely-spoken language, you may live in a small neighbouring country with a separate legal system – say, Austria or Luxembourg. Will the AI product be focused on Germany and France, and so unsuitable for your own jurisdiction? (All these problems are compounded if you work in a small law firm, since access to AI costs money, and small law firms may not be in a position to compete in a market where efficiency may increasingly be defined by access to AI tools.)

As I have said repeatedly, I salute America for being the brains and power behind AI. But in a myriad of ways, our legal world is likely to become more Americanised. AI is not just present in obvious uses like ChatGPT, but in many tools

we will use in the law, where the fundamentals will have been set by US companies, programmers, algorithms – whatever. In the US, despite the differences in states' laws, there is a huge single common law market. In the EU, the fractured legal landscape offers, on the other hand, a grave challenge for training AI models.

We in the UK are closer to the small neighbouring countries I mentioned above. We are fortunate to speak the same language as in the US. Nevertheless, we will need to guard against the specifics of our legal system being overlooked, or gradually merged into an American perspective which may not suit us. I conclude: since the major AI companies are largely based in the US, and there is much more US material available for AI training, our own legal values will likely be blunted in the future.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 2.

1. Read the news report and give your translation into Ukrainian.

LEGAL NEURODIVERSITY NETWORK: NURTURING TALENT [46]

By Flora Sitwell and Martin Whitehorn, 24 May 2024

Employers risk losing some of their best talent if their workplace practices do not let employees with all types of minds thrive. The Legal Neurodiversity Network (LNN) has recently made recommendations for optimising retention and career progression for neurodivergent individuals in the legal profession.

What prompted the guide?

Inspired by the likes of Cardiff University/Disabled Solicitors Network's Legally Disabled? research and the Law Society's reasonable adjustments guidance for disability inclusion, this guide is a collaborative document. It reflects discussions at a LNN roundtable hosted by Linklaters last June, along with subsequent talks on

effecting lasting positive change for neurodivergent people working in the profession. How legal services employers can support neurodivergent employees is an issue brought home by the experience of one LNN member: 'I asked for adjustments at my interview, which were accommodated, but then when I started none of this was carried through into my job and the firm was not helpful in accommodating my requests for adjustments.'

What's in the guide?

Every neurodivergent person is different. This guide makes general suggestions for effecting positive change based on what some leading legal sector employers are currently doing. Many suggestions constitute 'easy (as well as inexpensive) wins' that often also benefit other minority groups, or indeed all employees. The recommendations are grouped into three key themes (the three Ps): Place, Processes and People. Each one represents a core area of neuro-inclusive good practice.

Our Place section explores the physical legal working environment and suggests how to make it more neuro-inclusive, such as by offering fixed seating options and offices with natural lighting. These types of environmental adjustment are, in most cases, easy to implement and make a huge difference to neurodivergent people who may have particular, and often acute, sensory needs.

Our Processes section spotlights workplace adjustments typically implemented through an employer's human resources department, which makes the daily workplace experience for a neurodivergent individual more straightforward. This includes accommodations such as flexible working arrangements, clear communication regarding tasks, and appropriate training for HR managers and supervisors.

Finally, our People section addresses, arguably, the most challenging yet important aspect of neuro-inclusion: workplace culture. While great strides have been made in recent years regarding neurodiversity awareness, this does not necessarily translate into a workplace culture in which neurodivergent people feel socially accepted or understood. The guide suggests how to improve this, such as

neurodiversity training sessions, developing peer-to-peer support networks, and having the executive publicly, and demonstrably, embrace neurodiversity.

As well as general recommendations, the guide also acknowledges the diversity of neurodivergent experience. It emphasises that in order for neuro-inclusive support to be at its most effective, it also has to be specific to each individual's areas of strength and challenge. It therefore provides links to additional, specialist resources that employers can use in order to understand the particular needs of their employees.

Where can I find the guide?

As well as the guide being published here at tinyurl.com/v9s6945z, practitioners might be interested to know that the LNN is also holding a clinic-style event at Herbert Smith Freehills on 25 June to discuss implementing the guide's recommendations. The LNN welcomes your feedback.

What is the LNN?

Established in 2022, the LNN strives to improve neurodivergent inclusion in the UK legal profession. It identifies, shares and encourages good practice, and establishes connections between employers, individuals and partner organisations. The LNN is supported by the law societies of England and Wales, and Scotland. It has over 70 law firms and organisations' in-house legal departments of varying sizes and national and international footprints among its membership. To join, contact committee member James Smither. Most of the network's committee members are from top-50 firms, though Martin Whitehorn, for example, works at a small firm that was until recently a sole practitioner's practice. Whatever your organisation's size, reasonable adjustments can often be quite simple.

Further discussions to come

In the coming weeks, the LNN will supplement this introduction with a series of follow-up articles discussing each of the three Ps in more detail. For now, the LNN will leave you with this quotation from a member: 'The policies on neurodiversity inclusion can look amazing on paper; even the office can look great. But if the culture in your team that you're around every day isn't kind and

accommodating, you will still be miserable. For me, this is the biggest variable – and the hardest to get right.'

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

ПРАКТИЧНЕ ЗАНЯТТЯ 14

TEXT 1.

1. Read the news report and give your translation into Ukrainian.

THE SEARCH FOR COMMON STANDARDS [47]

By Joanna Goodman, 5 July 2024

Although firms and corporate legal departments which apply generative AI to their day-to-day work are reporting substantial time savings, a recent report by Stanford University researchers tested the accuracy of mainstream vendors' legal research tools. Does the legal sector need quality benchmarks for generative AI, or a better understanding of the capabilities of different generative AI resources? And which large language models (LLMs) are the best fit for different use cases?

Much online discussion of the accuracy or otherwise of generative AI tools for legal research followed the publication of two versions of a controversial study by researchers at Stanford University in California. Hallucination-Free? Assessing the Reliability of Leading AI Legal Research Tools questioned the accuracy of Thomson Reuters' products Ask Practical Law and AI-Assisted Research. The report also looked at LexisNexis' Lexis+ AI, which recently launched in the UK, and Open AI's GPT-4. Mike Dahn, head of Westlaw Product Management, challenged the report's findings: 'The results from this paper differ dramatically from our own testing and the feedback of our customers.' He also invited the Stanford research team 'to work together to develop and maintain state-of-the-art benchmarks across a range of legal use cases'.

In the UK, larger firms have been testing gen AI products and publishing their findings. Ashurst produced a detailed report Vox PopulAI: Lessons from a global law firm's exploration of Generative AI, which produced time savings of 80% in drafting corporate filings, 59% in drafting industry/sector-specific reports, and 45% in creating first draft legal briefings. 'Across the tools used and attempts to draft multiple types of documents, an average of 77% of post-trial survey respondents

agreed or strongly agreed that usage of GenAI helped them get to a first draft quicker.'

Ashurst's research also raised issues around accuracy and quality. It does not suggest setting quality standards because 'quality in a legal context is multidimensional, with subjective and objective elements'. Addleshaw Goddard, which has also shared its gen AI learnings in a series of webinars, is fine-tuning its gen AI tools to improve accuracy and reduce hallucinations.

There are new activities around gen AI quality standards and benchmarking. The Legal IT Innovators Group – a membership organisation of around 90 IT leaders in UK law firms – has announced a Legal Industry AI Benchmarking Collaboration initiative, led by John Craske, chief innovation and knowledge officer at CMS. This is designed to establish benchmarks and standards for law firms to use when assessing gen AI tools in a rapidly evolving market. It will help member firms that are not in the vanguard of gen AI adoption understand which tools and strategies are producing the best results. It may then guide their decisions around investing in gen AI. It will also help consultancies involved in the project by highlighting law firms' common priorities and concerns.

Model management

The 'quality' required of any technology will depend on how it is being applied. During the pandemic, Teams and Zoom became the go-to platforms for video communication. These replaced sophisticated video-conferencing systems in some offices because they are affordable, accessible and good enough. Currently, OpenAI is the go-to option for gen AI. This is partly because people have become familiar with ChatGPT, which is free. With a few exceptions, notably Robin AI's contract review and analysis which is built on Anthropic's Claude 3.5 Sonnet, most legal tech gen AI products and integrations are built on OpenAI's GPT models, as are many firms' gen AI chatbots. Some products offer a choice of models – that is, you can use GPT-3.5 Turbo or GPT-4 Turbo depending on the use case. This reflects the significant price difference to using the bigger model (GPT-3.5 Turbo is roughly 20 times cheaper).

The reaction of newer, more agile vendors to gen AI accuracy concerns is to address the challenge head-on. Last week, conveyancing scale-up Orbital Witness, which provides rapid AI-powered title checking for property transactions, became the first lawtech to offer a gen AI accuracy guarantee. This is underwritten by First Title Insurance and covers Orbital Witness's residential property product, so that in the event of an error which results in a compensation claim, the law firm doing the conveyancing would not have to claim on its professional indemnity insurance.

OpenAI-backed Harvey has been adopted by many large law firms, including Ashurst. But until now it was reticent about publicly demonstrating its legal AI platform. It has posted a detailed product demo video on its website, accompanied only by Chopin's Waltz No.2 in C-sharp minor – that is, there is no audio explanation.

The accuracy and quality of gen AI output can be improved significantly by prompt engineering (asking an LLM the right questions in the right order will generate higher-quality output). Many vendor products and law firm models create standardised prompts for specific purposes. Prompt engineering is an increasingly important and desirable skill. The Financial Times reported that chip-making equipment manufacturer ASML advertised what may be the first prompt engineering position for an in-house legal department where gen AI is already delivering substantial time savings.

AI overreach

A Relativity Fest panel on global AI regulation raised concerns about overreach and prompt engineering being used maliciously to make large language models (LLMs) produce harmful or dangerous content as part of a conversation. Retired judge Dr Victoria McCloud, having explained how skilful prompting can be used to manipulate LLMs to operate in ways that are prohibited by the EU AI Act, drew an interesting analogy with the Human Fertilisation and Embryology Act as a model for AI regulation: 'It created a regulatory authority, but it didn't regulate; it had broad parameters [and the scope] to resolve issues ethically as the anticipated future unravelled; and it drew a line between not stifling research while controlling

Frankenstein-style experiments.' McCloud called for light-touch regulation rather than attempting to legislate for problems as they arise.

Gen AI pick 'n' mix

Travers Smith, a pioneer of gen AI in legal, recently spun out its AI function into an independent AI software company, headed by former director of legal technology, Shawn Curran. Jylo is a unique brand name created by prompting ChatGPT. It combines Travers Smith's gen AI products Analyse – which uses LLMs to interrogate large volumes of unstructured data – and the open source YCNBot (which enables organisations to build their own ChatGPT chatbots), as well as a unique market. Here, companies can create custom gen AI products and prompts. A main advantage of Jylo is that it allows users to control the cost of gen AI deployment. It does this by offering integration with a selection of LLMs. 'If you want to use GPT-4o for discovery, it will cost more,' Curran explains, 'but if you're creating a standard confidentiality agreement, you could use Llama 3, which is 133 times cheaper.'

This raises the question, who should select the model? 'We concluded that that would be the person who is writing the prompts. Prompts should be part of the product, as they are the element that adds the most value to the process,' Curran says.

Shawn Curran, Travers Smith

A lawyer who needed to interrogate a portfolio of leases could select or create a product which had three key prompts, then upload the documents and apply the prompts. They could then use another series of prompts to verify the output, and potentially automate the entire process and monetise the prompts. Consequently, prompt engineering becomes about creating products, rather than applying a skill. Jylo is providing a unique gen AI 'pick 'n' mix' of LLMs, prompts and chatbots, and potentially a glimpse into the future.

In-house leads the way

Corporate legal is leading the way in adopting gen AI, which boosts productivity, enabling teams to handle more work in-house and reduce reliance on

external counsel. Relativity's recent survey discussed at Relativity Fest in London revealed that some general counsel not only use AI, but require external law firms to use it too. These GCs include specific questions on their RFP (request for proposal) form. And while only 27% of respondents were currently using generative AI, 75% planned to introduce it/increase its use over the next few years. However, in-house counsel are focused on risk, particularly in respect of sensitive data. So the panel stressed the importance of knowing what data you have and understanding its associated risks, building the right data governance structure, and knowing which gen AI use cases – and LLMs – are the best fit.

Elephant in the room

While every legal and lawtech conference includes panels on multiple aspects of gen AI being used in legal services, few touch on the consequences for the business of law. While the popular refrain that rather than replacing lawyers, gen AI will free them up to concentrate on more fulfilling, higher-value work may be reassuring, its longer-term impact is unclear. The elephant in the room is what this really means for law firms. If full-service firms have to pivot to AI-augmented services to remain competitive, will they have enough higher-value work for the same number of lawyers and business support professionals as AI eats into the bread-and-butter work that represents most of their practices? And if not, what will their lawyers do with the extra hours saved by using gen AI?

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 2.

1. Read the news report and give your translation into Ukrainian.

HOW TO: CHOOSE A GENAI TOOL [48]

By Nick Abrahams,11 September 2024

LegalTech has long been heralded as a transformative force for the profession, promising to automate routine processes and enhance efficiency. However, the reality has often fallen short of these expectations. While there have been notable successes in areas such as e-discovery, content management, contract lifecycle management, and practice management, the broader impact of LegalTech has been less disruptive than anticipated. Lawyers, known for their cautious approach to innovation, have largely continued their traditional practices with only incremental changes prompted by technology.

However, the advent of generative AI (GenAI) is poised to change this narrative. Unlike previous technologies, GenAI offers the potential for profound transformation in the legal industry. It can analyse vast amounts of data, draft complex documents, and even purport to predict case outcomes, with a level of sophistication previously unattainable. Many law firms and in-house teams are already reporting that the impact of GenAI on legal services has been significant – and this is just the beginning.

The belief in GenAI's role in the legal industry exists on a spectrum. On one end are the enthusiasts who envision a future dominated by 'robo-lawyers', where AI systems take over entire legal functions. For instance, Goldman Sachs announced last year that AI could perform 44% of the tasks traditionally handled by lawyers, reflecting a bullish view of AI's capabilities. On the other end are the sceptics who, having witnessed other tech trends such as blockchain rise and fall without significantly affecting their practice, view AI as just another passing fad.

The reality probably lies somewhere in between. GenAI should be seen not as a replacement for lawyers, but as an empowering tool akin to an ebike for lawyers. It can enhance their capabilities and efficiency, serving as a valuable assistant rather than a threat to their jobs. While GenAI holds immense promise, it will augment rather than replace the nuanced and critical role lawyers play in society.

Navigating the legal GenAI landscape

We are currently in the midst of what can be termed 'peak legal GenAI'. A plethora of vendors are offering AI-enabled solutions designed to enhance various

aspects of legal practice. For lawyers, understanding this landscape is crucial to identifying which tools can most effectively meet their needs and improve their workflows.

The GenAI vendor landscape can be categorised into three main types of offering:

- General productivity solutions: these tools are not legally trained and are aimed at enhancing general productivity of knowledge workers. Microsoft Copilot, Gemini for Google Workspace, Slack GPT and Notion AI are a few examples.
- Use-case-specific legal AI solutions: these vendors focus on particular legal tasks, such as contract review or due diligence, though they may also offer additional functionalities in adjacent areas. Their specialised focus allows them to deliver highly effective solutions tailored to specific legal challenges. Many of these tools have been around for some time but are now adding GenAI into the mix.
- Multi-purpose legal AI solutions: these vendors offer legally trained AI platforms designed to address multiple legal use cases. Key players include Lexis+ AI, Thomson Reuters' CoCounsel, Harvey.ai, and vLex's Vincent AI. Their versatile platforms cater to a wide range of legal needs, making them attractive to legal teams looking for comprehensive AI solutions.

Understanding where each AI tool fits within the vendor landscape can help lawyers make informed decisions about which solutions to adopt, ultimately enhancing their practice and service delivery. As part of my research for the short, online course I teach at Bond University, 'GenAI Productivity Training for Lawyers', I have explored how law firms and in-house legal teams are adopting GenAI. This research led me to create an AI pyramid framework which helps lawyers evaluate legal GenAI products and determine whether they would be a good fit for their legal practice. This framework categorises AI solutions based on the extent to which lawyers are likely to need the solution's specific functionality.

Universal AI: at the base of the pyramid, we find broad-use general productivity AI solutions that a large majority of lawyers can integrate into their

daily practices. These tools are not specifically legally trained but offer general productivity enhancements that are relevant across various legal fields. Examples include AI-driven email management, document summarisation and meeting/reporting assistance. These solutions are accessible and beneficial to almost every lawyer, making them a foundational aspect of the modern legal toolkit.

Microsoft Copilot for MS 365 is a Universal AI service, which complies with Microsoft 365's existing privacy, security and compliance commitments. Furthermore, it can be used in existing workflows (using Word, Outlook, Teams, PowerPoint, Excel and other productivity software, for example). This encourages the adoption of new technology by lawyers because it minimises disruptions and maximises efficiency.

Many law firms and in-house legal teams are currently trialling universal AI tools. It is anticipated that within the next 12 to 24 months, universal AI tools will become commonplace in legal practice. Although universal AI tools are not specifically trained in legal knowledge, they can be useful productivity tools in professional settings, assisting primarily with administrative tasks. Many organisations report a significant productivity boost, ranging from 15% to 30%, when using universal AI tools.

Also in the universal AI area are AI copilots for existing enterprise software solutions. For example, companies such as iManage and Salesforce have deployed AI copilots to assist with existing platforms. In addition to universal AI tools, public AI applications such as ChatGPT, Claude and Gemini are gaining traction among lawyers. They are accessible on a free or $20/ month paid tier, making them an attractive option for legal professionals seeking to quickly integrate AI into their practices. However, it is crucial for lawyers to exercise caution when using these platforms, particularly concerning the confidentiality of information. As confidentiality is not guaranteed, sensitive or confidential information should not be entered into these tools. Despite this limitation, they can be effective for a variety of non-confidential research, management and HR-related tasks.

When it comes to legal research, these public platforms perform moderately well in areas where there is abundant, high-quality information available online. For instance, researching a topic such as the EU privacy framework, the GDPR, yields reasonably accurate high-level results because of the wealth of quality articles written on this topic. However, the reliability of these tools diminishes when dealing with less commonly discussed issues, obscure or rapidly changing areas of law, highlighting the importance of validating all research results, as these AI solutions can often produce incorrect information.

Focused AI: the middle tier of the pyramid consists of legally trained AI solutions that address specific legal use cases, such as due diligence or contract review, and e-discovery. These use-case-specific legal AI solutions are designed to tackle more specialised tasks and will not be relevant for all lawyers, all the time. Their targeted nature allows for more precise and efficient handling of specific tasks, providing significant value to practitioners in those areas.

Precision AI: at the peak of the pyramid are AI solutions aimed at assisting lawyers with complex legal analysis. These tools will be used less often by lawyers. Generally, lawyers will use precision AI when engaged in detailed legal research. These solutions purport to represent the cutting edge of what AI can achieve in the legal domain. However, it is very difficult for the machine alone to reach the level of accuracy required by lawyers. Consequently, the outputs of these solutions always need to be reviewed by the legal professional.

This area is being primarily targeted by multi-purpose legal AI solution vendors who are endeavouring to leverage advanced AI capabilities to provide nuanced insights and analysis. Key vendors in the precision AI space include established legal research companies and innovative new entrants:

- Lexis Nexis and Thomson Reuters: these longstanding leaders in legal research are expanding their offerings with AI-driven tools.
- Harvey.ai: a notable newcomer in the precision AI space, Harvey is a super-law startup backed by significant investment. Harvey.ai aims to disrupt

traditional legal research and analysis by offering cutting-edge AI solutions that deliver high levels of accuracy and efficiency.

- vLex's Vincent AI: another innovative entrant, Vincent combines advanced AI technology with a comprehensive legal database to offer robust solutions for complex legal issues.

The output of these tools still needs careful vetting and does not replace the need for human assessment of the output.

Conclusion

It is broadly accepted that legal teams are likely to employ a combination of universal AI and one or more focused AI and precision AI solutions to optimise their operations. The integration of GenAI into the legal sector marks a pivotal moment in the evolution of legal practice, offering transformative potential that LegalTech alone has not realised. As universal AI tools enhance daily productivity, focused AI solutions address specific legal challenges, and precision AI aims to assist with analysing complex legal issues, the legal profession stands at the cusp of significant change.

By embracing these technologies, lawyers can not only increase efficiency and accuracy but also elevate the quality of legal services provided. As we navigate this new landscape, the key will be to use AI as an empowering tool that complements the expertise and judgment that only skilled legal professionals can provide.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

ПРАКТИЧНЕ ЗАНЯТТЯ 15

TEXT 1.

1. Read the news report and give your translation into Ukrainian.

CHANGES IN CITIZENS' RIGHTS AFTER BREXIT [49]

By Jonathan Goldsmith, 11 July 2023

Regarding the struggle of some to hold on to their EU rights, the Court of Justice of the European Union (CJEU) issued a short and brutal press release last month, headed ‘Definitive dismissal of the actions brought by British citizens challenging the loss of their rights as EU citizens as a result of Brexit’. Two separate groups of Brits – one representing some Brits in the UK, C-499/21 P (Silver and Others v Council), and the other representing some Brits settled in the EU, C-501/21 P (Shindler and Others v Council) – had been trying by all legal methods to hang on to their EU rights after Brexit. Their principal line of attack was against the Withdrawal Agreement signed between the UK and the EU, the legal document laying out the exit deal.

Though separate cases, they were brought together into the same press release (together with a third individual case, C-502/21 P (Price v Council), whose outcome was the same, but available only in French). The British citizens resident outside the UK claimed, among other things, that they had not been able to vote in the decision which removed their rights (at any rate, those who had been outside the UK for more than 15 years were not able to vote). Both groups claimed that rights which they had held for years could not just be withdrawn like that. For instance, the EU residents lost the right to vote in local and European elections - several complainants in that group were former local councillors.

The CJEU was having none of it. Both groups had already been to the General Court, which had held that they did not have standing and that their claim was inadmissible. Much of the argument centred around technicalities over those two issues of standing and admissibility, rather than the substance. The CJEU supported

the General Court in rejecting the claims. But to settle the matter for once and for all, and to make clear how wrong in law they felt the two groups to be, the court gave the same definitive wording in both principal judgements for the basis of their decision – and, as I say, the press release is headed 'definitive dismissal'.

The court said that it was not the Withdrawal Agreement which had caused UK citizens to lose their EU rights. Rather, 'the loss of the status of citizen of the European Union, and consequently the loss of the rights attached to that status, is an automatic consequence of the sole sovereign decision taken by the United Kingdom to withdraw from the European Union, by virtue of Article 50(1) TEU'. In other words, speak to the UK government about your loss of rights, don't come and litigate it here. Of course, that is not quite the end of the story. The lawyer representing the EU-resident group has said that his last hope is an appeal to the European Court of Human Rights because of British citizens being excluded from local election voting.

There is another strand of the story which has ended more happily. One of the group of EU residents before the CJEU was Harry Shindler, who died earlier this year in Italy, aged 101. He was a Second World War veteran who fought in the Battle of Anzio and took part in the liberation of Rome. He fought a two-decade campaign to secure the rights of British citizens living overseas to vote in UK elections. This became successful last year with the passage of the Elections Act 2022, which gives certain UK citizens living abroad the right to vote for life, regardless of how long they have been outside the UK.

The House of Commons Library published a briefing paper about the Elections Act 2022 just a few days ago. It contains interesting numbers. Until 2015, the number of overseas voters registered to vote (under the 15 year rule) had never risen above 35,000. At the General Election of 2017, there were a record 285,000 registered overseas voters, estimated to be about 20% of eligible expats under the 15-year limit. Now the government estimates that the changes in the new Act, ending the 15-year limit, will mean around 3.5 million British nationals living overseas will be eligible to register to vote.

The structure is not yet in place. Detailed secondary legislation is required to implement aspects of the new provisions. It is expected to be brought forward this year, with newly eligible overseas voters able to vote in 2024. So Harry Shindler and others may have lost their EU rights forever, but a change has nevertheless been brought about that, in the future, when votes take place, will ensure a much wider franchise, with potentially significant power.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 2.

1. Read the news report and give your translation into English

ЧОМУ В СУДАХ ТАК БАГАТО СПРАВ І ЩО З ЦИМ РОБИТИ? [50]

Проблема навантаження на суди в Україні вже давно є актуальною та важливою для правової системи країни. Чому така ситуація виникла? Причини різні: недостатність ресурсів, неефективність процесів, відсутність кваліфікованих кадрів та багато іншого.

Перевантаженість справами однозначно призводить до збільшення строків розгляду справ та затримок у розв'язанні правових питань, що своєю чергою спричиняє невдоволення сторін у справі й, як наслідок, впливає на рівень довіру до судочинства в цілому.

Важливо, що переважну більшість справ, віднесених до юрисдикції адміністративних судів, складають справи, пов’язані із соціальним забезпеченням. До таких спорів, зокрема, належать спори щодо відмови у призначенні пенсії, обчислення стажу для призначення або перерахунку пенсії, визначення розміру пенсії, у тому числі відмова у здійсненні її перерахунку, відмова у переході на інший вид пенсії, та інші рішення або дії,

які порушують права громадян на пенсійне забезпечення, гарантоване державою.

Ще одним чинником, що призводить до значного навантаження в судах, є недостатність ресурсів. Суди наразі мають обмежені бюджети, що ускладнює їхню роботу. Також суттєвим ресурсом є кадровий потенціал. Насамперед усі суди України переживають кадровий голод: кваліфіковані працівники звільняються, а молоді спеціалісти не охоче йдуть працювати на державну службу, адже їх більше приваблює приватна юридична практика, де суттєво вищою є оплата праці.

Крім того, недосвідченість молодих кадрів також впливає на швидкість та якість вирішення справ, що стає причиною подальших апеляцій та затримок у розгляді справ. А з іншого боку органи державної влади часто зловживають правом подачі апеляційних чи касаційних скарг

До того ж неефективне законодавство в Україні стає також однією з причин великої кількості судових справ. На жаль, часто закони та нормативно-правові акти є заплутаними, неоднозначними та суперечливими, що ускладнює їхню інтерпретацію та застосування у практиці. Недосконаліть законів часто залишає простір для різних тлумачень та спорів між сторонами. Це призводить до того, що судовий розгляд може тривати довгий час, оскільки судам доводиться досліджувати різні аргументи та докази, а також вирішувати спори щодо тлумачення закону.

Таким чином, існує ряд абсолютно об’єктивних причин, які призводять до перенавантаження судів України й відповідно, аби будувати правову демократичну державу, необхідно шукати шляхи розв'язання проблемних питань.

Для розв'язання питання навантаження на суди в Україні потрібно застосувати комплексний підхід. По-перше, необхідно збільшити фінансування судової системи та забезпечити її достатніми ресурсами. Це може включати будівництво нових судових приміщень, добір додаткових суддів та персоналу, створення сприятливих та конкурентних умов для

залучення кваліфікованих спеціалістів у судову сферу, а також впровадження сучасних інформаційних технологій для полегшення роботи судів.

По-друге, важливо підвищити якість підготовки суддів та юристів, щоб вони могли ефективно вирішувати справи та дотримуватися високих стандартів правосуддя. Це може включати проведення додаткових навчальних курсів, підвищення кваліфікації та створення спеціалізованих програм для підготовки судових кадрів.

По-третє, для зменшення кількості судових справ та покращення правосуддя в Україні необхідно проводити реформи у сфері законодавства, спрямовані на спрощення та уточнення норм, удосконалення механізмів їх застосування та забезпечення ефективного контролю за їх виконанням.

Проблема навантаження на суди в Україні є серйозним викликом для правової системи країни, оскільки саме суд є тією фінальною крапкою у вирішенні спірних правовідносин. Її вирішення вимагає комплексного підходу та спільних зусиль з боку влади, судових органів та правозахисних організацій. Тільки шляхом тісної взаємодії можна покращити ситуацію і забезпечити ефективну та справедливу судову систему в Україні.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 3.

1. Read the news report and give your translation into Ukrainian.

LONG READ: JUDGES TIRE OF GAMEPLAYING TACTICS IN COSTS DISPUTES [51]

By John HydeJohn Hyde, 14 September 2024

It has been an assumption for years in costs budgeting in civil litigation: claimants start high and negotiate down, assuming there will be scope for ending up at the figure wanted all along. But have judges had enough of the game-playing?

Two judgments in quick succession from Master Thornett have both criticised claimants' overstated costs budgets and penalised the parties accordingly. Costs experts are now warning that parties are not immune from sanctions during the costs management process, and if their costs appear high at first glance, they will have to justify this.

'For those drafting costs budgets, ensuring they are robust and well thought-out from conception is key,' said Sean Linley, senior costs draftsperson at Newcastle firm Carter Burnett. 'It's now abundantly clear that parties will need to be prepared to explain and justify a "high" costs budget. There is an expectation of reasonable engagement in both budget discussions and negotiations.' Daniel Murray, senior associate with Leeds-based Clarion, said it is a misconception that all claimants approach costs budgeting with a 'start high and negotiate down' method. 'In practice, most claimant solicitors take their budgeting obligations seriously and place great weight on their endorsement of costs sought by the signature given to the statement on the front sheet of a Precedent H.

'In doing so, the majority of claimants present true and accurate reflections of what they believe to be reasonable and proportionate costs of the case, with the intention of agreeing most of those figures, or certainly sums close to them.' In both Worcester v Hopley and Jenkins v Thurrock Council, Thornett asked why costs issues could not have been settled without the need for a specific costs management hearing. In Jenkins he said such hearings 'are not always inevitable' and pointed out that many parties agree their respective budgets by the time of the case management conference.

The claimant served up an updated budget for the costs hearing coming to more than £940,000. This compared to the defendant's £383,000 costs total. While acknowledging that claimant costs were often higher than those of the defence, the size of the budget 'plainly calls for careful consideration and reflection', the judge said. Thornett observed that the claimant in Jenkins continued to take an unrealistic approach to costs despite offers to change position from the defendant. The period between the case and costs management conferences should have allowed

‘discussion and negotiation’, Thornett concluded. In Worcester, he was similarly scathing about the gap between claimant and defence positions.

‘Parties must be prepared to account for not just what work justifies their estimated costs but why the figure claimed is also proportionate,’ said Thornett. ‘The claimant’s [budget] was unreasonable and unrealistic in terms of proportionality. It led to a polarised approach between the parties on budgeting that had prevented settlement and so necessitated a separate hearing.’ Claimant firms have complained to the Gazette that judges fail to spot when defence lawyers ‘lowball’ their costs budgets to make it appear that claimant costs are disproportionately high.

Tom Blackburn, costs specialist at south west firm Croft Solicitors, said there remain fundamental problems with costs budgeting. 'The yardstick by which the courts measure budgeting being a success is by reducing budgets in order to 'control costs'. If you know from the outset that a budget is going to be reduced, regardless of how reasonable it is, then the system is broken,' said Blackburn. 'However, paying parties should also face the music. For over 11 years, paying parties have submitted unreasonably low budgets that bear no resemblance to what it would actually cost them to defend the case properly. They do this so the contrast between the budgets looks stark.'

Both parties should approach the process openly and honestly. At present, that is rarely the case. There are also concerns that the courts may be trying to restrict the to-and-fro negotiations that are needed to end up with the correct figures. ‘There is a fine line between encouraging parties to engage sensibly and amicably and fostering an environment which discourages some parties from negotiating on the basis that they are incentivised to take a chance at a costs management hearing,’ said Linley. ‘What is clear, though, is that more parties are pushing for costs sanctions in the context of costs management and practitioners ought to be prepared for that.’

Michelle Farlow, legal costs manager at Partners in Costs, said the decisions should prompt a change in mindset by practitioners in how they set budgets. They should also be aware that courts may penalise parties who assume they can rely on a costs management hearing. ‘Parties will have a high hurdle to overcome if

unrealistic and ambitious budgets are presented and maintained,' said Farlow. 'Parties need to take stock after case directions are made, adapt their positions accordingly and continue to strive to narrow the issues in accordance with the overriding objective.'

Murray stressed that the two cases must be judged on their own merits: 'It would be dangerous for there now to be a blanket belief or invitations from defendants for there to be similar penalties as in these cases, when there are certain levels of reductions to a claimant's budget. Parties should be encouraged to continue to make realistic and fair proposals during the budgeting process.'

2. Give the main idea of the text.

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4. Make vocabulary of unknown words and expressions.

РОЗДІЛ 2. ЗАВДАННЯ ДЛЯ САМОСТІЙНОЇ РОБОТИ

САМОСТІЙНА РОБОТА 1

TEXT 1.

1. Read the news report and give your translation into Ukrainian.

TAKE POST OFFICE COMPENSATION SCHEME AWAY FROM LAWYERS, SAY EXPERTS [52]

By John Hyde,16 September 2024

The adversarial nature of the compensation scheme for victims of the Post Office scandal is preventing them securing timely redress. That is the view of the Horizon Compensation Advisory Board set up to oversee the process for compensating the thousands of people whose lives were affected by the scandal. In a discussion paper prepared earlier this year, the board advocates for a 'principled and more effective way' for delivering redress in cases funded by the government. Creating a standing compensation authority could mean that victims' needs are identified quicker and crucially would prevent money being spent on lawyers involved in the process.

'We keep falling back on old and ineffective models, which are heavily dependent on lawyers,' the paper states. 'All of these redress/compensation schemes were created on an ad hoc basis. They fell back on the traditional adversarial model of the courts, in which lawyers represent both claimants and the government. However, it has long been recognised that that adversarial system is slow, expensive, and inherently divisive.' The speed of the various Post Office compensation schemes came under scrutiny again last week, when former sub-postmistress Jo Hamilton spoke after the ITV drama Mr Bates vs The Post Office had been recognised at the National Television Awards.

Hamilton told the crowd at the O2 Arena and millions watching at home: 'I want to thank everyone in the country for the love and the support they have given the postmasters. Please can you keep on supporting us because, despite what the

government says, they're not paying the postmasters.' Monica Dolan and Jo Hamilton pose with the New Drama award for Mrs Bates vs The Post Office at the National Television Awards 2024. Actor Monica Dolan (left) who played Jo Hamilton (right) in Mr Bates vs The Post Office.

The government says that as of 30 August, £87m had been paid under the scheme including interim payments. But critics have suggested the Post Office is spending large amounts on lawyers to fight compensation claims, while many claimants are also represented by firms who will be paid for their work advising on the existing schemes. The Horizon advisory board, chaired by Professor Christopher Hodges, acknowledges that claimants may be concerned about being short-changed if they are not represented. But its paper suggests that other countries have been able to establish compensation schemes managed by independent bodies which reduce this risk and remove legal costs. It adds there has been a 'quiet revolution' in the UK in terms of ombudsman schemes bringing through new dispute resolution procedures and institutions.

The paper adds: 'Most ombudsmen offer procedures that are investigative rather than adversarial, involving no roles for lawyers. The systems are, therefore, inherently significantly more cost-effective and swifter.' The board also suggests that while traditional redress is based around providing money as compensation, an independent body could secure care, therapy and support for victims, rather than increasing their psychological harm through a confusing or legalistic process.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 2.

1. Read the news report and give your translation into English.

САНКЦІЙНА ПОЛІТИКА В УКРАЇНІ: ЯКИЙ АЛГОРИТМ ОСКАРЖЕННЯ ОБМЕЖУВАЛЬНИХ ЗАХОДІВ [53]

Правове підґрунтя застосування спеціальних економічних та інших обмежувальних заходів, тобто санкцій, становить Конституція України, міжнародні договори України, згода на обов'язковість яких надана Верховною Радою України, закони України, зокрема Закон України «Про санкції» від №1644-VII від 14.08.2014 р. (зі змінами) (далі – Закон), нормативні акти Президента України, Кабінету Міністрів України, рішення Ради національної безпеки та оборони України, відповідні принципи та норми міжнародного права.

З урахуванням ч. 1 ст. 4 Закону, санкції поділяються на таки види:

блокування активів;

стягнення в дохід держави активів, що належать фізичній або юридичній особі, а також активів, щодо яких така особа може прямо чи опосередковано (через інших фізичних або юридичних осіб) вчиняти дії, тотожні за змістом здійсненню права розпорядження ними;

обмеження торговельних операцій;

обмеження, часткове чи повне припинення транзиту ресурсів, польотів та перевезень територією України;

запобігання виведенню капіталів за межі України;

зупинення виконання економічних та фінансових зобов'язань;

анулювання або зупинення ліцензій та інших дозволів, одержання (наявність) яких є умовою для здійснення певного виду діяльності, зокрема, анулювання чи зупинення дії спеціальних дозволів на користування надрами;

заборона поширення медіа на території України;

заборона участі у приватизації, оренді державного майна резидентами іноземної держави та особами, які прямо чи опосередковано контролюються резидентами іноземної держави або діють в їх інтересах;

заборона користування радіочастотним спектром України;

обмеження або припинення надання електронних комунікаційних послуг і використання електронних комунікаційних мереж;

заборона здійснення публічних та оборонних закупівель товарів, робіт і послуг у юридичних осіб-резидентів іноземної держави державної форми власності та юридичних осіб, частка статутного капіталу яких перебуває у власності іноземної держави, а також публічних та оборонних закупівель в інших суб'єктів господарювання, що здійснюють продаж товарів, робіт, послуг походженням з іноземної держави, до якої застосовано санкції згідно з цим Законом;

заборона або обмеження заходження іноземних невійськових суден та військових кораблів до територіального моря України, її внутрішніх вод, портів та повітряних суден до повітряного простору України або здійснення посадки на території України;

повна або часткова заборона вчинення правочинів щодо цінних паперів, емітентами яких є особи, до яких застосовано санкції згідно з цим Законом;

заборона видачі дозволів, ліцензій Національного банку України на здійснення інвестицій в іноземну державу, розміщення валютних цінностей на рахунках і вкладах на території іноземної держави;

припинення видачі дозволів, ліцензій на ввезення в Україну з іноземної держави чи вивезення з України валютних цінностей та обмеження видачі готівки за платіжними картками, емітованими резидентами іноземної держави;

заборона здійснення Національним банком України реєстрації учасника міжнародної платіжної системи, платіжною організацією якої є резидент іноземної держави;

заборона збільшення розміру статутного капіталу господарських товариств, підприємств, у яких резидент іноземної держави, іноземна держава, юридична особа, учасником якої є нерезидент або іноземна держава, володіє 10 і більше відсотками статутного капіталу або має вплив на управління юридичною особою чи її діяльність;

запровадження додаткових заходів у сфері екологічного, санітарного, фітосанітарного та ветеринарного контролю;

припинення дії торговельних угод, спільних проєктів та промислових програм у певних сферах, зокрема у сфері безпеки та оборони;

заборона передання технологій, прав на об'єкти права інтелектуальної власності;

припинення культурних обмінів, наукового співробітництва, освітніх та спортивних контактів, розважальних програм з іноземними державами та іноземними юридичними особами;

відмова в наданні та скасування віз резидентам іноземних держав, застосування інших заборон в'їзду на територію України;

припинення дії міжнародних договорів, згода на обов'язковість яких надана Верховною Радою України;

анулювання офіційних візитів, засідань, переговорів з питань укладення договорів чи угод;

позбавлення державних нагород України, інших форм відзначення;

заборона на набуття у власність земельних ділянок;

заборона діяльності на території України;

відмова в наданні або скасування дозволу на імміграцію, дії посвідок на постійне чи тимчасове проживання в Україні;

примусове повернення або примусове випровадження за межі України;

заборона демонстрації та використання символіки терористичних організацій і груп, пропагування ідей та програмних цілей таких організацій (груп), блокування доступу до інформаційних ресурсів, які використовуються для зазначених цілей;

інші санкції, що відповідають принципам їх застосування, встановленим цим Законом.

Враховуючи вищенаведене, зазначимо, що перелік спеціальних економічних та інших обмежувальних заходів, які можуть застосовуватись до суб'єктів не є вичерпним. Зокрема, але не виключно, до інших санкцій, що відповідають принципам їх застосування, встановленим цим Законом, може бути віднесено зупинення операцій за рахунками юридичної особи; заборона

укладення договорів та вчинення правочинів; блокування інтернет-провайдерами доступу до вебресурсів, розміщених на домені/субдоменах (назва домена/субдомена), інших аналогічних (ідентичних) за змістом вебресурсів, розробником яких є підсанкційний суб'єкт тощо.

Спершу ніж відмітити статистичні дані, потребує уваги те, що Указом Президента України №36/2024 «Про рішення Ради національної безпеки і оборони України від 29 січня 2024 року «Про затвердження Положення про Державний реєстр санкцій» було уведено в дію рішення Ради національної безпеки і оборони України від 29 січня 2024 року «Про затвердження Положення про Державний реєстр санкцій». Тож наразі в Україні у відкритому доступі функціонує Державний реєстр санкцій (далі – Реєстр), який являє собою інформаційно-комунікаційну систему, що забезпечує збирання, накопичення, захист, облік, відображення, оброблення та надання інформації про всіх суб'єктів, щодо яких застосовано санкції (з урахуванням ч. 1 ст. 5-3 Закону). За статистичною інформацією із Реєстру, наразі під санкціями є 10 085 підсанкційних фізичних осіб, 7 126 підсанкційних юридичних осіб та 29 592 санкційних дій, тобто застосування, зміна або скасування санкцій.

Розглядаючи практичну сторону застосування санкцій, підсанкційні суб'єкти, до яких застосовано санкцію за п. 1-1 ч. 1 ст. 4 Закону, досить часто намагаються оскаржити її застосування у судовому порядку. Дана категорія справ підсудна Вищому антикорупційному суду. Зокрема, Кодекс адміністративного судочинства України (надалі – КАС України) містить норми, які регулюють особливості провадження у даній сфері. За результатами розгляду позовної заяви Вищий антикорупційний суд ухвалює одне з таких рішень:

про задоволення позовних вимог повністю або частково та застосування до фізичної або юридичної особи санкції, передбаченої п. 1-1 ч. 1 ст. 4 Закону України «Про санкції»;

про відмову в задоволенні позову (з урахуванням ч. 7 ст. 283-1 КАС України).

Апеляційна скарга на рішення Вищого антикорупційного суду може бути подана учасником справи та/або його представником до Апеляційної палати Вищого антикорупційного суду впродовж п’яти днів із дня проголошення рішення суду. За результатами розгляду апеляційної скарги Апеляційна палата Вищого антикорупційного суду ухвалює одне з таких рішень:

про залишення судового рішення без змін, а апеляційної скарги – без задоволення;

про зміну судового рішення;

про скасування судового рішення та ухвалення нового рішення.

Постанова Апеляційної палати Вищого антикорупційного суду набирає законної сили негайно після її проголошення та не підлягає оскарженню в касаційному порядку (враховуючи ч. 8 ст. 283-1 КАС України).

Так, алгоритм оскарження інших видів санкцій, які передбачені ч. 1 ст. 4 Закону, окрім санкції, – стягнення в дохід держави активів, що належать фізичній або юридичній особі, а також активів, щодо яких така особа може прямо чи опосередковано (через інших фізичних або юридичних осіб) вчиняти дії, тотожні за змістом здійсненню права розпорядження ними, є іншим. Але спершу потрібно зазначити, хто є суб’єктом подання санкційних пропозицій. Пропозиції щодо застосування, скасування та внесення змін до санкцій виносяться на розгляд Ради національної безпеки та оборони України Верховною Радою України, Президентом України, Кабінетом Міністрів України, Національним банком України, Службою безпеки України (ч. 1 ст. 5 Закону). Рішення Ради національної безпеки та оборони України, зокрема, про застосування санкцій вводиться в дію Указом Президента України. Відповідне рішення набирає чинності з моменту видання Указу Президента України і є обов’язковим до виконання.

Тож, враховуючи наведене, оскаржується саме відповідний Указ Президента України, який вводить в дію рішення Ради національної безпеки та оборони України. Судом першої інстанції по розгляду даної категорії справ

буде Касаційний адміністративний суд у складі Верховного Суду, судом апеляційної інстанції – Велика Палата Верховного Суду.

Щодо строку звернення до адміністративного суду, то у правовій позиції Великої Палати Верховного Суду у справі № 990/102/22 від 8 грудня 2022 року зазначається, що спірні укази є індивідуально-правовими актами, тому до спірних правовідносин підлягає застосуванню установлений ст. 122 КАС України шестимісячний строк звернення до адміністративного суду. Тобто наразі в Україні у правовому полі передбачені достатньо чіткі нормативні механізми оскарження застосування до суб'єкта санкцій.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

САМОСТІЙНА РОБОТА 2

TEXT 1.

1. Read the news report and give your translation into Ukrainian.

SOLICITOR CONVICTED OF BLACKMAIL STRUCK OFF

By Bianca Castro, 19 September 2024

A solicitor convicted of blackmail has been struck off by the Solicitors Disciplinary Tribunal. According to the tribunal, Michael John Potter threatened to go to the Financial Conduct Authority if his settlement demands to leave a company, of which he was director, were not met. He admitted the allegations against him that, in his role as a business director, he acted with a view to gain for himself or another, or with the intent to cause loss to another, by making an unwarranted demand with menaces. Potter, admitted in February 1991, has not been employed as a solicitor since 1994. He undertook an interim consultancy role at Eversheds Sutherland (International) in June 2021 and his services were terminated in October that year.

He was appointed a director of 350 PPM Ltd in September 2019. By spring 2020, there had been a 'breakdown in the relationship' between Potter and the founding director which led to settlement negotiations in relation to Potter and another director John Price's exit from the company. In a remotely held board meeting, Potter and Price 'advanced their negotiation positions…with the threat that they would proceed to report to the Financial Conduct Authority about alleged non-compliance by the company and [the founding director]'. Potter appeared at Bournemouth Crown Court where he was convicted of blackmail. He was sentenced to one year's imprisonment, suspended for two years, and 240 hours of unpaid work.

The SDT said in an agreed outcome 'the nature of the criminal offence upon which he was convicted spoke for itself'. The judgment added: 'The respondent's misconduct could only be viewed as extremely serious, and this fact, together with the need to protect the reputation of the legal profession, required that strike off from

the roll was the only appropriate sanction.' Potter was also ordered to pay £4,158 costs.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 2.

1. Read the news report and give your translation into Ukrainian.

LAWYERS' DELIGHT AS 'HILLSBOROUGH LAW' SET TO GO BEFORE PARLIAMENT [55]

By John Hyde, 24 September 2024

Prime minister Sir Keir Starmer was today due to respond to years of campaigning and announce a 'Hillsborough Law'. Legislation will be brought before next April to enforce a legal duty of candour on public authorities who are subject to investigations following major disasters. Prime minister Keir Starmer during the Labour Party Annual Conference, Liverpool 2024/ Starmer will announce the changes during his leader's speech at the Labour party's conference

The government is recruiting an independent public advocate to represent victims and their families and will provide funding to ensure groups have access to legal advice. Starmer will announce the changes during his leader's speech at the Labour party's conference in Liverpool. The location is symbolic, given that the law will be named to commemorate the 97 Liverpool fans who lost their lives following a crush on the terraces at an FA Cup semi-final in Sheffield in April 1989.

Elkan Abrahamson, a solicitor with Liverpool firm Broudie Jackson Canter and a director of the Hillsborough Law Now campaign, said his organisation stands ready to help the government make this law a reality. He added: 'We and all the families are delighted to hear the renewed commitment from the prime minister that a Hillsborough Law will be brought in by next April. However, there remains a lot of work to do to ensure a Hillsborough Law loses none of the effectiveness of the

original bill (Public Authority (Accountability) Bill) first presented by Andy Burnham in 2017.

‘The HLN campaign has grown significantly and is now a coalition of families bereaved by state failures who will not give up until they see the right act on the statute book.’ Deborah Coles, director of advice charity INQUEST, paid tribute to the people who have spent so long trying to increase accountability. ‘There are few occasions that we can celebrate success and today is a step forward in providing a legacy for the 97 so that others do not have to go through the pain and trauma of decades of campaigning,’ said Coles. ‘This is the result of the incredible power of families standing together to demand justice accountability and change.’

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 3.

1. Read the news report and give your translation into Ukrainian.

IBA MEXICO: LAWYERS AT THE FOREFRONT OF GLOBAL AI GOVERNANCE [56]

By Michael Cross in Mexico City, 23 September 2024

The legal profession must be at the forefront of global efforts to ensure the spread of artificial intelligence is governed for the benefit of humanity, the world's largest gathering of lawyers has heard. In what it described as a 'call to action for the legal community to embrace AI responsibly and proactively', the International Bar Association published the first report of a major investigation into AI and the legal profession. The Future is Now, produced with the Washington DC-based Center for AI and Digital Policy (CAIDP), stresses the need of the profession to stay abreast of technological advancements to maintain the integrity and efficacy of legal practices globally.

Marc Rotenberg of the Center for AI and Digital Policy addresses the IBA Rotenberg: 'Epistemological collapse'. It appears amid a flurry of regulatory activity in the area: the UN secretary general published proposals for global governance of AI. Meanwhile earlier this month, the Council of Europe published the first international draft treaty on AI; the UK, the US and the EU were among the early signatories. In a keynote speech to the IBA's annnual conference in Mexico City, Marc Rotenberg, the CAIDP's executive director, predicted that the impact of AI on the legal profession would be greater than that of the internet. He also warned of the dangers of the unregulated spread of 'black box' systems generating conclusions without explaining how they reached them. Rotenberg, an academic lawyer and digital privacy activist, cited warnings of an 'epistemological collapse' - in a world of uncertainty about the reliability of information.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 4.

1. Read the news report and give your translation into Ukrainian.

IBA INTERNATIONAL PRINCIPLES ON CONDUCT FOR THE LEGAL PROFESSION (2018) [57]

The IBA International Principles on Conduct for the Legal Profession outlines core values and provides guidance for bars and regulatory bodies regarding the rules of professional conduct for the legal profession. It is not a model code with comprehensive rules, but rather includes core principles that establish common rules for professional conduct and the foundation for the ethical use of AI.21 Under the IBA Principles, lawyers have an obligation to maintain the confidentiality of their clients' information.

This responsibility extends to adapting to the evolving technological standards to ensure that electronic communications and data stored on computers are secure.

As technology advances, lawyers must stay informed about the required professional standards to uphold their duty of confidentiality effectively. The use of proprietary client information in generative AI prompts, for example, could compromise client confidentiality. Notably, the IBA General Principle on Competence states that 'A lawyer's work shall be carried out in a competent and timely manner. A lawyer shall not take on work that the lawyer does not reasonably believe can be carried out in that manner'.22 In 2024, the IBA adopted commentary to this principle to specifically address technology in general and AI in particular: 'A lawyer should keep abreast of changes in the law and be competent in their response to, awareness, and use of technology relevant to their practice.

Technological competence is a spectrum, ranging from the effective use of electronic communications to engaging with Artificial Intelligence. Lawyers should aim to be conscious of the opportunities, risks, and ethical challenges that technology presents for themselves as well as their clients'. Additionally, these rules call on lawyers to diligently honour any professional promises made during their practice. This includes ensuring that any commitments or undertakings given can be fulfilled. Lawyers must exercise due diligence to maintain full control over their ability to meet these promises, thereby upholding the integrity of their professional obligations. This principle could impose an obligation on attorneys to be fully responsible for the outputs of AI systems.

Certainly submissions to courts mean that the lawyer is responsible for the content of the document generated by AI, and lawyers generally can be held responsible for content generated by others (human or machine) and relied on by clients, adversaries and third parties. Furthermore, lawyers must prudently manage and protect any property of clients or third parties that has been entrusted to them. This includes keeping such property separate from the lawyer's personal assets, and providing prompt and accurate accounting for it. By doing so, lawyers ensure the safeguarding of client property and maintain trust in their fiduciary responsibilities. This principle could apply to the use of client data for AI training purposes.

Moreover, these rules also provide that maintaining competence is a fundamental ethical principle for lawyers, which involves staying updated on both legal and technological advancements. With the integration of AI into legal practice, it is crucial for lawyers to understand these developments and their implications. Competence encompasses not only knowledge of legal principles but also the practical application of these principles through effective client file and practice-management strategies.

Finally, these rules state that lawyers are entitled to charge reasonable fees for their services and must avoid generating unnecessary work. When involving other lawyers, it is essential to clarify responsibilities and fees with the client and the involved lawyers beforehand. This transparency helps prevent misunderstandings and ensures that clients are fully aware of the cost implications of their legal representation. As AI techniques are deployed for certain legal functions, it may be necessary to review billing practices. ii. IBA International Principles on Social Media Conduct for the Legal Profession The IBA International Principles on Social Media Conduct for the Legal Profession identify factors for bar associations and regulatory bodies seeking to establish ethical rules for use of social media by members of the legal profession and provide an overview of applicable principles for such members to be guided by. Of note are Principle 3 (Responsibility), Principle 4 (Confidentiality) and Principle 5 (Maintaining Public Confidence).

Some of these of course relate back to ethical principles and the highlights noted above; others emphasise broader issues, such as public confidence. For example, public confidence in the use of AI by lawyers was shaken in a case in which lawyers submitted a court filing using research generated by ChatGPT. The cases cited were fictitious and the quotations were fabricated. As a result, several courts in the United States issued orders to require attestation of human review. Approaches in different jurisdictions The American Bar Association (ABA) has established a Task Force dedicated to addressing AI in legal contexts. This Task Force emphasises the importance of technological competence and ethical issues

such as confidentiality and supervision, ensuring that lawyers are equipped to handle AI technologies responsibly and effectively within their practice.

On the state level, New Jersey has issued guidelines that highlight critical aspects of AI use, including accuracy, honesty, confidentiality and the prevention of misconduct. These guidelines are designed to ensure that AI tools are used ethically and that their outputs meet the high standards required in the legal profession. In addition, the State Bar of California provides comprehensive guidance on the use of AI in law. This guidance emphasises the need for confidentiality, competence, supervision and a thorough understanding of ethical considerations. The detailed recommendations help lawyers navigate the complexities of integrating AI into their practices.

Also in the US, Florida's ethical guidelines focus on key areas such as confidentiality, oversight, costs and advertising related to AI generated work. By addressing these aspects, the guidelines aim to ensure that AI use in legal practice is both transparent and accountable. Most recently, the ABA has issued a Formal Opinion that states that to ensure clients are protected, lawyers and law firms using generative AI tools must 'fully consider their applicable ethical obligations', which include duties to provide competent legal representation, to protect client information, to communicate with clients, to ensure candour toward the tribunal and to charge reasonable fees consistent with time spent using generative AI.

It appears to be difficult for national bars and law societies to deal with this matter in a simple and effective manner. The potential use of international guidelines could prove to be useful in this regard. The application of those AI-oriented rules could face some difficulties. For example, how can the level of technical knowledge required for a lawyer to use AI be measured at different points in time? Should policies regarding the use of AI be required to any practitioner, thus, how can you prove their adoption? Can the use of certain AI systems be 'prohibited', if such systems proved wrong? AI systems being of an international nature, plus the practice of law being more and more often of a global nature, raises the additional challenge

of the harmonisation required among the rules affecting the legal profession issued by different jurisdictions.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

САМОСТІЙНА РОБОТА 3

TEXT 1.

1. Read the news report and give your translation into English.

ТЕХНОЛОГІЯ РОЗПІЗНАВАННЯ ОБЛИЧЧЯ: РИЗИКИ ЗАСТОСУВАННЯ У ВОЄННИЙ ЧАС [58]

Від початку повномасштабного вторгнення новини про використання військовими технологій на основі штучного інтелекту, зокрема технології розпізнавання обличчя, набули широкого розголосу. Програма, запропонована Україні компанією Clearview AI, вже з перших місяців воєнних дій демонструвала неймовірні результати, які значно впливали на хід військових операцій і змінювали їх динаміку. Все більше державних агенцій та посадових осіб отримували доступ до технології, а кількість пошукових запитів та ідентифікованих російських злочинців лише зростала. За наявними даними, здійснено понад 350 000 пошуків та відкрито близько 120 000 кримінальних проваджень щодо злочинів росіян та їхніх пособників в Україні.

Попри успішність застосування технології розпізнавання обличчя, її використання все ж несе певні ризики, які викликають занепокоєння та відповідно потребують уваги. Зокрема, це питання стосується як правових та етичних аспектів використання технології, так і можливості її неправильного використання під час війни та у мирний час.

Основні ризики використання технології розпізнавання обличчя

Помилкова ідентифікація

Одним із найсерйозніших ризиків застосування технології розпізнавання обличчя є помилкова ідентифікація, яка може мати жахливі наслідки як при ідентифікації загиблих, так і живих людей. За нормальних обставин ідентифікацію загиблих проводять судово-медичні експерти за допомогою ДНК-тестування, яке на сьогодні довело свою надійність. Проте в умовах війни цей метод може бути недостатньо швидким.

Як зазначає Clearview, їхній алгоритм правильно зіставляє фотографії з точністю 99, 85%. Попри те, що цей результат є майже досконалим, як і з усіма новими технологіями, помилки можуть виникати, особливо враховуючи використання цієї системи під час воєнного часу, який характерний напруженістю та стресовими ситуаціями. Оскільки переважно Clearview в Україні використовується для ідентифікації загиблих російських солдатів, враховуючи деформацію обличчя або інші ушкодження в результаті бойових дій, помилка алгоритму при ідентифікації все ж можлива. З огляду на це, результати пошуків у цій системі не повинні бути єдиною підставою для обвинувачення особи, а мають підкріплюватися іншими доказами.

Крім того, ефективне використання технології розпізнавання обличчя потребує спеціалізованого навчання, якого часто бракує в умовах війни через обмеженість часу та ресурсів. Це може призводити до залучення операторів технології без належного інструктажу щодо використання та інтерпретації результатів системи, без знання технічних термінів, що, своєю чергою, збільшує ймовірність помилок. Крім цього, високий рівень стресу на полі бою може змусити операторів приймати поспішні рішення без належної перевірки результатів.

Неконтрольоване використання

Технологія розпізнавання обличчя є вагомим інструментом, і доступ до неї у великої кількості посадових осіб викликає занепокоєння щодо можливих зловживань. Якщо система використовується поза межами дозволеного, без належного контролю, обходячи протоколи та інструкції, це може призвести не лише до використання технології для особистих інтересів, але й порушення прав інших осіб. На сьогодні в Україні немає належного правового регулювання використання технології розпізнавання обличчя і відповідно необхідного інструменту для запобігання подібним випадкам порушення свобод людини. Враховуючи це, важливим є розроблення чітко регламентованої системи перевірки особи оператора технології розпізнавання

обличчя та його повноваження, а також механізмів контролю за тим, які пошукові запити виконуються та в яких цілях.

Інтеграція в системи зі зброєю

Інтеграція технології розпізнавання обличчя у зброю з прямою летальною силою залишається потенційною загрозою на майбутнє. Попри те, що розробка та використання такої зброї може видаватись ще далеким концептом, вже існують перші приклади: зокрема, у 2023 році Збройні Сили США підписали контракт про виготовлення дронів, оснащених системою розпізнавання обличчя. Таким чином, подальші позитивні результати використання технології під час війни можуть стимулювати подальшу розробку нового автоматизованого озброєння, що застосовує алгоритм для виявлення та ураження цілей (наприклад, інтеграція даної системи у «китайські роботи-собаки», які на сьогодні вже використовуються українськими військовими). Такий розвиток подій може спричинити гонку озброєння та загострення світових конфліктів. Отже, розширення військового застосування технології розпізнавання обличчя потребує обговорення на міжнародному рівні для створення механізмів контролю за використанням таких систем у військових цілях.

Поширення використання у мирний час

Наявність готової інфраструктури для використання технології розпізнавання обличчя, так і досвід операторів можуть вплинути на продовження активного застосування системи в мирний час. На сьогодні в українських містах уже поширюється нова система відеонагляду з функцією розпізнавання обличчя. Це, звісно, має свої обґрунтовані підстави, як-от підтримка громадської безпеки за рахунок швидкої ідентифікації злочинців або перевірка на блокпостах і кордоні для виявлення загроз національній безпеці.

Однак дана технологія може бути використана й в інших випадках, наприклад, для спостереження за політичними чи громадськими діячами, придушення свободи слова або іншого порушення прав людини. Таким чином,

занепокоєння щодо недоторканності приватного життя та громадських свобод, які можуть здаватися другорядними під час війни, набувають більшого значення у мирний час. Це може створити атмосферу недовіри та страху серед населення, підриваючи фундаментальні принципи вільного суспільства. На сьогодні вже існує ряд випадків громадського невдоволення. Наприклад, лише місяць тому протестувальники зібралися проти використання технології розпізнавання обличчя на стадіоні в Нью-Йорку.

Конфіденційність та захист даних

Використання технології розпізнавання обличчя передбачає зберігання великих обсягів конфіденційних даних. На сьогодні база Clearview містить понад 10 млрд зображень, зібраних зі соціальних мереж, таких як Facebook, Twitter, Вконтакте тощо. Під час війни ця база була значно розширена за рахунок фотографій живих і загиблих осіб, що само собою викликає багато етичних дискусій. Крім цього, забезпечення безпеки даних може бути складним завданням у зоні конфлікту, що підвищує ризик витоку даних або несанкціонованого доступу.

Питання захисту даних стають особливо актуальними, якщо взяти до уваги негативну репутацію Clearview у світовому товаристві. Деякі країни, зокрема Австралія, Канада, Франція та Велика Британія, вже визнали порушення закону про конфіденційність через використання Clearview AI. Додатково до попередніх штрафів, нещодавно, у вересні 2024 року, Управління із захисту даних Нідерландів також оштрафувало компанію Clearview AI на 30,5 мільйонів євро за незаконне створення бази даних. Таким чином, існують обгрунтовані занепокоєння щодо ускладнення майбутніх переговорів про вступ України до ЄС, де діє Загальний регламент захисту даних (GDPR), при використанні цієї технології.

Висновок

Технологія розпізнавання обличчя має значний вплив на воєнні дії в Україні. Вона стала важливим інструментом як для протидії російській пропаганді, так і для ідентифікації та притягнення до відповідальності

військових злочинців. Хоча Україна не є першою країною, яка почала застосовувати такі технології під час війни, вона значно підвищила рівень їх застосування і зробила важливим інструментом у веденні сучасної війни.

Попри очевидні позитивні результати, існує низка ризиків, які неможливо ігнорувати. Враховуючи недосконалість технології та недостатню підготовку операторів не виключається можливість помилкової ідентифікації людини або ж узагалі неконтрольоване використання технології в особистих цілях. З огляду на це, результати зі системи розпізнавання обличчя не повинні бути єдиною підставою для визначення долі особи. Занепокоєння викликає і можливість використання системи у мирний час, не лише для захисту громадських та національних інтересів, але і як порушення основних свобод людини. Враховуючи існування вже на сьогодні значних проблем щодо конфіденційності та захисту даних при використанні технології розпізнавання обличчя, ці ризики не видаються лише здогадками.

Отже, для зниження ризиків та запобігання зловживанням технологією розпізнавання обличчя необхідно розробити чіткі правила її використання як під час війни, так і в мирний час. Забезпечення захисту даних, підвищення рівня підготовки операторів та створення прозорих механізмів контролю допоможуть мінімізувати потенційні загрози, зберігаючи водночас переваги цієї інноваційної технології.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 2.

1. Read the news report and give your translation into Ukrainian.

LEGAL TEAM REVEALS CLAIMANTS IN MOHAMED AL FAYED ABUSE CASE DOUBLES [59]

By Bianca Castro, 30 September 2024

Barristers have revealed they now represent 60 people in potential civil claims against Harrods over allegations involving former owner Mohamed Al Fayed. In its latest announcement, the legal team said it was ‘in possession of credible evidence of abuse at other Al Fayed properties and businesses, including Fulham Football Club’. Barristers Dean Armstrong KC, Bruce Drummond and Maria Mulla and US attorney Gloria Allred held a press conference earlier in September where it was announced that civil claims would be issued, but confirmed none had been yet.

In a joint statement, they said since the press conference, in which it was confirmed that the team would not be pursuing a class action but focusing on individual claims on behalf of each client, they now represent 60 people ‘with more to come’. They said: ‘Since announcing our proposed claim, we have been responding to inquiries from more survivors of abuse, whether from their time at Harrods or in other corners of Mohamed Al-Fayed’s empire. We have also heard from others who are witnesses to that abuse.’

The statement added: ‘We can confirm that we now represent 60 survivors as part of our claim, with more to come. To reiterate, our claim is becoming increasingly global in scope. We thank each of these brave women for placing their trust in us as we now move forward together. ‘We are now in possession of credible evidence of abuse at other Al-Fayed properties and businesses, including Fulham Football Club.’ During the earlier press conference, Armstrong said the civil claims will initially focus on Harrods and its ‘systematic failure of corporate responsibility’.

The potential civil claims follow a BBC documentary Al-Fayed: Predator at Harrods in which Al Fayed, who died in 2023 aged 94, was accused of multiple rapes and sexual assaults by former staff. The legal team, which stated it had ‘fielded well over 200 inquires…from all over the world’ has confirmed the civil claims are against Harrods over the ‘systematic failure of corporate responsibility’.

The Met Police said it had identified 19 allegations which resulted in crimes being recorded involving Al Fayed and relating to 19 women, reported between 2005 and 2023, with offences alleged to have taken place between 1979 and 2013. In all 19 allegations reported to police, no further action was taken. The police confirmed

it had received new allegations from people who had not previously contacted the Met about Al Fayed.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 3.

1. Read the news report and give your translation into Ukrainian.

OMBUDSMAN WARNS LAWYERS OVER CFA COSTS DEDUCTIONS [60]

By John Hyde,1 October 2024

Consumers must never be surprised by the deductions from their damages to pay lawyers' costs, the legal ombudsman has said. The complaints handler this week waded into the long-running dispute over conditional fee agreements and particularly whether consumers can object to paying shortfalls on law firms' costs. In new guidance, the ombudsman is careful not to say that deductions are inherently poor practice, but does say that the basis of any charges need to be both reasonable and properly explained to the client.

'Where a lawyer intends to charge a success fee that is calculated based on risk, the reasoning behind this calculation should be provided to the client,' states the guidance. 'If not, we might decide that the client is not getting the information they should about how their costs are generated.' If the ombudsman investigates a complaint about this issue, lawyers will need to justify the arrangement in the context of providing a reasonable standard of service. In terms of time limits, the guidance says that even if a consumer has seen their bill, this does not mean they would know something is unfair. The ombudsman's view is that a consumer's date of awareness is likely to be the date they received advice from a law firm looking to represent them that they could make a complaint about a success fee.

Introducing the guidance, chief ombudsman Paul McFadden acknowledged that some solicitors are ‘frustrated’ by the actions of a small number of firms who look to reclaim legal fees on consumers’ behalf. ‘Firms representing consumers must act in a professional and constructive way, in line with their regulators’ expectations,’ added McFadden.

‘They need to make sure they’re not wasting everyone’s time – and are only pursuing complaints where it’s likely a consumer has unfairly lost out. However, solicitors receiving requests for information, and any related complaints, also need to respond constructively.’ The ombudsman suggests that a consumer is ‘entitled’ to see a bill and that if they have not received one and the solicitor won’t provide it, that would be grounds for complaint. Similarly, if a consumer has misplaced the original bill, the ombudsman says solicitors should meet a ‘reasonable request’ for a copy – albeit with the consumer paying towards the costs of producing this.

Around one in every ten complaints referred to LeO centre on the amount consumers have been asked to pay legal providers. Unhappiness with costs also features in many more complaints – in particular, those about service providers’ standard of communication. Several cases have come before the civil courts in recent years where former clients have sought to reclaim deductions that had been made from their damages. The most high-profile was the Belsner case which was a dispute about the way solicitors charged their client for bringing low-value road traffic accident claims. Judges in the Court of Appeal ruled that the firm had made fair and reasonable deductions from their client’s damages. The deductions were therefore lawful and did not need to be paid back.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

САМОСТІЙНА РОБОТА 4

TEXT 1.

1. Read the news report and give your translation into Ukrainian.

CREATING A CLIMATE OF SETTLEMENT TO AVOID COURT [61]

By Graham Coy, 25 September 2024

Suart (Stu) Webb, a Minnesota family attorney, wrote in 1990 that there has 'got to be a better way' than court to resolve disagreements between separating couples about arrangements for their children and finances. That led to collaborative law becoming established as a major feature in many parts of the US. He advocated an approach which focused on creating a climate of settlement without the threat of 'going to court lurking just around the corner', abandoning 'adversarial, contentious lawyering' in favour of analytical reasoning to solve problems and generating a positive context for settlement.

So, 34 years on, how have we done as family solicitors? It takes moments on Google to be overwhelmed by articles on the parlous state of the family justice system. Courts and judges are overwhelmed. Delays are increasing, leading to further costs for those who can afford them. Those who cannot – and are now unable to obtain any form of legal aid – are left to find a way around a legal system which offers no easily understandable solutions and a byzantine administrative system. All at a time when they are at their lowest emotionally.

Just a few statistics demonstrate the problem. In 2023, there were 44,563 financial remedy applications, an increase of 11% since 2022. While 2023 saw a slight reduction in private law children applications, there were still 50,798 private law cases started. From October to December 2023, it took an increased average period of 46 weeks for private law cases to reach a conclusion.

The Guardian reported in August 2023 that 'tens of thousands of children have been left in limbo by delays in the Family Court that have meant many waiting over a year for their future to be resolved'. There can be no doubt that the Family Court

is at breaking point. There is a limit to what judges can do, politicians are uninterested and there is no likelihood of more public money becoming available. As solicitors, we are part of the family justice system and we have an obligation to do all we can to ensure the system works as well as it possibly can for clients. We are not short of ideas and initiatives, we just do not make enough use of them.

For financial cases, these include:

Mediation;

Collaboration;

Arbitration;

Early neutral evaluation;

'One lawyer, two clients', including 'resolution together'; and

'Private' financial dispute resolution appointments conducted by experienced and specialist counsel, solicitors and retired judges. For children, there are even more. The president of the Family Division, Sir Andrew McFarlane, in a speech as long ago as 31 October 2022 identified '12 options for avoiding the Family Court', including those mentioned above.

We know that about 40% of private law children applications raise no legal issues. Rather, they are about broken relationships which judges cannot fix. On 12 November 2020, the Family Solutions Group published a report, What about me?. At its core was putting children first and it questioned whether our system achieved this. For example, why is Cafcasss only directed to see the child or children concerned months after proceedings are issued and long after their parents have spent pages in statements criticising one another? The report concluded: 'The family justice system is in crisis… The numbers of parents making applications are unmanageable and family courts are stretched beyond limits… The system is in need of radical reform.'

As solicitors, we need to explore all available options before advising clients to go to court. Collaborative law was launched in 2003 and it is vastly underused. Family mediation goes back even further, to the 1970s. It has a good record in achieving settlement but its potential is yet to be fully achieved. Family arbitration

can resolve children as well as financial issues. The financial scheme was introduced in 2012 and for children in 2016. Unlike other models, it is a direct alternative to court. An arbitrator's decision is as binding on the parties as a judge's decision. Its primary advantages include speed, saving legal costs, confidentiality (which is increasingly important at a time when judges continue to wrestle with the extent to which family cases should be heard in public and reported in the press), flexibility, especially in deciding what needs to be determined, dates, times and venues. However, there have been just 710 arbitrations to date and just 23 this year.

We as practitioners must accept a large degree of responsibility for this. In part, that may be due to a lack of experience with all the options, in part fear of the unknown. Clients look to us to advise how best they can achieve resolution. If we suggest one or more of the options mentioned above, they are very likely to accept that advice. We must avoid advising clients to go to court just so 'a timetable can be set' or because we 'need the court's assistance'.

Arbitration can set a timetable if one is really needed and, going back 34 years to Stu Webb, we and our fellow family lawyers have or should have the skills to create an environment for settlement and problem-solving. The courts can then be left to deal with those cases which genuinely require a judge to make a decision and save the system from total collapse. We have the tools, let's use them.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 2.

1. Read the news report and give your translation into Ukrainian.

WHAT IS THE LEGAL MEANING OF AN EMOJI? [62]

By Craig Ward, 18 September 2024

Emojis come across as innocent and amusing pictures until you litigate with them. Most documents are still signed with wet signatures. Others adopt a more

technical approach using online signing platforms. The more enterprising are using emojis to sign their documents. Legislation prescribes that certain documents need to be evidenced in writing. Other agreements are signed as deeds or as witness statements with an appropriate statement of truth. Each of these is signed by the maker giving their consent to the document contents. The courts have manoeuvred themselves into 'cut and paste' signings and email footers as signatures. Cases are now turning to pixelated emojis, for example Vardy v Rooney [2022] EWHC 2017 (QB) and GKE v Gunning [2023] EWHC 332 (KB).

Such cases examine the use of emojis as consenting signatures. What is seemingly omitted is the pixel construction of the emoji. As with any developing area of law, the use of emojis now requires a more detailed examination.

Wet signatures

Forged signatures, such as the love letter to Malvolio in Shakespeare's Twelfth Night, show the ease with which deception arises. Maria's fake letter tricks Malvolio into thinking Olivia is in love with him. Section 1 of the Forgery Act 1981 says: 'A person is guilty of forgery if he makes a false instrument, with the intention that he or another shall use it to induce somebody to accept it as genuine, and by reason of so accepting it to do or not to do some act to his own or any other person's prejudice.' The guilt of Maria may be questioned, but the forging of a device or signature to deceive is not.

Detecting forged signatures involves examining the signature's construction, checks for letter inconsistencies, its written fluidity and irregularity in stroke pressure. As yet, legal cases have not investigated the pixelated make-up of emojis. The courts seemingly accept an emoji's appearance without investigating the construction. Wet signature investigation aims to confirm the signature's validity. This verification process has yet to be applied to emojis.

Electronic signatures

An electronic signature links someone to the document's contents and shows an intention to be bound by, and consent to, the contents. This electronic signature is recreated as a distinctive pixel pattern or attached as a picture. The 2019 Law

Commission report Electronic execution of documents says: ‘An electronic signature is something associated with an electronic document that performs similar functions to a manual signature.’

The courts have determined electronic signatures to be pictorial representations of someone’s signature or their email footer. In Njord Partners SMA-Seal LP v Astir Maritime Ltd [2020] EWHC 3474 (Comm) the court held that electronic signatures are a ‘picture or image… inserted into the document’. Investigating these pictures involves, as with wet signatures, examining the original signature or picture to detect a forgery. It is not, as Emirates NBD Bank PJSC v Saadat-Yazdi [2023] EWHC 747 reminds us, just accepting the image which is presented. The wet signature in forgery cases is never unequivocally accepted until it undergoes forensic analysis. The same applies to the electronic signature, the email footer and now to the emoji.

AI images

With the advent of artificial intelligence, images are now easily manipulated. Detecting an AI-altered image against the original requires forensic analysis. The analysis aims to determine if a deceit has been perpetrated. An emoji is another pixelated image now usable to sign documents. Using AI, the original emoji image may be adapted by the fraudster seeking an advantage.

Deeds

Deeds are witnessed documents showing an event or set of terms. Creating an electronic signature connects two pieces of data together and is theoretically not something possible of being witnessed. It is the signatory’s actions or behaviour in making that connection which forms the deed and subsequent witnessing. For example, the image of a typed name or email footer amounts to a signature, the action of attaching the image to the document satisfies the electronic signature rules. The Law Commission report said such an electronic communication is capable of being a signature. What amounts to an electronic signature was tested in the Canadian case of South West Terminal Ltd v Achter Land & Cattle Ltd [2023] SKKB 116, where the G emoji amounted to the intention of confirming the contract.

Emojis in action

What was the individual's intention of using this particular emoji? Signing using the 😀 emoji might signify acceptance, although depending on the emoji features and context there is no guarantee of this. If receiving the 😟 emoji, is this acceptance or does it mean something else, such as 'It's kind of OK but there are bits I hate'? Emojis as signatures are open to interpretation.

Harrison v Cameron [2024] EWHC 1377 (KB) shows how the courts will recognise the use of online texting apps and how these can shape the interpretation of an emoji. South West Terminal Ltd demonstrates this complexity. One of the parties habitually used G to represent an agreement. The reply to a significant email to the contractual offer contained the thumbs-up emoji, so was the party accepting? This became the argued point. The court held that it was, because G was based on previous acceptances using the same emoji. The judge held that the 'courts will have to be ready to meet the new challenges that may arise from the use of emojis and the like'.

In Southeaster Maritime Ltd v Trafigura Maritime Logistics Pte Ltd [2024] EWHC 255 a G emoji was confirmed by the court as acceptance of contractual terms. However, context remains important. Leander CB Consultants Ltd v Bogside Investments Ltd and Alan McLeish CA4/22 [2024] CSOH 9 examined the use of different emojis, including a laughing/crying emoji (😂) and its context.

Following the courts determining that G denotes acceptance, there is still the 'depending on context' to manage. What is clear is that G is an accepted legal form of language signifying acceptance. Does, therefore, a smiley face (😊) also denote acceptance, while a broken heart (💔) signifies disapproval of contractual obligations? Is 👎 saying 'I do not agree'?

Emoji fraud

Just as wet signatures are unique, so are emojis. However, depending upon the platform used (Android, iOS, MacOS, Windows, Linux or ChromeOS) emoji

pixelisation varies. This is most likely to do with potential copyright violation. And therein lies a problem. As the Law Commission report said, ‘electronic signatures are more susceptible to fraud than handwritten signatures’. Most people have a unique email address which gives the presumption that it must have come from them. This is a slim presumption.

Linking a computer to the internet provides a unique address called an Internet Protocol (IP) address consisting of numbers and/or letters. This enables a trace to be made of who sent the email. Using readily available software, an IP address can be masked. The computer could have been hacked or otherwise manipulated. This can give the impression an email originated from a person when it did not. The use of a generic emoji adds to the risk of fraud. While there is some emoji variation depending upon the operating platform used, they are pretty similar.

If concerns arose with a wet signature it would undergo forensics analysis determining whose signature it is. But using a generic emoji is tantamount to using a rubber stamp sitting on an open desk to sign a contract. A personalised emoji would be more appropriate.

Personalised emojis

It is possible to create an individual emoji not dissimilar to an individual’s signature. Legally, it is the ‘action’ of using the emoji which remains important – did they intend to use this pixelated pattern by way of consent? As signatures are personal, ideally the emoji should also be personal to the signer. If concerns arise, the emoji can be checked to see if it was this person who consented and not someone else using a generic emoji. This would also give clarity as to whether this is the pixelated emoji pattern they would usually use and is this the same as the one in question? For example, if using this emoji which is the fake? A or B?

De-pixelising emojis

To say an emoji means one thing would frustrate half the world’s texters. The other half would say ‘of course it means this’. But what’s the legal meaning?

Unlike a wet signature which has limited interpretations, an emoji can create in the mind of the recipient a different interpretation than that envisaged by the

sender. Equally, just because an emoji is used does not necessarily mean it came from one particular person. As signatures are unique to individuals, legal advisers may wish to advise clients on the use of individualised emojis unique to them to demonstrate that acceptance came from one individual and not someone else.

Generic or personalised emoji?

In most instances a generic emoji should suffice. However, there are circumstances where a personalised emoji would be more appropriate, such as significant contracts, divorce cases, deeds, lasting powers of attorney, wills or witness statements. Legal advisers may wish to consider the following when advising on emoji use and potential challenges. If the document is being challenged, which software or computing platform was used to insert the emoji? How has this been confirmed to show that it was a particular computer with the correct IP address which sent the emoji?

What previous use has this person made of this particular emoji and why? Is the person using this emoji in a generic or specific fashion in this given context to send a certain type of message?

What is the interpretation that person places on this emoji at this time and has this changed over time using this particular emoji? During the course of negotiations where this emoji has been used, has it been used to give an alternative impression?

Was a generic or personalised emoji used? Why was a personalised emoji not used?

If a personalised emoji was used, what is the intended meaning? Was this the intended meaning of the person sending this particular personalised emoji? Are there other interpretations which could be given or drawn from this emoji and what are they?

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

САМОСТІЙНА РОБОТА 5

TEXT 1.

1. Read the news report and give your translation into Ukrainian.

FALSELY IMPRISONED CLAIMANT CAN KEEP DAMAGES DESPITE 'BAREFACED LIES' [63]

By John Hyde, 9 October 2024

A falsely imprisoned man has been allowed to keep part of his award from a civil claim against a police force despite a court finding he told ‘barefaced lies’ about injuries suffered. In Reynolds v Chief Constable of Kent Police, the claimant Andrew Reynolds had initially lost his entire claim after a finding that he had been fundamentally dishonest. But on appeal, while accepting that Reynolds lied about the nature of his injuries, Mr Justice Sheldon said the claim for false imprisonment was separate to the personal injury claim and so should not be lost under fundamental dishonesty rules.

‘As a matter of principle and on the particular facts of the instant case, the false imprisonment claim was not itself “a claim for damages in respect of personal injury”,’ said the judge. ‘As a result, the trial judge was not empowered by section 57 of the 2015 act to dismiss the false imprisonment claim and thereby extinguish the claim for damages for that tort.’ Reynolds had brought proceedings in the county court in relation to his arrest in 2015 at his parents’ home. He claimed for false imprisonment based on being detained for six days and 13 hours as a result of the failure to conduct a lawful arrest. If the detention was unlawful, then the force applied to him was alleged to constitute an assault. Reynolds claimed that he suffered loss and damage, including a fractured vertebra, during his arrest.

A trial took place before Her Honour Judge Brown sitting with a jury at Canterbury County Court. The jury found that Reynolds had behaved in an aggressive manner after being arrested and had not proved he was dragged along the ground or that a police officer knelt on his neck, punched and kicked him. The county court judge found that Reynolds lied about aspects of his arrest and he had

planned to give a false account that would form the basis of a claim against the police. She dismissed the claim in full, including the £6,000 that the parties were agreed Reynolds would have been awarded in damages for false imprisonment.

On appeal, Mr Justice Sheldon said it was open to the trial judge to find that Reynolds had told ‘barefaced lies’, given the contradiction between his account and that of the arresting officers. This went to the heart of the claim for assault but not the claim for false imprisonment. ‘The circumstances surrounding Mr Reynolds’ back injury followed, but were not caused by, the false imprisonment,’ said the judge. He asked the parties to agree on damages for false imprisonment and remitted the issue of costs.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 2.

1. Read the news report and give your translation into Ukrainian.

LEGAL DEFINITION OF DISABLED CHILD 'OFFENSIVE', SAYS LAW COMMISSION [64]

By Monidipa Fouzder, 9 October 2024

The legal definition of a disabled child is out of date, offensive, does not capture the nuances of neurodiversity and needs to be reformed, the Law Commission has said. Opening a consultation on disabled children’s social care law this week, the commission said a disabled child is defined in law as someone who is ‘blind, deaf or dumb or suffers from mental disorder of any kind or is substantially and permanently handicapped by illness, injury or congenital deformity’.

However, the commission said this definition can be traced back to legislation intended to help injured soldiers find jobs after the second world war and was drafted at a time when awareness of neurological conditions such as autism was low. The law is also potentially unfair as it permits children in similar circumstances to be

treated differently, the commission said. 'The law requires local authorities to make the arrangements necessary to meet the needs of disabled children. Those needs will depend on the nature of the child's disability: not where they live or how much money their local authority has left in its budget,' the consultation paper states.

'But whether the child is able to access services to meet those needs depends on the eligibility criteria the local authority has adopted, taking into account their budgetary constraints. These criteria vary from authority to authority. This has the consequence that the same child might qualify to have their needs met in one area of the country but not another. This consequence was not intended.' The commission seeks views on several issues, including how disability should be defined, a new legal framework for disabled children's social care and remedies for families when things go wrong.

Public law commissioner Professor Alison Young said: 'The children who need help from social services have changed over time as our awareness and understanding of particular conditions has developed. It is important for these children, their carers and those providing services that the law is fair, up to date and most importantly, simple to understand. We welcome views from everyone with experience in this area before we make our final recommendations.'

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 3.

1. Read the news report and give your translation into Ukrainian.

SHINING A LIGHT ON DOMESTIC ABUSE IN FINANCIAL REMEDY PROCEEDINGS [65]

By Claire Blakemore, 8 October 2024

Resolution's groundbreaking report into the interplay between domestic abuse and the treatment of finances on separation and divorce published on 8 October 2024 makes for stark reading. Domestic abuse is defined by s1(4) of the Domestic Abuse Act 2021 and includes, but is not limited to, economic abuse. Of those family justice professionals surveyed for the report, almost three quarters of professionals considered domestic abuse was an issue between the parties in more than 21% of their cases. Almost 80% of respondents considered that domestic abuse economic abuse is not sufficiently taken into account in financial remedy proceedings and financial awards for children.

This is not unexpected given the personal accounts of victim-survivors who have experienced ongoing financial abuse whilst trying to divide the family finances; withholding of funds, so that spouses cannot meet day-to-day expenses for themselves and their children, hiding assets, creating unnecessary and expensive delays to proceedings and successive breaching of court orders are all too common examples of financial abuse which are employed in divorce and separation.

This report calls for acknowledgment that such conduct is 'post separation domestic abuse'. The report focuses on the pressing need to better protect victims during court proceedings and beyond. It contains necessary proposals for legal and procedural reform and for a cultural shift, some of which can immediately be implemented, whilst others will require law reform, such as proposed changes to the family procedure rules, to amend the overriding objective, so that dealing with a case 'justly' includes 'ensuring the parties are safeguarded from domestic abuse'; and using case management powers better where economic abuse is present.

Where there is ongoing economic abuse by failure to disclose finances, or a lack of interim provision or allegations of ongoing domestic abuse, the report, perhaps controversially, but sensibly, suggests that the balance be shifted away from any form of NCDR continuing until the situation is addressed. Of critical importance is the proposal for a review of interim financial remedies available to ensure victim-survivors are financially supported between separation and a final outcome. These recommendations and others are designed to safeguard vulnerable litigants in the

family justice system, and to ensure that either court-imposed or negotiated financial outcomes on separation and divorce are just and fair.

The survey also revealed that the limited availability of legal aid for victim-survivors and/or the accessibility of funds to pay legal fees as a chief concern which has a major role to play in the propagation of abuse. The current Legal Services Payments Orders (LSPOs) legislation is of specific concern. Where there is enough money to go round, why should one party be required to try to fund (without access to money) an expensive and often long drawn-out process to gain access to funds whilst the other party spends freely and without limit on their legal fees?

Another issue raised by the report is the current approach of the courts to s25(2)(g) of the Matrimonial Causes Act 1973 - 'conduct' - which creates a very high hurdle to raising conduct as an issue in financial remedy proceedings. We have guidance in OG v AG [2021] 1FLR 1105, and more recently in Tsvetkov v Khayrova [2024] 1 FLR 937 and N v J [2024] EWFC 184, about how to approach a case involving domestic abuse. The latter two decisions both state that in order to be relevant, the conduct must be (i) exceptional and (ii) have a negative (even if not easily measurable) financial impact caused by the act/omission.

There is also a procedural requirement to present a fully particularised arguable case at the outset failing which the court should make an order preventing that party from raising conduct at any further stage in the proceedings (absent new evidence coming to light). No such bar applies to raising any of the other statutory factors (embodied in s25 MCA) which the Court is compelled to consider. Aside from the difficulties sometimes faced in identifying the existence of such domestic abuse at the early stages of a case and what sort of domestic abuse is serious enough to be exceptional, the requirement to evidence a causative link to an adverse financial consequence is not contained within s25(2)(g) MCA 1973 and, indeed, there are cases where conduct has been taken into account, despite the absence of financial consequence.

Adverse financial consequence may not be easily measurable, but that does not eliminate its existence. And we know from research that domestic abuse in a

relationship is correlated with poorer short-term and long-term financial outcomes, especially for women. So, what is the solution? The Report suggests financial remedy cases would benefit from an explanatory Practice Direction and sets out, in detail, what the PD could cover. This includes clarification that all forms of domestic abuse can cross the statutory test, guidance as to what sort conduct would do so, how its impact should be quantified, and provision for the automatic disclosure of findings of domestic abuse in other proceedings into financial remedy proceedings.

The proposals form the building blocks for important policy developments in this area. The argument against such changes is that the Court is not the court of morals and there are concerns about opening the floodgates to litigation. I do not consider that these are acceptable objections, if they leave vulnerable people without protection. Given our greater awareness and understanding about the detrimental impact of domestic violence, and in the light of wider societal changes, would not the reasonable person on the omnibus think that victims of domestic abuse should be protected in financial proceedings and for such conduct to be taken into account when arriving at a fair financial solution? I think so. Australia is way ahead of us in this respect with its Federal Government consulting on a proposed amendment to legislation that would see domestic abuse brought into the mix when determining how separating couples' property is divided. It is time we caught up.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

САМОСТІЙНА РОБОТА 6

TEXT 1.

1. Read the news report and give your translation into Ukrainian.

RELIEF FROM SANCTIONS [66]

By John McElroy and Jessica Solsberg, 4 October 2024

The recent judgment of Mr Justice Calver in Invest Bank PSC v El-Husseini demonstrates the hard stance a court will take when parties fail to adhere to court timelines, thus hindering the efficient conduct of litigation. The case involved a dispute over alleged fraudulent asset transfers whereby Invest Bank, a United Arab Emirates-based bank, claimed that Mr El-Husseini transferred assets at an undervalue to avoid paying debts and putting his assets out of reach to creditors. In doing so, Invest Bank challenged the authenticity of the divorce papers between El-Husseini and his ex-wife. The bank asserted that while the couple may formally have divorced in August 2017, they continued to behave as though they were married.

Invest Bank filed a notice to prove (the notice) to challenge the authenticity of the divorce papers. However, the notice was served almost two weeks late with an application for relief from sanctions being eventually submitted three months later. The bank's failure to act promptly meant the trial timeline had to be adjusted to accommodate the application. The first consideration for the court was whether an application for relief from sanctions was necessary. To determine this, the court looked at the meaning of Civil Procedure Rule 32.19 to consider whether the service of the notice on 14 March 2024 was indeed regarded as late service. Calver J held that a party would be deemed to admit the authenticity of a document disclosed under Part 31 unless it served notice that it wished the document to be proved at trial, with that notice to be served by the latest date of the primary witness statements, not supplemental witness statements.

Otherwise, he considered that, as supplemental witness statements could potentially be served at any time before trial, there was a risk that there would not

be enough time to gather the necessary evidence to establish the genuineness of the challenged document. Accordingly, as of 2 March, Invest Bank was deemed to have admitted the authenticity of the divorce agreement so the bank was almost two weeks late with its service of the notice on 14 March. Calver J held that the purpose of CPR 32.19 is to ensure timely notice is given of any challenge to authenticity so that the party whose document is so challenged can determine what evidence it is necessary to obtain to meet the challenge.

Since the notice was not served in time, the bank required the court to grant an extension of time pursuant to CPR 3.1(2)(a) and relief from sanctions under CPR 3.9 following the three-stage test set out in Denton v TH White Ltd [2014] 1 WLR 795:

Stage 1. First, the court must consider the seriousness and significance of the failure to serve the notice in time. Invest Bank had served its notice almost two weeks late, made its application for relief three months later and the nature of its challenge to authenticity had only been articulated the day before the trial was due to start on exchange of the skeleton arguments. The defendants were, therefore, deprived of a proper opportunity to adduce further witness evidence to counter the case advanced so that the efficient conduct of litigation had been adversely affected.

Stage 2. The court must consider the reason for the breach of time limits. There was no good reason for the delays, which Invest Bank admitted was an 'oversight'. Three months had passed since the notice was served with the application for relief from sanctions only issued on 14 June. At the PTR in May, this procedural point was raised but the application was still not issued until a month later.

Stage 3. The court must consider the need for litigation to be conducted efficiently and at proportionate cost. The bank's failure to act promptly meant the trial timeline had to be adjusted to accommodate the application. The biggest hurdle, however, was that the use of the notice was a back-door attempt to allege forgery, which the bank had not pleaded. The point of challenging authenticity was to argue that the document was forged, and, if allowed, that would involve adducing expert

evidence as to forgery and amending the pleadings, which would inevitably disrupt the trial timetable. However, there was no pleaded case as to the genuineness of the divorce agreement; it was not alleged that the divorce agreement was a forgery or a sham, so granting relief would serve no useful purpose.

Conclusion

The court ruled that the bank's late service of almost two weeks was serious and without good reason. It had caused significant disruption to trial preparation and the court was therefore satisfied that it was not appropriate to grant the bank's application for relief from sanctions. Furthermore, the court ruled that, in this case, a notice was an inappropriate vehicle to challenge the document. This case serves as a reminder to adhere to court timelines. Failing to meet deadlines and filing inappropriate notices wastes court time. Such failures are not treated lightly and can result in severe consequences.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 2.

1. Read the news report and give your translation into Ukrainian.

APPROVAL AS AN EXCEPTION OR AS THE RULE – DIFFERENT CONSTITUTIONAL APPROACHES [67]

Most of the Constitutions considered here require an affirmative vote in statutory form. In a

few States approval takes the form of a Parliamentary resolution (*Austria, Liechtenstein,*

Portugal and, subject to some exceptions, *Denmark, Slovakia*, the *United States* and, it is thought, *Japan*). The feature of the Constitutions which varies more significantly relates to the situations or types of treaty, which require consent. The relevant provisions sometimes lay down a general duty to seek Parliamentary consent and then provide for exceptions, or alternatively they might describe the

respective situations in which consent is required either in broad terms or more precisely.

i. Constitutions defining the situations in which consent is required

A considerable number of the countries under consideration contain in their respective Constitutions and treaty statutes, detailed lists describing the kinds of treaties for which the consent of Parliament must be sought. These lists refer to particular subject-matters and/or to the formal requirement of ratification of proposed treaties. Of those countries whose Constitutions contain this kind of enumeration, the new Constitutions and Treaty Statutes of the former communist countries do so in particular detail. By contrast, the equivalent provisions in the Constitutions of many Western European States are usually drafted in a broader manner. In either case the proper scope of application of such provisions may not be easy to identify in particular cases, and will always be subject to interpretation.

In broad terms, the kinds of treaty, which are specifically described in the relevant Constitutional or statutory provisions on the requirement of Parliamentary consent, relate to agreements, which have considerable political, financial or legal repercussions for the participating States. Thus they will often include: agreements which impose financial obligations on the State concerned, agreements which require implementation by the enactment of legislation, agreements involving changes to territorial boundaries; agreements on defences issues, or issues of war and peace; and agreements which affect fundamental rights of the individual. Almost always treaties which concern membership in international organisations will require consent, especially if they entail the transfer of sovereign rights.

Additionally some Constitutions will require Parliamentary consent to a treaty based on the purely formal criterion that it must be ratified.

Accordingly under Article 121 of the Constitution of *Albania* treaties must be sanctioned by Parliament if the treaty involves territorial questions; constitutes a peace treaty or founds an alliance; concerns political and military issues; affects human rights questions; concerns the membership of Albania in international organisations; imposes financial obligations on Albania; requires the enactment,

amendment or repeal of legislation; or if the agreement itself requires formal ratification. Additionally, treaties are sometimes voluntarily submitted to Parliament.

The Constitution of *Andorra* lists a wide range of topics on which treaties will require Parliamentary sanction in Articles 64(1) and 65 of the Constitution. These include treaties which concern Andorra's membership of international organisations; which relate to internal security and defence, which entail changes to territory; which affect fundamental rights as contained in the Constitution; which impose new burdens on the Public Finances; which are intended to create or modify provisions of a legislative nature or require legislative measures for their implementation; which deal with diplomatic functions or judicial co-operation.

Furthermore, the Government may request the Parliament to approve any other treaty. Article 8 of the Law on Treaties of *Azerbaijan* contains a specific list of treaties which must be submitted to Parliament for approval, including: treaties on friendship, co-operation and mutual assistance; treaties determining the principles of inter-State relations; peace treaties; treaties involving cession of territory, with certain exceptions; treaties about participation in regional and universal international organisations; treaties on accession to inter-State unions or other inter-State communities; multilateral or long-term economic treaties; treaties involving public loans; treaties entailing changes to the law; and treaties on the deployment and stationing of troops.

The Constitution of *Croatia* demands Parliamentary approval for treaties if they require the passage or amendment of laws, if they have a political or military character, if they involve financial commitments for the Republic, or if they transfer sovereign powers to international organisations (Articles 133 (1) and 132 (2)).

In *Estonia* the treaties which require Parliamentary consent are: those which amend State borders; those which must be implemented by legislative amendment; those which relate to the membership of international organisations**;** those which incur military or financial obligations; and those which are subject to ratification (Article 121 of the Constitution).

According to Article 53 of the Constitution of *France*, peace treaties, trade treaties, treaties or international agreements regarding international organisation, those committing State finances, those amending legal provisions, those relating to the status of individuals and those which result in cession, exchange or adjunction of territory have to be ratified or approved by law.

Under the Constitution of *Georgia* the requirement of Parliamentary approval applies to military treaties, to agreements affect the extent of State territory and certain loan agreements. Also agreements which require formal ratification must be approved by

Parliament.

Article 36 (2) of the Constitution of *Greece* states that Parliamentary approval is necessary for commercial treaties; treaties relating to taxation or economic cooperation; accession to international organisations; agreements which have to be implemented by legislative measures; or agreements which impose burdens on Greek citizens.

In *Iceland* Parliamentary approval is required for agreements, which entail cession of territory or require changes in the State system (Article 21). Thus the constitutional powers of Parliament in the process of treaty-making appear to be rather narrow. However, in practice many treaties not falling within one of the categories listed are nevertheless submitted to the *Althing* for approval, where the subject matter of the treaty to be concluded is of political importance, for example, because it affects the rights of individuals or is the subject of political controversy.

In *Italy* treaties of a political nature, or which provide for arbitration or judicial settlement, or entail modifications of the nation's territory, or impose financial burdens, or require modifications to the law, all require the consent of Parliament under Article 80 of the

Constitution.

Article 8 (2) of the Constitution of *Liechtenstein* provides that treaties must be given Parliamentary approval if national territory is ceded or national property is alienated, if they involve the transfer of sovereign rights, if they give rise to new

burdens for the State or its citizens, or if implementation would restrict the rights of the citizens of Liechtenstein.

In *Lithuania*, in accordance with Article 84 (2) of the Constitution and Article 8 (2) of the Law on International Treaties, only the President has the power to submit a treaty to Parliament for ratification.

The Ratification of Treaties Act in *Malta* requires Parliamentary approval for treaties affecting the sovereignty, independence, unity or territorial integrity of Malta, or its status under international law, or the maintenance or support of such status. In practice authorisation is also sought when changes in law are required, though there is no express legal obligation to do so under the Act.

Article 89 of the Constitution of *Poland* contains a list of agreements which require Parliamentary consent in the form of a law: peace treaties, alliances, political or military agreements; agreements affecting rights or obligations of citizens as specified in the Constitution; treaties establishing the Republic of Poland's membership in an international organisation; treaties imposing considerable financial consequences on the Polish State; treaties on matters regulated by statute in domestic law or in which the Constitution requires a Statute. Article 90 adds treaties transferring sovereign competence to an international organisation or institution.

Similarly, the Constitution of *Portugal* enumerates various types of treaties, which require Parliamentary approval (Article 161), including: treaties for the membership of Portugal in international organisations; treaties of friendship, peace or defence; and agreements that concern boundaries or military matters. In addition, the Parliament's approval is necessary for agreements dealing with matters arising from the Parliament's exclusive law-making powers.

In *Russia* Article 15 of the Federal Law on International Treaties contains a detailed list of treaties requiring approval by the State *Duma*. It will apply, where implementation of the treaty requires amendment of national law; where the treaty affects basic human rights and freedoms; where the treaty affects delimitation of Russian territory; where the agreement relates to basic principles of inter-State

relations or matters affecting the defence capability of Russia; where the agreement constitutes a disarmament treaty; where the treaty relates to the maintenance of international peace and security, including collective security agreements; and where the agreement requires formal ratification.

Articles 93 and 94(1) of the Constitution of *Spain* enumerate the types of treaties which require approval by the *Cortes*. These are: treaties transferring sovereign rights to an international institution; political treaties; military agreements; treaties that have a bearing on the territorial integrity of the State or on fundamental rights and duties as established by the

Spanish Constitution (Title 1); treaties which create financial obligations for the Treasury; and treaties which require the adoption of legislative measures for their implementation.

The Constitution of the *Ukraine* demands treaties to be approved by Parliament, where they relate to matters of friendship, mutual assistance and co-operation or neutrality; where they concern military assistance; where they deal with general financial issues, or loans and credits; where they relate to territory or peace; where they affect human rights and freedoms, or issues of citizenship; where they concern membership in international organisations or in collective security systems; where they protect the historical and cultural heritage of the Ukrainian people; where implementation would require amendment to the law; and where the treaty itself requires ratification.

Some Constitutions describe the situations in which approval is required in broad, and rather general terms, which are open to interpretation. The clauses used often refer to the political importance of the agreement or to its implementation in domestic law. Sometimes the

Constitutional provisions simply state that all ”important treaties” have to be sanctioned by Parliament. Although the Constitutional formulations differ considerably from those just described which contain detailed lists, such differences are of form rather than substance.

The requirement of Parliamentary approval covers the same core types of agreement, i.e. those, which have considerable legal or political consequences or financial repercussions and those, which require transfer of sovereign rights. With the exception of *Japan, Hungary* and *Slovakia* the States, which adopt such general formulations are belong to the *Germanic* and *Scandinavian* legal families.

Article 50(2) of the Constitution of *Austria* demands Parliamentary approval for political treaties, including those, which provide for the transfer of sovereign rights. Moreover, treaties, which have to be implemented by legislation, have to be approved. The latter term also covers Constitutional amendments (Article 44).

The *Czech* Constitution formulates the requirements for Parliamentary approval in broad terms. Under article 49(2) of the *Czech* Constitution the consent of Parliament in the form of a statute is necessary in relation to treaties on human rights and fundamental freedoms, political treaties, economic treaties of a general nature and treaties whose implementation would require legislation.

Under sections 19 and 20 of the Constitution of *Denmark* the consent of Parliament is required in relation to agreements, which involve territorial changes and transfer of sovereign power to international organisations. Parliament must also approve the implementation of other agreements, in particular those involving additional expenditure and/or legislative enactment. The requirement that any treaty obligation of "major importance" must also to be submitted, allows the Government discretion in relation to other treaties.

In a broadly drafted provision the Constitution of *Finland* requires "acceptance of Parliament …for such treaties and other international obligations which contain provisions of a legislative nature, are otherwise significant, or otherwise require approval by Parliament under [the] Constitution" (Article 94). The transfer of sovereign rights would certainly be covered.

Article 59 (2) of the *German* Constitution requires the sanction of the Legislature if the treaty deals with the political relations of the Federation or relates to matters of federal legislation, the latter clause describing agreements that would require the enactment or amendment of laws for their implementation. Amendment

of Constitutional provisions and transfer of sovereign rights require the consent of Parliament (Articles 23, 24, 79).

By virtue of Article 19 of the Constitution of *Hungary* treaties of outstanding importance are subject to Parliamentary approval. In practice as revealed by the answers given to the questionnaire**,** all treaties which require formal ratification are covered, while bilateral treaties of a technical nature are not.

In *Ireland* the requirement of Parliamentary approval is related to the domestic effects of the respective treaty. If implementing legislation is necessary or if the treaty incurs public expenditure, Parliament must approve the treaty (Article 29).

Under Article 26(2) of the Constitution of *Norway*, treaties on matters of special importance and treaties whose implementation necessitate legislation or a decision by Parliament, can not be consented to at the international level before the *Storting* has given its approval thereto. In *Slovakia* treaties have to be sanctioned by Parliament if the Slovak Republic enters into an alliance with other States, if the treaty has a political content, or constitutes an international economic agreement of a general nature. Furthermore international treaties have to be approved, if they are going to be implemented by legislation.

Similarly the Constitution of *Sweden* demands agreements to be submitted to Parliament for approval, if implementation of the agreement requires legislation, or if the agreement concerns a matter which the *Rigsdag* is constitutionally obliged to decide (Chapter 10, Article

2). In practice any agreement of major importance is submitted to Parliament in order to obtain its consent. If the interests of the State so require, the approval of Parliament can exceptionally be replaced by consent of the Foreign Affairs Advisory Council.

It is difficult to assess the precise circumstances in which Parliamentary consent must be obtained in *Japan*. The Constitution simply provides Parliament shall be involved "depending upon the circumstances" (Article 73), without further defining the means and the extent of such involvement. However Parliamentary consent is necessary if the treaty requires new legislation or revision of existing laws;

if the treaty imposes additional financial obligations on the Government; and if the treaty contains a ratification clause.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

САМОСТІЙНА РОБОТА 7

TEXT 1.

1. Read the news report and give your translation into Ukrainian.

ESIGNATURES IN FOCUS: NAVIGATING ELECTRONIC IDENTIFICATION AND TRUST SERVICES IN UKRAINE [68]

In recent years, Ukraine has experienced a significant shift towards digitalization, with the advent of electronic identification (eID) means and trust services being a pivotal element of this revolutionary transformation. As Ukraine endeavours to embrace technology-driven solutions, eID means and trust services - enabling, inter alia, electronic signatures (eSignatures) - have emerged as readily accessible and efficient alternatives to traditional handwriting methods, thereby streamlining processes, minimizing reliance on paper-based documentation, and eliminating the need for the physical presence of signatories in one place.

Given the ongoing war with Russia, eID means and trust services, particularly the Diia digital platform and its eID system, have become the safest option for enabling secure interactions, running business and effectuating transactions without the need for physical presence in Ukraine during wartime. This guide provides a concise overview of eID means and trust services in Ukraine, with a focus on eSignatures as instruments enabled by eID means and their practical application. It also examines the mutual recognition of eIDs between Ukraine and the EU, as the EU remains Ukraine's largest trading partner, and Ukraine continues down the path to joining the EU.

1. eID means and trust services in Ukraine: Present dynamics and path forward

Ukraine has recently updated its legal framework governing eID means and trust services to align more closely, and comply to the maximum extent possible, with the European Union's Regulation (EU) No 910/2014 on electronic identification and trust services for electronic transactions (eIDAS Regulation).

Among all the digital instrumentalities currently available in Ukraine, eSignatures – facilitated by eID means - have become the most widely adopted mechanism for secure digital transactions, identity verification and data integrity protection in B2B and B2G communications.

Starting January 1, 2024, Ukrainian law aligned official definitions of electronic signatures with the eIDAS Regulation, thus facilitating the use of eSignatures across both jurisdictions. In a nutshell, eSignatures can be classified as follows: Simple Electronic Signature ("SES") is defined as electronic data which is attached or logically associated with other electronic data, and which is used by the signatory as a signature. SES is the least secure type of eSignature used mostly in low-risk transactions due to its limited legal effect and enforceability.

Advanced Electronic Signature ("AES") based on a qualified certificate for electronic signature is an advanced electronic signature, which is created using a qualified certificate for electronic signature and is issued by a qualified trust services provider. It does not contain information about storing the private key in the device used for creating the advanced electronic signature. AES has a somewhat higher legal effect than SES; but it is used less frequently in practice due to providing less security and being less legally reliable than QES (as define below). In our view, being always based on a qualified certificate, AES holds a higher legal significance in Ukraine than in the EU.

Qualified Electronic Signature ("QES") is defined as an advanced electronic signature that is created using a qualified electronic signature device and is based on a qualified certificate for electronic signature. This type of signature has the legal standing as a handwritten signature and is presumed to be equivalent to a handwritten signature.Due to their highest security and legal standing, QESs are widely adopted for high-risk transactions and secure communication by government entities and businesses.Please note that certain documents, such as certificates of inheritance and passports, still require a handwritten signature and cannot be signed electronically.

2. Scope and application of eID means in Ukraine

eID means, particularly eSignatures, have become integral components of both public and business interactions in Ukraine, utilized by various stakeholders across numerous domains, including:

Government to Business (G2B)

- Business Registration and Updates: Entrepreneurs can use QES to remotely register and update information for (i) a Ukrainian equivalent of a sole proprietorship and (ii) an LLC established based on a model charter.
- Corporate Governance eParticipation: Generally, Ukrainian law permits shareholders and members of Ukrainian businesses (such as JSCs and LLCs) to participate in corporate governance by attending shareholder meetings and casting votes using AES and QES. This being said, the company registry has been slow in updating its infrastructure to fully support such digital participation.
- Tax eFiling: Online tax return filing via the taxpayer cabinet, using QES, is the predominant method for Ukrainian businesses.
- IP eProcessing with UANIPIO: The Ukrainian National Office for Intellectual Property and Innovations (UANIPIO) accepts trademark and patent applications signed with QES. Trademarks and patents are issued in electronic form, which are similarly signed with QES.
- Customs and Trade: eID means are used for filing customs declarations and accessing trade facilitation services via online government platforms.
- Public Procurement: Businesses use eID means to participate in electronic public tenders through the ProZorro system.
- Business Licensing: Businesses use eID means to apply for licenses in regulated industries, such as energy, communications, or alcohol sales, via digital channels.
- Environment and Safety Reporting: eID means are used to submit environmental impact assessments, health, and safety compliance documents.
- Subsidy and Grant Applications: eID means are used by businesses to apply for government subsidies, grants, or support programs.

- Labor Law Compliance: Businesses report employee hires and terminations as well as handle payroll tax contributions using eID means.

Business-to-Business (B2B)

- Contracts and Agreements: eSignatures and other eID means are used for signing commercial contracts and agreements.
- eCommerce: Companies and customers are authenticated and verified via QES in B2B and B2C eCommerce platforms.
- Invoices and Payments: electronic invoices, payment orders, and other primary accounting documents can be issued using QES.

Business-to-Employee (B2E)

- Signature of the employment agreement (contract): When a simplified form is used, the hiring order can be signed with an AES or QES. If an employer and employee mutually agree to a written employment agreement (contract), that agreement (contract) can also be signed using AES or QES.
- Where the simplified form is used, the employee may sign the hiring order using his/her AES or QES and where the employer and the employee agree to a written form of an employment agreement (contract), such employment agreement (contract) could be signed using AES or QES.
- Acknowledgment of receipt and understanding of company policies: Employees may acknowledgment company policies using their [personal] AESs or QESs, if so provided for their employment agreements with the company.

Government to Citizen (G2C)

- Digital Identity Documents: Citizens can store and present digital versions of passports, driver's licenses, and other identification documents through the Diia mobile app, access numerous government services entirely online - i.e., on the Diia platform.
- Personal Income Tax: Individuals can file personal income tax declarations and check their tax status online - i.e., on the Diia platform. Social and Healthcare Services: Individuals can access social services via the Diia

platform and access medical records, e-prescriptions, and vaccination certificates via the eHealth system.

3. Mutual recognition of ESignatures in the EU and Ukraine

Mutual recognition of eID means and trust services between the EU and Ukraine is a prerequisite for using these means in both jurisdictions. Ukraine has become the first non-EU country to be included in the TC AdES LOTL (Trusted List of Trust Service Providers), which allows for the verification of electronic signatures and seals from non-EU countries within the EU.

The verification process for Ukrainian electronic signatures and seals is streamlined in the EU through the TC AdES LOTL, which ensures that these digital signatures meet applicable EU standards – currently for the EU's advanced electronic signatures. Reciprocally, Ukraine recognizes EU qualified trust services on a temporary basis, enabling EU citizens to use their national qualified certificates for electronic signatures or seals in Ukraine. This bilateral recognition, supported by the EU4DigitalUA project, marks a significant advancement in digital cooperation and trust service integration between the EU and Ukraine.

Temporary measures have been put in place to recognize qualified electronic signatures based on certificates issued by European qualified trust service providers (those included in the common list of Trusted Lists of EU member states as well as separate Trusted Lists of EU member state or a member state of the European Free Trade Association (EFTA). This interim solution ensures that Ukrainian businesses and citizens can continue to operate seamlessly within the EU's digital market while the long-term agreements are being finalized. The ongoing efforts to harmonize electronic signature standards and practices between Ukraine and the EU highlight the commitment to fostering a secure and interoperable digital environment that benefits both parties.

Conclusion

The integration of eSignatures into Ukraine's digital legal infrastructure marks a significant advancement in the country's digital transformation journey.

eSignatures, based on eID and the trust services, play a crucial role in Ukraine's digital legal infrastructure, offering the high level of security and legal enforceability. eID means not only enhance the security and legal standing of digital transactions but also pave the way for greater international cooperation and interoperability, particularly with the European Union.

While the legal framework allows for various types of eID means, the QES is necessary for the most formal or regulated transactions, particularly with government bodies. For transactions requiring high legal certainty, it is recommended to use QES issued by Ukrainian providers or recognized EU providers starting from 2024.

The alignment of Ukrainian laws with the eIDAS Regulation marks a significant step towards improving the interoperability and legal recognition of eID means. This alignment facilitates seamless digital interactions and transactions between Ukraine and the EU, fostering a securer and more collaborative interoperable digital environment.

In Ukraine, while QESs are legally permissible for notarization and state registration, their actual implementation lags behind due to factors such as technical infrastructure and the availability of relevant technical and regulatory frameworks. So, it is advisable to consult with relevant authorities and legal professionals to ensure compliance with specific requirements and to navigate the complexities of the current system effectively.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 2.

1. Read the news report and give your translation into Ukrainian.

COMPENSATION FOR DAMAGE CAUSED BY THE RUSSIAN AGGRESSION: CONSERVATORY ATTACHMENT OF GAZPROM'S ASSETS IN THE NETHERLANDS [69]

On 15 August 2024, the Hague District Court issued a decision in the ongoing legal dispute between Gazprom International Limited (hereinafter – "Gazprom") and Asset Management Company Slavutych-Invest (hereinafter – "Slavutych"). This decision provides some hope as to potential avenues for recovery of losses suffered by Ukrainian victims due to the Russian aggression. At the same time, it also brings to light some problematic questions which the Ukrainian claimants who seek to enforce Ukrainian court decisions against Russia abroad, will likely face.

Slavutych is a Ukrainian company, which held certain assets (land plots) in the territory of Ukraine that was occupied by Russia after 24 February 2022. In 2023, Slavutych brought the claim to the Ukrainian court against Russia seeking compensation for the lost assets (the "First Proceedings"). The claim was granted, and Russia was ordered to compensate to Slavutych UAH 439 mln (approximately USD 15 mln) for the unlawful infringement of Slavutych's property rights.

In 2024, Slavutych commenced new proceedings before the Ukrainian court (inter alia, relying on the judgment in the First Proceedings) against Gazprom and certain its affiliates seeking to hold them liable for the same loss as alter egos of Russia (the "Second Proceedings"). In support of the Second Proceedings, Slavutych obtained conservatory attachment in the Netherlands, by seizing Gazprom's shares in Wintershall Noordzee B.V., a Dutch entity. Quite unsurprisingly, Gazprom sought to set aside the attachment. It is on this challenge that the Hague District Court issued its decision that is a subject of this note.

Gazprom's objections to the conservatory attachment were based on several arguments, including that the attachment had lapsed by operation of law, did not meet international treaty requirements, and violated public policy and procedural fairness principles. Gazprom also alleged that Ukrainian court decisions against it could not be enforced in the Netherlands due to protections under an investment treaty between the Netherlands and the former USSR, and that the Russian Federation enjoys state immunity. The court dismissed all of Gazprom's arguments.

It ruled that the attachment had not expired. The court found no indication that Slavutych had deliberately withheld relevant information and deemed the choice to attach Wintershall shares reasonable. Furthermore, the court concluded that the treaty on recognition and enforcement of court decisions between the Netherlands and Ukraine, effective from 1 September 2023, was applicable, and that the Second Proceedings in Ukraine could generally result in a judgment that would be enforceable in the Netherlands. As to Gazprom's allegations on the lack of due process, the court noted that Slavutych had made sufficient efforts to notify Gazprom of the proceedings, and there was no evidence to suggest that the Ukrainian court could not provide a fair trial.

As regards the most complex questions of whether Gazprom can be held liable as alter ego of Russia, and on the sovereign immunity defence, the court found – based on the evidence made available to it by the parties – that the arguments of Slavutych have at least a reasonable chance of success. However, the court did not provide a conclusive analysis on these points, having noted that they will need to be resolved during recognition and enforcement of the Ukrainian judgment in the Netherlands (not at the stage of conservatory attachment review). Notably, the Second Proceedings have already been concluded in Ukraine resulting in the judgment in favour of Slavutych. It appears likely that this judgment will soon be submitted for recognition and enforcement in the Netherlands.

Conclusion

This important judgment of the Hague District Court highlights the uncertainties which may arise in foreign courts while enforcing the judgments of Ukrainian courts against the russian federation and its alter egos. Although the court in this case conducted the preliminary examination of the matter, it has yet to provide definitive answers to a number of pertinent questions related to the state immunity and piercing of the corporate veil.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 3.

1. Read the news report and give your translation into Ukrainian.

NEW TERMINATION GROUND AND REQUIREMENTS FOR INTERNAL LABOR REGULATIONS (EMPLOYEE HANDBOOK) [70]

On 27 September 2024, the Law of Ukraine "On Amendments to the Labor Code of Ukraine on Establishing Additional Grounds for Termination of Employment Agreements at the Initiative of the Employer and Certain Other Issues" No. 3768-IX dated 4 June 2024 ("Law") (with certain exceptions) will come into force. The Law, among other things, details the rules applicable to internal labor regulations ("Employee Handbook") and establishes new termination grounds.

Key changes

The Employee Handbook may include, among other things, rules on (a) employees' nondisclosure obligations and (b) the terms of work with confidential information ("Information Rules"). The Information Rules are obligatory for companies of strategic importance for the economy and security of the state and/or objects or operators of critical infrastructure. A new termination ground at the employer's initiative due to the employee's failure to comply with the Information Rules has been introduced.

Recommendations

We recommend that employers in Ukraine take the abovementioned legislative changes into account in their business activities and supplement the Employee Handbook with the Information Rules to protect the company's confidential information and to be able to rely on the new termination ground.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

TEXT 4.

1. Read the news report and give your translation into Ukrainian.

UKRAINE BEGINS EXPORTING BIOMETHANE TO THE EU: NEW CUSTOMS CLEARANCE RULES [71]

On 9 September, the Ministry of Finance of Ukraine officially published Order No. 380 dated 1 August 2024, which introduces significant changes to the regulation of customs clearance of biomethane by pipeline. From now on, Ukrainian biomethane producers will be able to export biomethane to the European Union via the Ukrainian gas transmission system through interstate interconnection points with four EU countries. At the same time, biomethane producers do not have to connect their biomethane plants directly to the gas transmission system but can connect to gas distribution networks.

We previously published information on the adopted amendments required for the export of biomethane in our Energy Policy Pulse No. 23, namely, amendments to the Customs Code regarding customs clearance of biomethane. According to the adopted amendments, the terms and tariffs for connection, transportation, and export by the Ukrainian gas transmission system for biomethane producers are similar to those for natural gas producers but without the export restrictions that exist for natural gas.

How does this work in practice?

The Order establishes clear regulatory rules for two main customs stages: biomethane passage and release. Passage (the customs authority's granting of a permit to the relevant person to move goods across the customs border of Ukraine, taking into account the declared purpose of such movement) allows the physical movement of biomethane across the border of Ukraine and refers to what is submitted to the customs for export. Release - the completion of customs procedures for its free use in the domestic market or export, refers to the release into the export customs regime.

The passage of volumes of biomethane through the customs border of Ukraine will be carried out on the basis of:

a periodic customs declaration

a certificate of compliance with biomethane sustainability criteria

documents confirming the connection of the producer to the gas transmission system (GTS) or gas distribution system (GDS)

an act of acceptance and transfer of produced biomethane

an act of the Ukrainian gas storage operator on the movement of natural gas and biomethane in gas storage facilities

The release of biomethane under the customs export regime is possible subject to the submission of:

an additional declaration indicating the exact volumes of biomethane transported

Proof of Sustainability of biomethane

a general act of acceptance and transfer of natural gas signed by the operators of the gas transmission system of Ukraine and the partner country

a certificate of the GTS operator on the accounting of commercial supplies and withdrawals of natural gas and a mixture of gases, biomethane of the customer

What does this mean for Ukraine?

We remind you that biomethane is a purified biogas that corresponds to natural gas in terms of its characteristics and can be used in the same areas as heating, electricity generation and transport fuel. Importantly, it can be integrated into the existing gas infrastructure without additional costs for new networks, making this resource not only profitable but also available for widespread use.

Ukraine's ability to export biomethane to the EU has several key advantages. With its vast agricultural resources, Ukraine is well-positioned to meet a significant portion of Europe's renewable energy demand through biomethane production. The Strategic Partnership established in February 2023 between Ukraine and the EU strengthens cooperation in the field of renewable gases, contributing to Ukraine's deeper integration into the EU energy market. It also contributes to sustainable economic development in rural areas by providing opportunities for sustainable income. In addition, biomethane can replace natural gas, strengthening Ukraine's and the EU's energy independence by reducing dependence on imports from Russia.

Recent legislation clears the way for exports, with the first test transactions expected by September 2024.

2. Give the main idea of the text.

3. Point out the discussing poins of the text.

4. Make vocabulary of unknown words and expressions.

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