

REVIEW

of the scientific article

Denys Anatoliiovych Stryzheus

“Regarding the Function of the Civil Court of Cassation in the Field of Civil Rights Protection”

The submitted scientific article is devoted to the study of the functional purpose of the Civil Court of Cassation within the Supreme Court in the system of civil rights protection. The chosen topic is highly relevant, particularly in the context of the ongoing reform of the judicial system of Ukraine and the establishment of the rule of law, where the effectiveness of judicial protection of human rights and freedoms is of paramount importance.

The author justifiably proceeds from the premise that the judicial form of civil rights protection is the most effective and universal, since courts are endowed with the authority to establish objective truth and ensure the restoration of violated rights. The article emphasizes that the Civil Court of Cassation occupies the highest level within the system of judicial protection of civil rights, which necessitates a detailed analysis of its functions and role within the judicial system.

A significant strength of the study lies in its comprehensive nature. The author analyzes both the constitutional and legal foundations of the functioning of the court of cassation instance, as well as the norms of civil procedural legislation governing its activities. Particular attention is given to defining the concept of “court functions” as a system of interrelated areas of activity implemented through legally established procedural forms. This approach demonstrates a deep theoretical understanding of the subject matter.

The article substantiates the identification of the main functions of the Civil Court of Cassation, including the rights-protecting function, the function of ensuring the unity of judicial practice, the function of limited cassation review, and the interpretative function. The author convincingly argues that ensuring the uniformity of judicial practice is a key task of the Supreme Court, as it enables the formation of stable and predictable law enforcement practice.

An important aspect of the study is the analysis of the mechanisms of cassation review of judicial decisions. The author thoroughly examines the features of limited cassation, which *предусматриває* review of court decisions only in cases defined by law, in accordance with European standards of justice. In this context, the work has significant practical value, as it contributes to a deeper understanding of the functioning of the modern model of cassation proceedings in Ukraine.

Particular attention is also paid to the analysis of the interpretative function of the Supreme Court. The author emphasizes that, although the Constitutional Court of Ukraine is the sole body authorized to provide official interpretation of the Constitution, the Supreme Court effectively interprets legal norms in the process of their application, thereby contributing to the formation of consistent judicial practice. This conclusion is debatable; however, it is well-argued and corresponds to contemporary scientific approaches.

At the same time, a certain limitation of the work is the insufficient level of comparative legal analysis. It would be advisable to expand the research by comparing the Ukrainian model of cassation courts with corresponding models in other European states. In addition, strengthening the empirical component—particularly through the analysis of judicial practice or statistical data—would enhance the practical significance of the study.

Overall, the article is characterized by a high level of scientific reasoning, a logical structure, and consistency in the presentation of the material. The language of the work is

clear, academically appropriate, and consistent with the standards of scholarly writing. The author demonstrates the ability to conduct independent scientific analysis of complex legal phenomena and to formulate well-founded conclusions.

The scientific article by Denys Anatoliiovych Stryzheus constitutes a complete and independent study of both theoretical and practical significance for the development of civil procedural law. The work meets the requirements for academic publications and may be recommended for publication in a specialized scientific journal.

Reviewer:

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