

Iurynets J.L., Doctor of Laws, Professor
Faculty of Law National Aviation University, Kyiv

Kulynych A., student,
Faculty of Law, National Aviation University, Kyiv

Functions and powers of the Constitutional Court of Ukraine

The essence and content of the Constitutional Court of Ukraine, its appointment in society and the state determine the functions of the Constitutional Court of Ukraine. The functions of the Constitutional Court of Ukraine should be understood as the main directions and types of activity of the Constitutional Court of Ukraine carried out in accordance with the Constitution and laws of Ukraine.

With judicial powers, the Constitutional Court of Ukraine represents a real stabilizing force capable of protecting the rights and freedoms of citizens and protecting society from social conflicts, but the process of identifying violations of the constitution should not be formal or involve the court in politics - it can have negative consequences. because every constitution is first of all a political and legal act [2].

The functions of the Constitutional Court of Ukraine as such are not directly enshrined in law. The functions of the Constitutional Court of Ukraine are classified according to various criteria: by objects or spheres of activity, methods and means of activity of the Constitutional Court of Ukraine, etc. The definition of the functions of the Constitutional Court of Ukraine on the basis of its competence is of the utmost importance.

In accordance with the powers of the Constitutional Court of Ukraine, which are defined by the Constitution of Ukraine and the Law of Ukraine “On the Constitutional Court of Ukraine”, it performs the following functions:

1) verification of the constitutionality of laws and other legal acts of the Verkhovna Rada of Ukraine, acts of the President of Ukraine, acts of the

Cabinet of Ministers of Ukraine, legal acts of the Verkhovna Rada of the Autonomous Republic of Crimea;

2) determination of compliance with the Constitution of Ukraine of current international treaties of Ukraine or those international treaties submitted to the Verkhovna Rada of Ukraine for consent to their binding force;

3) giving an opinion on the observance of the constitutional procedure of investigation and consideration of the case on removal of the President of Ukraine from office by way of impeachment within the limits specified in Articles 111 and 151 of the Constitution of Ukraine;

4) official interpretation of the Constitution and laws of Ukraine;

5) verification of compliance of the draft law on amendments to the Constitution of Ukraine with the requirements of Articles 157 and 158 of the Constitution of Ukraine [1].

According to the methods and means, the functions of the Constitutional Court of Ukraine can be classified into the functions of constitutional control; official interpretation; legal protection of the Constitution; ensuring the principle of separation of state power (arbitration function); administration of constitutional justice, etc.

The powers of the Constitutional Court of Ukraine should be understood as the rights and obligations of this body of state power assigned to it for the exercise of its functions.

The powers of the Court include:

1) resolving issues of compliance of the Constitution of Ukraine (constitutionality) with the laws of Ukraine and other legal acts of the Verkhovna Rada of Ukraine, acts of the President of Ukraine, acts of the Cabinet of Ministers of Ukraine, legal acts of the Verkhovna Rada of the Autonomous Republic of Crimea;

2) official interpretation of the Constitution of Ukraine;

3) submission at the request of the President of Ukraine or at least forty-five people's deputies of Ukraine or the Cabinet of Ministers of Ukraine of conclusions on compliance with the Constitution of Ukraine of current international treaties of Ukraine or those international treaties submitted to the Verkhovna Rada of Ukraine for consent;

4) submission at the request of the President of Ukraine or at least forty-five people's deputies of Ukraine of conclusions on the conformity of the Constitution of Ukraine (constitutionality) with the issues proposed for submission to the all-Ukrainian referendum on the people's initiative.

References

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