



UDC

INTERNATIONAL STANDARDS OF HIGHER EDUCATION IN UKRAINE: STRATEGIES AND LEGISLATION

Kostiantyn HROMOVENKO

PhD in Law,

Rector of the International Humanitarian University

The article is devoted to the issue of the reflecting the international legal standards of higher education in Ukraine for programming the Ukrainian legislation. Author proves that the Ukrainian laws include the expediency of program regulation of the development of interstate cooperation, introduce mechanisms of academic mobility and academic freedom in general relevant to the relevant international standards. At the same time, practical mechanisms of interstate cooperation according to regional and bilateral interstate agreements with the participation of Ukraine are not defined in relevant national laws.

Key words: academic freedom, academic mobility, higher education, international legal standards, program regulation.

МЕЖДУНАРОДНЫЕ СТАНДАРТЫ ВЫСШЕГО ОБРАЗОВАНИЯ В УКРАИНЕ: СТРАТЕГИИ И ЗАКОНОДАТЕЛЬСТВО

Константин ГРОМОВЕНКО

кандидат юридических наук,

ректор Международного гуманитарного университета

Статья посвящена вопросу отображения международных правовых стандартов высшего образования в программировании правовой базы Украины. Автор доказывает, что украинское законодательство фиксирует целесообразность программного регулирования развития межгосударственного сотрудничества, вводит механизмы академической мобильности и академической свободы в целом соответствующие соответствующим международным стандартам. При этом практические механизмы межгосударственного сотрудничества по региональным и двусторонним межгосударственным соглашениям с участием Украины в национальных законах не определены.

Ключевые слова: академическая мобильность, академические свободы, высшее образование, международные правовые стандарты, программное регулирование.

The analysis of the phenomenon of international legal standards of higher education cannot be complete without defining the forms and content of their reflection in the legislation of Ukraine. The development of the national regulatory framework for higher education over the last thirty years and, accordingly, the reflection of international standards and mechanisms of international cooperation in it is a broad legal phenomenon. At the same time, within the subject of our analysis, it is useful to identify at least the main program acts of higher education development in their international dimension. Among such documents, the current National Doctrine of Education Development, approved by the Decree of the President of Ukraine of April 17, 2002 № 347/2002 [3], occupies a special place. It should be noted that in the following years such program documents were not approved, and changes to the Doctrine were never made, so the nature of this document is quite formalized.

The doctrine in the introductory part noted that education is a strategic resource for strengthening the author-

ity and competitiveness of the state in the international arena. At the same time in Art. Among the 15 documents, only one of the 15 priority areas of state policy on the development of education, the latter had international legal features and concerned the integration of domestic education into the European and world educational space [3]. In general, the content of the document testifies to the conviction of its authors in the significant advantages of the domestic model of education over foreign, in particular European. The Doctrine defined international cooperation primarily as the implementation of Ukrainian universities studying abroad and teaching foreigners.

However, a separate section of the Doctrine "International Cooperation and Integration in Education" was devoted to this area of work, where the strategic task of education was determined by the entry of domestic education into the "world educational services market", deepening international cooperation, expanding participation of educational institutions, scientists, teachers and teachers. , pupils, students in projects

of international organizations and communities. At the same time, the doctrine focused on the development of cooperation of domestic educational institutions not with foreign partners, but with international organizations and institutions [3], the issue of interuniversity agreements. The doctrine did not pay attention at all.

Interestingly, the principles of "integration of domestic education into the international educational space" Doctrine in Art. 36 included "peacekeeping orientation of international cooperation" and "tolerance in assessing" the achievements of educational systems of foreign countries and their adaptation to domestic needs. International cooperation in the Doctrine was reduced to "use of foreign experience in the field of education", which was to be developed through joint research, "cooperation with international foundations", conducting and participating in international events, academic exchanges and internships, elaboration of foreign scientific and educational literature [3]. . It is possible to state the generalized character of the specified instructions and absence in it of the measures



which were not taken by domestic educational institutions and before the statement of the corresponding doctrine.

Also Art. 38 of the Doctrine provided for the promotion by the authorities of the international mobility of participants in the educational process, the establishment of branches, faculties, branches of domestic educational institutions abroad, the recognition of domestic documents on education; this was supposed to be done through program activities. Also the Doctrine in Art. 39-41 provided for "building a common European home", "participation in projects and programs of the Council of Europe, UNESCO, EU", improving information exchange, increasing the training of specialists from among foreigners [3]. These theses of the Doctrine were also generalized and mostly declarative in nature; in addition, it should be noted that this document did not provide for special mechanisms for its own implementation, or the allocation of material or human resources.

The next program act in this area, which, among other things, referred to the Doctrine, was the National Strategy for the Development of Education in Ukraine until 2021, approved by the Decree of the President of Ukraine of June 25, 2013 № 344/2013. This document also paid little attention to issues of international standards and international cooperation, stating in the introductory part only that "the principles of the Bologna Process are implemented in higher education" and not indicating among the identified problems of domestic education anything that would have an international dimension [4]. In general, the Strategy retains the Doctrine's approach to the priority of the domestic post-Soviet model of education and the alleged lack of need to amend such a model in accordance with generally accepted international standards.

It is noteworthy that the adoption of radically new laws on education in 2014-2018 did not lead to the repeal of the Strategy and the approval of a new act, or even to any changes in the Strategy. This testifies to the declarative nature of the Strategy and its detachment from the real rule-making processes in the field of education, including higher education.

It is noteworthy that the Strategy did not envisage any direction of development of higher education with international content, containing only a general

thesis about "integration of the national education system into the European and world educational space." However, the Strategy mentioned, among other things, the improvement of the structure of the national education system in accordance with the international standard classification and the recommendations of the New Strategic Program for European Cooperation in Education and Training "Education and Training 2020" [4]. At the same time, the Strategy did not envisage any mechanisms for its own implementation in any direction.

However, the National Strategy contained Chapter VI "International Partnership", which described the directions of integration of domestic education "in the international educational space." These areas include the conclusion of agreements with other states and the implementation of intergovernmental and interdepartmental agreements; organization of educational and scientific exchanges and internships; expanding participation in projects and programs of international organizations and communities; study of foreign experience in modernizing the education system; joint research on the development of education; holding international conferences; training of foreigners; meeting the educational and cultural needs of the Ukrainian diaspora [4]. The strategy also did not raise the issue of concluding interuniversity agreements, nor did it address the issue of changing the legislation of Ukraine in accordance with universal or regional standards of higher education.

However, the current format of implementation of international standards in the field of education in Ukraine can be observed with the development of new legislation on education since 2014. It should be noted that the basic Law of Ukraine "On Education" of September 5, 2017 № 2145-VIII, which was approved after the new legislative regulation of relations in the field of higher education, approaches the international legal dimension of education quite cautiously.

In particular, the preamble of this legislative act mentions the need to raise the educational level of citizens "to ensure the sustainable development of Ukraine and its European choice," and in Part 1 of Art. 2 contains a standard instruction on the inclusion in the system of legislation of Ukraine on education of "inter-

national treaties of Ukraine concluded in the manner prescribed by law" (which includes in particular interdepartmental agreements). Part 3 of Art. Is also important for the issues of international cooperation of universities. 2 of the Law № 2145-VIII, according to which the subject of educational activity has the right to make decisions on any issues within its autonomy, which is determined by laws and / or constituent documents, in particular on issues not regulated by law [5]. Thus, for universities, even public ones, the principle of work "allowed what is not forbidden" is established, which significantly distinguishes them from the subjects of public administration in the field of education.

It should also be noted that in Part 1 of Art. 6 of this act, as part of the list of a significant number of principles of state policy in the field of education and principles of educational activities (such as anthropocentrism, rule of law, academic integrity, academic freedom, etc.) Law 45 2145-VIII very briefly mentions integration into international educational and scientific space. At the same time, the actual problems of international cooperation in the field of education are disclosed in Art. 82-84 of Section XI of this law. In particular, in Part 1, Part 2 and Part 6 of Art. 82 of the Law № 2145-VIII states that institutions and establishments of the education system have the right to conclude agreements on cooperation, to establish direct relations with foreign and international institutions, establishments, organizations in the field of education; have the right to conduct foreign economic activity on the basis of agreements, to have their own foreign currency accounts, to conduct joint activities, to establish joint institutions; can participate in the implementation of international projects and programs [5]. These norms are important primarily in measuring the legalization of interuniversity agreements and in general the powers of educational institutions in relation to international cooperation.

At the same time, Part 3, Part 4, Part 7 of this Article of Law № 2145-VIII establish the powers of the state, which consist primarily in establishing the equivalence of certificates and diplomas, international recognition of national qualifications, promoting international cooperation between educational institutions and edu-



cation authorities. , in particular by creating legal and financial and economic conditions for it, implementing measures, financing membership fees, business trips abroad, promoting international funds, promoting and coordinating international cooperation, and providing advisory support in this area. Separately in part 8 of Art. 82 of the Law № 2145-VIII referred to measures to promote and study the Ukrainian language and culture abroad, including by sending pedagogical (scientific and pedagogical) staff in accordance with international agreements [5]. At the same time, the mechanisms of these areas of work, including those established by regional interstate agreements with the participation of Ukraine, are not defined in the law, which to some extent complicates their implementation in bylaws.

In addition, in Art. 83 of the Law "On Education" indicated the need for the state to participate in international comparative studies of the quality of education, and in Art. 84 of this law defined the principles of Ukraine's participation in international academic mobility. Such principles, according to Law № 2145-VIII, covered the development of joint educational and research programs with foreign institutions, establishments and organizations, the involvement of foreigners in teaching and learning in Ukraine, participation in bilateral and multilateral international exchange of educational, pedagogical, scientific-pedagogical and researchers [5]. Thus, first of all, the program regulation of the development of interstate cooperation in the field of education is defined in the relevant law of Ukraine.

It should be noted that the language norms of Law № 2145-VIII were appealed to the Constitutional Court of Ukraine allegedly due to the unconstitutionality of its norms on the rights of persons belonging to national minorities and indigenous peoples of Ukraine to study in their native language in public secondary schools. It was stated that the provisions of Law № 2145-VIII allegedly violate the principle of legal certainty as a component of the rule of law, establish "discriminatory advantages" on the basis of language and ethnic origin and "do not comply with international law." At the same time, the Constitutional Court in its decision of July 16, 2019 № 10-r / 2019 recognized Law № 2145-VIII con-

stitutional, while the actual international standards of higher education were not examined in this decision [7]. However, in the future it is possible to initiate proceedings related to this alleged discrimination in international judicial and administrative institutions allegedly from individuals; at the same time, the possibility of losing such cases to Ukraine is considered minimal.

At the same time, the Law of Ukraine "On Higher Education" of July 1, 2014 № 1556-VII contains a significant number of norms on international standards and mechanisms of education. At the same time, these provisions of Law № 1556-VII should be considered quite stable, because although in six years this normative act was amended 29 times by other laws, the provisions of Law № 1556-VII on international standards remained broadly unchanged. In particular, in general, meet the international standards of higher education given in Art. 1 of the Law № 1556-VII definition of academic mobility, academic freedom, higher education and higher education institution [1]. The introduction of these definitions in the domestic legislation already testifies to the gradual bringing of the attitude to higher education on the part of the public authorities in line with the international standards available in this field.

It is also important to link the definitions of the field of knowledge and specialty with the International Standard Classification of Education, as well as to provide in the Law № 1556-VII definition of the European Credit Transfer and Accumulation System (hereinafter - ECTS) and ECTS credit as a unit of measurement of higher education. , indicating that the amount of one ECTS credit is 30 hours, and the workload of one full-time academic year is usually 60 ECTS credits [1]. It should be added that the use of ECTS is currently an unconditional component of both academic exchanges and academic mobility in general, as well as the recognition of higher education qualifications by European countries.

Also in the context of the ongoing armed conflict, it is important to define a temporarily displaced higher education institution as an institution that during the temporary occupation or anti-terrorist operation during its implementation, during the implementation of measures to

ensure national security and defense, repel and deter armed aggression. Of the Russian Federation in Donetsk and Luhansk regions by the decision of the founder (founders) changed its location by moving from the temporarily occupied territory to the settlement in the territory controlled by the Ukrainian authorities [1].

General requirements of Art. 2 of the Law № 1556-VII on the role of international treaties on higher education are generally similar to the above provisions of Art. 2 of Law № 2145-VIII. Thus in item 4 of h. 2 Art. 3 of the said Law № 1556-VII the principles of state policy in the field of higher education include "international integration and integration of the higher education system of Ukraine in the European Higher Education Area, provided that the achievements and progressive traditions of national higher education are preserved and developed." Thus, this law to some extent repeats the thesis of the Doctrine and Strategy on the existence of certain priorities in domestic higher education in relation to European educational models, which is largely debatable.

Also in Part 2 of Art. 3 of the Law № 1556-VII specifies the level of equal rights with citizens of Ukraine for foreigners and stateless persons, including foreign Ukrainians permanently residing in Ukraine, for persons recognized as refugees and persons in need of additional protection. For other foreigners and stateless persons, Law № 1556-VII guarantees the right to obtain higher education only at the expense of individuals (legal entities), except for situations provided by international treaties of Ukraine ratified by parliament, "legislation or agreements between higher education institutions on international academic mobility" [1]. Thus, the law eliminates any discrimination in the field of higher education on the basis of citizenship for individuals resident in Ukraine, which should certainly be recognized as a progressive step.

This provision of Law № 1556-VII is considered technically imperfect, as a significant number of international treaties of Ukraine, which provide for international academic exchanges at the expense of the host party, have not been ratified by the Verkhovna Rada and approved by the Cabinet of Ministers (on intergovernmental agreements) or approval. were not subject (in relation to interdepartmental



agreements). However, such agreements under the terms of Art. 2 of the Law № 1556-VII are still a component of the legislation and are therefore enforceable, including the financing of academic exchanges [1]. However, the limitations and imperfections of the array of bilateral agreements of Ukraine, primarily with European and other developed countries, reduce the relevance of these rules and, accordingly, limit the practical consequences of their above imperfections.

It should be noted that the provisions of Art. 5 of the Law № 1556-VII, defining the educational degrees of junior bachelor, bachelor, master (with special requirements for masters of medicine, pharmacy or veterinary specialization), as well as doctors of philosophy and doctors of arts, based on the amount of training measured in ECNTS credits. Moreover, under paragraph 15 of Part 1 of Art. 62 the number of ECNTS credits measures the amount of students' right to choose academic disciplines within the limits provided by the relevant educational program and curriculum. In Part 5 of Art. 7, art. 46 of the Law № 1556-VII is required to include information on the number of ECNTS credits obtained in addition to the European diploma for all levels of higher education, as well as to academic transcripts. Also information on the number of ECNTS loans is available, under Part 1 of Art. 9-1, item 1 part 3, part 5 of Art. 10 of the Law № 1556-VII as a component of the educational program, the standard of higher education and the curriculum of the institution of higher education [1]. Thus, the relevant legislation really helps to increase academic mobility and create conditions for the recognition of qualifications of domestic higher education in foreign countries.

Also in Part 7 of Art. 5 of the Law № 1556-VII contains a reference to "international peer-reviewed professional publications", where a candidate for the degree of Doctor of Science must be published. In addition, under Part 3 of Art. 9 of this act in Ukraine the list of branches of knowledge and specialties is developed by the Ministry of Education and Science on the basis of the International Standard Classification of Education. At the same time under paragraph 3 of Part 2 of Art. 32 The right of higher education institutions to choose the types of bachelor's and master's degree programs is limited

to those provided by the International Standard Classification of Education. In Part 6 of Art. 19 of the Law № 1556-VII provides for the delegation of associations of the European Higher Education Area "four international representatives" to the Competition Commission for the selection of members of the National Agency for Quality Assurance in Higher Education; in addition, one representative of the commission was to be a national student association of Ukraine, which is a member of the European Students' Union [1]. This experience of involving foreign experts in the election of a domestic authority on higher education is seen as a unique organizational phenomenon in the humanitarian sphere.

Among other things, in Part 2 of Art. 23 of the Law № 1556-VII provided for the cooperation of higher education quality assurance institutions with the European Association for the Quality Assurance of Higher Education in order to implement European standards and recommendations on these issues. Cooperation with the European Higher Education Area, in particular with regard to its qualifications framework, as well as with the European Network of National Centers for Information on Academic Mobility and Recognition, is provided for in para. 1-3 h. 2 bsp. 74 of this law [1]. In general, such norms correspond to similar mechanisms introduced by international standards in this area.

Also, this law introduces in Part 3 and Part 4 of the general framework for the establishment of higher education institutions in Ukraine with the participation of foreign persons, the establishment of higher education institutions of foreign countries of their structural units in Ukraine, namely by obtaining permission and license from MES. The law also contains a general permit for higher education institutions of Ukraine to establish their structural subdivisions abroad in accordance with the legislation of foreign states. In addition, in Part 3 of Art. 48 of the Law № 1556-VII contains a permit for higher education institutions to carry out part of teaching in English, and in paragraph 3 of Part 3 of Art. 70 - permission for such institutions to conduct financial and economic activities abroad [1]. Thus, this piece of legislation forms the basis for academic mobility in measuring the mobility of educational institutions.

In Art. 74 of the Law № 1556-VII quite briefly outlines the principles of state policy on international cooperation in higher education, in particular, states the "priority of international treaties of Ukraine", indicates the need to introduce in the international market of development of higher education institutions, sale of their patents and licenses, declares the need to attract funds from international institutions "for the implementation of higher education institutions of scientific, educational and other programs", contains general theses on the need for "mutually beneficial international cooperation in higher education" [1]. The lack of specification of these requirements at the level of law significantly complicates the possibility of their development in specialized bylaws.

Some specification of these requirements is contained in Part 4 of Art. 74 of this law, which states the need for the state to create conditions for international cooperation of higher education institutions of all forms of ownership; organizations that ensure the functioning and development of the higher education system; bodies that manage higher education. Relevant state measures, according to the relevant provisions, should be developed by establishing appropriate budget allocations in the state budget; financing of contributions for membership in international organizations, participation in their events and business trips abroad. At the same time, agreements between higher education institutions and their "foreign partners" concluded "for the implementation of educational and research projects implemented through international grants and technical assistance" are mentioned separately [1]. However, all references in the laws of Ukraine on interuniversity agreements are quite abstract and do not allow to determine the vision of the legal nature of these agreements by the legislator.

The issue of international cooperation of higher education institutions is more thoroughly reflected in Art. 75 of the Law № 1556-VII, where Part 1 indicates the rights of such institutions to enter into cooperation agreements, establish direct links with higher education institutions, research institutions and enterprises of foreign countries, international organizations, foundations, etc. This law includes participation in interstate and interuniver-



sity exchange programs among specific areas of cooperation; joint research; international conferences and other similar events; participation in international educational and scientific programs; joint publishing activities; providing higher and postgraduate education to foreigners; joint programs with foreign institutions; foreign business trips in accordance with international and interuniversity agreements; involvement of foreign teachers in the work of domestic higher education institutions; sending Ukrainian students to study abroad; academic mobility, etc. [1]. Admittedly, these theses cover most of the likely forms of modern international cooperation in higher education.

Also in Art. 76 of the Law № 1556-VII defines the principles and main directions of foreign economic activity of a higher education institution, in particular the organization of preparation of foreigners for admission to domestic institutions and citizens of Ukraine to study abroad; training of foreign students and training of scientific personnel for foreign countries; organization of study abroad; performance of scientific research and scientific and technical developments [1]. However, the law does not establish mechanisms for exercising such powers.

In addition, it is worth paying attention to the Law of Ukraine "On Professional Higher Education" of June 6, 2019 № 2745-VIII, which also contains certain provisions regarding international cooperation. In particular, this act also recognizes in Part 1 of Art. 74 priority of norms of international agreements, and in part 2 of this article indicates a number of areas of assistance to the state in international cooperation. In particular, the issues of harmonization of quality assessment systems of professional higher education in Ukraine and similar parts of education in the European educational space, harmonization of the National Qualifications Framework with the European Qualifications Framework are mentioned; cooperation with the European Network of National Information Centers on Academic Mobility and Recognition; introduction of developments of institutions of professional higher education, attraction of funds of international funds, etc. In general, the measures of international work of the state, international cooperation of educational institutions, their foreign economic activity, specified

in Law № 2745-VIII (Article 75, Article 76) and in Law № 1556-VII, are similar to each other [6]. Thus, we have a consistent attitude of the legislator to the international dimension of higher education, reflected in both of these regulations.

It should be noted that these provisions of the legislation of Ukraine on higher education are disclosed in the rule-making, management and program activities of relevant authorities. It should be noted that the Regulation on the Ministry of Education and Science of Ukraine (hereinafter - the Ministry of Education and Science), approved by the Cabinet of Ministers of October 16, 2014 № 630, is typical in its structure, with its Article. 2 among the legal bases of activity of MES the international agreements of Ukraine aren't specified, and in Art. 3 none of the tasks is aimed at the implementation of international standards or the implementation of international cooperation in the field of higher education [2].

It should also be noted that according to paragraphs. 8 item 4 of the Regulation provides for the development of the MES strategy and program for the development of higher education, their submission to the Cabinet of Ministers [2]. It should be noted that since the adoption of the Regulation, neither the strategy nor the program for the development of higher education in Ukraine has been approved. At the same time, a working group led by the Ministry of Education and Science in 2014 developed a draft Strategy for the Reform of Higher Education in Ukraine until 2020, which contained a number of references to aspects of international standards and cooperation. In particular, the draft Strategy assessed the state of domestic higher education, inter alia through the ranking positions of the Global Competitiveness Index according to the World Economic Forum, analyzed the number of foreign students in Ukraine and countries of origin, the growing number of Ukrainian students studying in European countries without domestic higher education. education [8]. Thus, the approach to measuring the situation in the field of education set out in the draft Strategy is based, among other things, on indicators of international cooperation.

It should be added that the draft Strategy aimed to create by 2020 "an attractive and competitive national higher education system of Ukraine, integrat-

ed into the European Higher Education Area and the European Research Area." However, it is characteristic that the draft Strategy did not contain an international dimension either in the basic principles or in the main mechanisms of reforms. At the same time, among the main tasks of the reforms, the integration of higher education in Ukraine into the world and European educational and scientific space was mentioned in the sixth place [8]. This formulation of the task, as you can see, is stable for domestic regulations.

However, among the measures to implement other own tasks, the draft Strategy provided for separate measures for international cooperation. In particular, Ukraine's participation in "international research and monitoring projects", preparation for the introduction and introduction of "mutual recognition of qualifications for access to higher education with 3-5 neighboring countries" were envisaged. The project also provided for an increase in the number of "international applicants for higher education" (foreign students) in particular from EU countries, bringing the structure of higher education in line with the criteria of the International Standard Classification of Education [8]. It is worth noting that thus the authors of the project briefly identified the problem of lack of proper contractual cooperation between Ukraine on higher education and European countries.

However, in the part of the draft Strategy related to international cooperation, the key problems that exist in this area were quite clearly identified. In particular, the authors of the document stated the opacity of the national system of higher education, the lack of a strategy for its internationalization of the system, the resources for this; insufficient level of academic cooperation, lack of stimulation of international educational projects, inefficient use of their results, low level of knowledge of foreign languages, and training of foreign students solely for the purpose of earning [8]. Thus, the authors of the project assess the situation as quite realistic.

Interestingly, among the measures to remedy the situation, the draft Strategy, in addition to theses on strengthening the intensity of academic exchanges and increasing the number of EU students studying in Ukraine, offered to encourage employment in teaching positions of Ukrainian citizens with degrees obtained



in EU countries to "increase competition". The project also proposed the inclusion of the domestic higher education system in international databases and reports, the involvement of international experts in the process of assessing the quality of higher education, support for domestic publications in order to include them "in leading scientometric databases." The project provided requirements for domestic universities to create internationalization strategies; transparency of analytics, monitoring and reporting on all international projects [8]. In general, these theses cannot be considered inexpedient, but the project proposals lack systematization, they are not based on modern international standards in the field of education.

At the same time, the authors of the project acknowledged that the proposed measures would not reduce the outflow of Ukrainian applicants abroad, would not increase the competence of domestic higher education professionals and would not change the "traditional tightness of the academic community." They also state the temporary losses of domestic universities from the reorientation to the education of European students and the strengthening of administrative pressure on international projects of educational institutions. In terms of quantitative indicators, the project, as of 2020, provided for an increase in the number of students from European countries among foreign students to 15%, the number of teachers with foreign degrees to 10% for research universities [8]. In general, the presence of at least some quantitative indicators is a positive feature of the project, which, however, can be considered borrowed from the strategies approved by the EU on higher education.

Although this draft Strategy was not approved by the Government of Ukraine, it testifies to the true understanding of the Ministry of Education and Science by the state of implementation in Ukraine of international standards of higher education and relevant forms of international cooperation. Therefore, having examined the issue of reflection in the legislation and strategic documents of Ukraine of international standards of higher education, it is necessary to come to the following conclusions.

International standards of higher education and mechanisms of international cooperation in the field of higher edu-

cation have not been properly reflected in the strategic and program documents of higher education development in Ukraine. In particular, these issues were practically not mentioned in the National Doctrine of Education Development in 2002 and in the National Strategy for Education Development in Ukraine for the period up to 2021. These acts do not currently reflect the development of legislation on higher education since 2014, including in measuring international standards and international cooperation in higher education. Attempts by the Ministry of Education and Science to develop progressive strategic documents on higher education since 2014 have not led to the approval of relevant regulations, while the current draft of the Strategy shows the Ministry's understanding of higher education compliance with international standards and related challenges of international cooperation.

Issues of international standards of higher education are reflected in the laws of Ukraine "On Education", "On Higher Education" and "On Professional Higher Education". Innovative features of these acts include the legalization of interuniversity agreements and the expansion of the powers of educational institutions for international cooperation. The laws reflect the expediency of program regulation of the development of interstate cooperation, introduce mechanisms of academic mobility and academic freedom in general relevant to the relevant international standards.

These laws focus on the introduction in Ukraine of mechanisms of the International Standard Classification of Education, ECTS and ECTS credit, the European Higher Education Area, the European Association for Quality Assurance in Higher Education, the European Qualifications Framework, the European Network of National Academic Mobility and Recognition Centers. At the same time, practical mechanisms of interstate cooperation according to regional and bilateral interstate agreements with the participation of Ukraine are not defined in these laws, with special attention being paid in these acts to the issues of international peer-reviewed professional publications.

The further development of the implementation of higher education standards in Ukraine should be the subject of new research.

References:

1. Про вищу освіту: Закон України від 1 липня 2014 р. № 1556-VII. Законодавство України. URL: <https://zakon.rada.gov.ua/laws/show/1556-18> (Last accessed: 15.05.2020).
2. Про затвердження Положення про Міністерство освіти і науки України: постанова Кабінету Міністрів України від 16 жовтня 2014 р. № 630. Законодавство України. URL: <https://zakon.rada.gov.ua/laws/show/630-2014-p> (Last accessed: 15.05.2020).
3. Про Національну доктрину розвитку освіти: Указ Президента України від 17 квітня 2002 р. № 347/2002 // Офіційний вісник України. 2002. № 16. Ст. 860.
4. Про Національну стратегію розвитку освіти в Україні на період до 2021 року: Указ Президента України від 25 червня 2013 р. № 344/2013 // Офіційний вісник України. 2013. № 50. Ст. 1783.
5. Про освіту: Закон України від 5 вересня 2017 р. № 2145-VIII // Відомості Верховної Ради України. 2017. № 38–39. Ст. 380.
6. Про фахову передвищу освіту 6 червня 2019 р. № 2745-VIII // Відомості Верховної Ради України. 2019. № 30. Ст. 119.
7. Рішення Конституційного Суду України від 16 липня 2019 року № 10-р/2019 у справі за конституційним поданням 48 народних депутатів України щодо відповідності Конституції України (конституційності) Закону України «Про освіту» // Офіційний вісник України. 2019. № 62. Ст. 2164.
8. Стратегія реформування вищої освіти в Україні до 2020 року (проект): проект розроблено Робочою групою під керівництвом Міністерства освіти і науки України. Київ, 2014. Освіта.ua. URL: https://osvita.ua/doc/files/news/438/43883/HE_Reforms_Strategy_11_11_2014.pdf (Last accessed: 15.05.2020).

INFORMATION ABOUT THE AUTOR

Hromovenko Kostiantyn Viktorovich – PhD in Law, Rector of the International Humanitarian University

ІНФОРМАЦІЯ ПРО АВТОРА

Громовенко Костянтин Вікторович – кандидат юридичних наук, ректор Міжнародного гуманітарного університету

konstantingromovenko@gmail.com