

ТЕОРІЯ ТА ІСТОРІЯ ДЕРЖАВИ І ПРАВА; ІСТОРІЯ ПОЛІТИЧНИХ І ПРАВОВИХ УЧЕНЬ

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INTERNATIONAL STANDARDS AND INDICES OF HIGHER EDUCATION IN UKRAINE: HISTORICAL AND LEGAL ASPECTS

It has been established that the origins of international cooperation standards in higher education trace back to the 1950 Agreement on the Importation of Educational, Scientific, and Cultural Materials. Over time, fostering collaboration among states in the field of higher education became a core focus of the United Nations Educational, Scientific and Cultural Organization (UNESCO). UNESCO initiated the drafting and adoption of multilateral agreements concerning the mutual recognition of qualifications and academic experiences within higher education.

These regional and global conventions highlight several key principles: higher education is recognized as a public good and a public responsibility; state oversight remains central, while private higher education and academic autonomy are also upheld. Additionally, the conventions emphasize the importance of academic mobility across all educational levels. The mechanisms for recognizing higher education qualifications, as set out in these conventions, are based on reciprocity and non-discrimination. They also reflect the diversity of national higher education systems, alongside the need for greater standardization, transparency, and harmonization.

The implementation of the Council of Europe's legal standards in higher education is characterized by the application of the 1950 Convention and its Protocol's Article 2, as interpreted by the European Commission and the European Court of Human Rights. European legal practice generally does not impose positive obligations on states to expand higher education to meet individual demands. It allows for restrictions on access to higher education, provided they comply with non-discrimination principles. Ukraine's bilateral education agreements typically cover academic exchange programs, study conditions for nationals of partner countries, exchange of information on higher education governance, and implementation of inter-university cooperation. These agreements, especially those at the university level, serve as practical tools for applying and advancing international legal standards in higher education, widely used by both public and private Ukrainian universities.

A notable portion of these inter-university agreements focus on cooperation between specific departments or laboratories. Such agreements are often concluded for two to five years or indefinitely, usually with provisions for automatic renewal or renegotiation. Their content frequently mirrors the terms found in bilateral agreements between government departments overseeing higher education. Ukrainian law holds the aggressor state accountable for human rights violations in occupied territories. While it acknowledges the continued pursuit of secondary and higher education by residents of these regions, it does not recognize the academic credentials issued by occupation authorities. Instead, Ukrainian legislation provides mechanisms for validating qualifications earned in the occupied territories and offers affected residents preferential access to state-funded higher education.

Keywords: *academic mobility, academic exchanges, recognition of educational qualifications, higher education, international standards of higher education, inter-university agreements, the right to higher education.*

Analysis of Recent Research and Publications. While we partially agree with the periodizations previously outlined, we propose an alternative framework based on a civilizational approach, identifying the key stages in the historical development of higher education in Ukraine. Our suggested periodization includes the following stages: the first stage (16th–17th centuries); the second (18th–19th centuries); the third (early 20th century–1918); the fourth (1919–1990); and the fifth (1991–2010). Although this author's classification does not encompass every aspect of the subject under investigation, it provides a comprehensive basis for understanding the genesis and evolution of higher education in Ukraine. Accordingly, this periodization will be used as the foundation for our subsequent analysis.

Collectively, these five stages span the time from the establishment of the Ostroh Slavic-Greek-Latin Academy in 1576 to Ukraine's integration into the Bologna Process in 2010. In our view, it is crucial not only to distinguish these historical periods but also to assess their qualitative and quantitative characteristics. This approach enables us to trace not only their emergence but also their long-term impact on the development of Ukraine's higher education system.

1. Specifically, the 16th–17th centuries are marked by several distinctive features:

2. A strong continuity with the cultural traditions of Old Rus;

3. The intersection and conflict of Western and Eastern cultural, ideological, and philosophical currents;

4. The formation of Ukrainian cultural identity within the context of a multiethnic and multireligious polity—the Grand Duchy of Lithuania, later the Polish-Lithuanian Commonwealth—during a time when the national and spiritual differentiation of the Belarusian, Ukrainian, and Polish peoples remained incomplete. This period was characterized by linguistic diversity in written culture and the ambiguous national and cultural affiliations of its creators;

5. Interaction and mutual influence of Ukrainian, Belarusian, Lithuanian and Polish cultures, interpenetration of Renaissance humanism and the Reformation;

6. The late development of Renaissance culture compared to Western and Central Europe, its functioning in the context of feudal-Catholic expansion, Counter-Reformation and the flourishing of Baroque culture [1, pp. 4–14].

Main material. On the other hand, some researchers associate the beginnings of university education in Ukraine with the emergence of scientific centers - theological schools, which include the Ostroh Academy, which, in our opinion, should be identified as a secular educational institution, not a theological school, since the basis of educational activities at the academy was the traditional study of the “seven liberal sciences” for obtaining higher education in medieval Europe, as well as higher sciences: philosophy, theology, medicine. In addition, students of the Ostroh Academy mastered five languages: Slavic, Polish, Hebrew, Greek, Latin. By the way, S. Siropolko wrote that students of the Ostroh Academy studied three languages: Slavic, Greek, and Latin [2, p. 62].

We believe that the Ostroh Slavic-Greek-Latin Academy should still be considered the first higher educational institution in Ukraine. Some researchers also believe that the Ostroh Higher School and the Kyiv-Bratsk (Mohyla) College were the first higher educational institutions in Ukraine to resemble

a European classical university, while classical university education was traditionally based on natural science and social and humanitarian specialties [3, p. 24].

A feature of the first stage of the genesis of the main stages of the development of higher education in Ukraine (XVI–XVII centuries) was that the fraternal schools that emerged at this time gave impetus to the formation of colleges, on the other hand, in the future some of them turned into academies. The first period of the genesis of higher education in Ukraine (XVI–XVII centuries) begins in 1576, when in the city of Ostroh, in Volhynia, Prince Konstantin Ostrotsky founded the Slavic-Greek-Latin Academy, the first school of higher type in Eastern Europe [4, p. 5].

The establishment of a new type of literary and translation circle and the first Ukrainian school of higher level in private Volhynia estates. Was a natural phenomenon. After all, the most favorable conditions for the development of Ukrainian culture at that time were in Eastern Volhynia. Here, the positions of Orthodox magnates were strong, who had the opportunity to financially provide for various valuable undertakings, in particular in schooling. The activity of the bourgeoisie was insignificant, partly due to the private nature of the absolute majority of cities; their residents, unlike the burghers of state (royal) cities, enjoyed less political and economic freedom and generally showed themselves little in the public life of the region [5, p. 539].

However, the newly founded school was fundamentally different from Western European or Polish primary and secondary schools, primarily in its active use of the Greek-Byzantine cultural heritage and its distinct national character. Its uniqueness and originality were manifested in its compliance with the cultural and political-religious needs of Ukraine [5, p. 541]. Undoubtedly, the Ostroh Academy significantly influenced the development of pedagogical thought and the organization of schooling in Ukraine: later brotherly schools in Lviv, Lutsk, and Volodymyr followed its example. Thanks to the academy, the layer of educated people in Ukraine significantly expanded. Figures associated with the Ostroh Academy played an important role in transforming the Kyiv-Pechersk Monastery into a powerful religious and cultural center. They founded the Manyavsky Skete and the Mezhyhirya Monastery, which became Orthodox shrines of the Ukrainian people. It is also worth mentioning the international contacts of the Ostroh Academy. It maintained ties with Orthodox cultural centers in the East, in particular with Constantinople and Alexandria [4, p. 3]. In addition, K. Ostrotsky founded schools in Turov (1572), Volodymyr-Volynskyi (1577), and Slutsk (1580).

Therefore, the first stage of the genesis of higher education in Ukraine includes not only the establishment of the Slavic-Greek-Latin Academy in Ostroh, but also the establishment of fraternal schools, the Kyiv Collegium, which was later transformed into the Kyiv-Mohyla Academy, the formation of Lviv University, and their further progress based on national educational traditions and orientation towards the best examples of European higher education.

The second stage (XVIII–XIX centuries) of the genesis of the main periods of development of higher education in Ukraine is represented in the first half of the XVIII century. The activity of collegiums, the restoration of the functioning in the second half of the XVIII century. Lviv University, the foundation in the first half of the XIX century. Kharkiv and Kyiv, in the second half of the XIX century. Odessa and Chernivtsi classical Universities, the emergence of non-classical higher educational institutions - technical, medical, pedagogical and other specialized higher educational institutions: Lviv Polytechnic Institute (1844), during the 1850–1880s. The following institutes were opened: Kyiv Polytechnic, South Russian (Kharkiv), Nizhyn Historical and Philological, Glukhiv Teachers' and others, Veterinary Academy in Dublyany (1855). In 1899, the Higher Mining School was opened in Katerynoslav, which initiated higher education in the Dnieper region [6, p. 18].

The Kyiv-Mohyla Academy was an extremely influential educational, scientific and cultural center in Ukraine and Europe, as well as an elite higher educational institution. In the first half of the 18th century. A significant rise began in Chernihiv (1700), Kharkiv (1721), Pereyaslav (1738) and other cities, colleges were founded on the model of the Kyiv-Mohyla College [7, p. 94].

Starting from 1803, the Russian, and therefore the Ukrainian university system gradually established an educational orientation as the main one. This largely contributed to the devaluation of the classical university idea. Unlike the German, English, and American models, scientific research was outside the universities and began to gather in the research institutes of the Academy of Sciences and branch academies [3, p. 27].

Classical universities were purely secular higher education institutions and provided professional education. The organization of the educational process in them was almost the same as in Western European universities, however, unlike the latter, these universities did not have theological faculties. They trained officials, lawyers, and educators [6, p. 10–12].

In particular, at Kharkiv University (1805, founded by V. Karazin, a famous scientist, inventor, and educator), there were four faculties: physics and mathematics, history and philology, medicine, and law, eight scientific societies, and an astronomical observatory [8].

The nobleman of the Kharkiv province V. Karazin, back in 1802, obtained the consent of Alexander I to open a university in Kharkiv, and V. Karazin convinced the tsar that the nobility of the Kharkiv province would gladly allocate funds for the university. The ground for the opening of the Kharkiv University was largely prepared by Grigoriy Skovoroda, through his influence on the then nobility and bourgeoisie of the Slobozhanshchyna, and by the famous Kharkiv writer and architect Oleksandr Palitsyn.

Indeed, many noblemen who entered their names in the register of donors for the establishment of the Kharkiv University (the total amount of that register reached 1 million rubles), as well as the Kharkiv merchant Georgy Uryupin, who campaigned as the Kharkiv mayor among Kharkiv citizens for the opening of a university in Kharkiv, were friends or sincere supporters of H. Skovoroda [4, p. 235].

Kyiv University (1834) initially had only a philosophy faculty, with two departments – history and physics and mathematics. In 1835, the Faculty of Law was opened, and in 1841, the Faculty of Medicine.

In addition to statutory international agreements and global conventions on human rights, several universal international treaties approved under the auspices of the UN concern education, such as the Agreement on the Import of Educational, Scientific and Cultural Materials, concluded in Lake Success (USA) on November 22, 1950 (hereinafter referred to as the 1950 Agreement), which currently unites more than 90 countries of the world, including EU countries and neighboring countries of Ukraine (unfortunately, Ukraine is not a member of the 1950 Agreement) [9]; It can be stated that this agreement was based on the bilateral and regional agreements on the exchange of publications of the first half of the twentieth century discussed above.

The 1950 Agreement, with reference to the UNESCO Statute, establishes the obligation of States to abolish customs duties and fees on the importation into their territory of educational materials specified in the annexes to the Agreement. Also in the 1950 Agreement, States undertook to promote in every possible way the free distribution of such materials, the abolition of relevant restrictions, and the simplification of administrative procedures and customs formalities in respect of such materials [9]. Thus, this act reflects an attempt to establish universal standards in the field of the exchange of educational materials as a form of educational cooperation. At the same time, this agreement is characterized by a certain autonomy from other sources of international law, both on the organization of higher education itself and on human rights to such education.

In particular, Annex A to the 1950 Agreement listed, among other things, publications intended to promote learning outside the importing country and intended for study in scientific and educational institutions authorized by the importing country, architectural, industrial or engineering plans, drawings and copies thereof. Annex C to the 1950 Agreement listed cinematograph films, filmstrips, microfilms and transparencies, sound recordings of an educational and scientific nature imported by institutions approved by the authorities of the importing country for their exclusive educational or scientific use. This annex also lists models, models or wall charts for use exclusively for demonstration and teaching in public or private educational or scientific institutions approved as such by the importing country [9].

It is worth noting the attempt in the agreement to carefully define all forms of educational materials for the dissemination of which international cooperation is necessary. Annex D to the 1950 Agreement also indicates scientific instruments and equipment intended exclusively for educational purposes or for purely scientific experiments, with the condition that these instruments and equipment are intended for public or private educational or scientific institutions approved by the competent authority and are used under the control of such institutions, which are responsible for this. At the

same time, for the duty-free import of such instruments or equipment, the Agreement establishes the condition of the absence of their production at the time of import in the importing country [9].

Thus, the authors of the agreement apparently tried to balance the educational and economic interests of the countries of the world with the undeniable consideration of the global social significance of the phenomenon of education, in particular higher education. 1950 Agreement It was supplemented by the Protocol thereto, signed in Nairobi on November 26, 1976, which currently unites 46 states (Ukraine has not joined). According to Article 5 of this Protocol, the preferential import regime introduced by the 1950 agreement was extended to books and publications intended for libraries of public importance, in particular large scientific and research libraries, as well as general and specialized academic libraries, including libraries of universities, colleges, institutes and university libraries located outside universities [9].

Although in the context of the transfer of scientific and educational materials to digital, electronic format, the practical significance of these regulations has somewhat decreased, they still do not lose their relevance in relation to printed methodological and scientific research products. Also, the effect of the 1950 Agreement was extended to books adopted or recommended as textbooks for higher educational institutions imported by these institutions. In Appendix A, a mention was added of maps and diagrams that are of interest to such branches of science as geology, zoology, botany, mineralogy, paleontology, archeology, ethnology, meteorology, climatology, geophysics, as well as meteorological and geophysical diagrams [9].

Given the obvious positive value of such a protocol, Ukraine's accession to it is seen as a necessary, albeit belated, step. In the future, the issue of organizing cooperation between states in the field of higher education became a priority issue for UNESCO, which initiated the preparation and signing of multilateral agreements on the mutual recognition of documents and experience gained in higher education. Chronologically, the first of such acts was the Regional Convention on the Recognition of Courses, Diplomas and Degrees of Higher Education in Latin America and the Caribbean of July 19, 1974, which united 19 countries of the region [10].

This act initiated the approval under the auspices of UNESCO of a number of relevant regional intergovernmental agreements, a significant part of the norms of which were obviously similar in nature. It is worth noting the reflection in these agreements of previous norms of international customary law regarding the recognition of higher education qualifications, taking into account the general practice of university activities. In Art. 1 of this 1974 Convention Recognition was interpreted as the acceptance by the authorized bodies of the state of diplomas, degrees, qualifications issued by another participating state and granting their holder the rights that would arise from the presence of similar national diplomas, degrees or qualifications. Recognition of courses meant the possibility of a person who studied in another participating state to continue his studies in higher education institutions on an equal basis with persons who obtained the relevant qualification in the state of this institution, a similar rule was established for the recognition of courses for training practice [10].

These rules and definitions later became similar in other agreements and thus contributed to the formation of relevant universal standards. In general, such formation on the basis of a series of regional agreements is seen as a rather peculiar phenomenon for international law. Therefore, UNESCO's choice of such a strategy of norm-creation can be explained by the realization by this organization of the impossibility of coordinating the positions of the majority of states in the world to immediately approve a universal convention of similar content.

It is important that in Art. 1 of the 1974 Convention, the role of secondary (basic) education (English "middle or secondary education") was recognized, among other things, as a stage for obtaining higher education (English "higher education"). At the same time, higher education itself was defined in this part of the 1974 Convention as any form of education and research on the basis of secondary education (at post-secondary level), open to all persons who have received the appropriate qualifications for it, either by completing secondary school with a certificate or diploma, or by undergoing appropriate training under conditions established by the State. Also, this 1974 Convention in Art. 1 regulated the category of incomplete courses (partial studies) of higher education, in which the course was not completed according to the standard of the educational institution, either in terms of their duration or in terms of their content [10].

It is worth noting that this is an attempt to define the category of previous norms of customary international law regarding the recognition of higher education qualifications, taking into account the general practice of university activities. In Art. 1 of this 1974 Convention Recognition was interpreted as the acceptance by the authorized bodies of the state of diplomas, degrees, qualifications issued by another participating state and granting their holder the rights that would arise from the presence of similar national diplomas, degrees or qualifications. Recognition of courses meant the possibility of a person who studied in another participating state to continue his studies in higher education institutions on an equal basis with persons who obtained the relevant qualification in the state of this institution, a similar rule was established for the recognition of courses for training practice [10].

The specified rules and definitions in the future became similar in other agreements and thus contributed to the formation of relevant universal standards. In general, such formation on the basis of a series of regional agreements is seen as a rather peculiar phenomenon for international law. Therefore, the choice of UNESCO of this particular strategy of norm creation can be explained by the realization by this organization of the impossibility of coordinating the positions of the majority of the world's states for the immediate approval of a universal convention of similar content.

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Also, this 1974 Convention in Art. 1 regulated the category of incomplete courses (partial studies) of higher education, in which the course was not completed according to the standard of the educational institution, either in terms of their duration or in terms of their content [13]. The 1997 Convention in Section 8 regulates aspects of the State's obligation to provide full information about educational institutions of its higher education system and their programs, if the question of confirming such qualifications arose in another State. In the event that a state establishes a system of official evaluation of higher education institutions and educational programs, information should also be provided on the methods and results of such evaluation, on the quality standards of each type of educational institution, etc.

Also, according to Article 8.2 of the 1997 Convention, each of its member states must ensure the preparation, updating and publication of: an overview of the different types of higher education institutions in its higher education system, with the characteristics inherent in each type; a list of higher education institutions recognized by it, both public and private, indicating their competence and types of qualifications, conditions of access to their study programs; descriptions of higher education programs; a list of higher education institutions located outside the territory of the state, which it considers to be part of its education system [14].

These requirements actually form the standards of analytical work of state administrative bodies in the field of education. Also, under Art. 9.1 and 9.2 of this agreement, the parties must ensure the functioning of open systems for describing higher education qualifications and the work of relevant national information centers on higher education, providing such centers with the necessary resources [14]. It is worth noting that the need to implement these requirements must certainly cover not only national legislation in the participating states, but also departmental acts of educational institutions and specific administrative procedures. Also, ensuring the implementation of these norms must take into account the relevant above-mentioned international standards for ensuring and protecting the right to receive and disseminate information. A characteristic difference of Convention No. 165 should be considered the consideration of the special needs of refugees, displaced persons, and persons in a similar situation.

Section 7 of this agreement requires a fair and prompt assessment of whether such persons meet the relevant requirements for access to higher education, continuing education in higher education programs, even in cases where the qualifications were obtained by them in one of the states of the

convention, but cannot be documented [14]. The above can be explained both by the high level of development of the standards of the rule of law among the parties to this Convention, and in general by the great importance of the problem of displaced persons and refugees for Europe. In general, it can be stated that the provisions of Convention No. 165 correspond to the universal convention standards for the protection of the rights of migrants to education described above.

According to section 10 of the 1997 Convention Supervision of its implementation was to be ensured by a specially established Convention Committee, the committee consisting of one representative from each participating state, and the European Network of National Information Centers for Academic Mobility and Recognition, established on the basis of decisions adopted on June 9, 1994 by the Committee of Ministers of the Council of Europe and on June 18, 1994 by the UNESCO Regional Committee for Europe [14].

Therefore, it should be noted that the double subordination of the convention supervisory bodies of this agreement, in terms of the powers of the Council of Europe and UNESCO, is not in itself unique to modern international law, but it determines a certain specificity of the implementation of the relevant assessment and monitoring procedures.

It is important to note that the approval of the 1997 Convention initiated a review of other regional agreements initiated by UNESCO. The next such act was the Asia-Pacific Regional Convention on the Recognition of Qualifications in Higher Education, signed in Tokyo on November 26, 2011. However, currently only nine states (Bangladesh, Armenia, Cambodia, China, Laos, Marshall Islands, Republic of Korea, East Timor and Turkey) and the Vatican participate in this agreement. An analysis of the content of the 2011 Convention indicates that most of the mechanisms of the 1997 Convention are applied in it. In addition, the 2011 Convention Separate mention is made of the UNESCO Diploma Supplement, as it was first legalized under the 1997 Convention (where it is mentioned) and means a document describing the nature, level, context, content and status of the courses taught and successfully mastered by the applicant specified in the diploma to which this Supplement relates [12].

Thus, the said agreement meant a continuation of the stage of development of higher education standards initiated by the 1997 Convention, for which a significant part of the Asian countries were probably not ready. Another possible reason for the limited coverage of the countries of the region by this Convention should be considered the expectation in the second decade of the 21st century of a Universal Convention in this field, the draft of which was already being prepared under the auspices of UNESCO. At the same time, given the existence of the previous above-mentioned regional agreement on the recognition of qualifications of 1983, the participating states undertook not to accede to the 1983 Convention. (if they have not done so before) and not to apply the requirements of the previously ratified 1983 Convention in their relations with each other, leaving them for interaction with third countries - members of the 1983 Convention [12].

Thus, for Ukraine, given the incomplete coverage of the states of the Asian region by the 2011 Convention, a paradoxical situation has arisen in which it is advantageous to continue participating in the 1983 Convention, ratified by the USSR, although of course the key regional act for our state is currently the 1997 Convention. It should be noted that, unfortunately, these agreements are practically not reflected in the bilateral agreements in the field of education concluded by Ukraine over the past two decades. For Convention No. 165, this situation seems generally glaring, since its significance in ensuring the integration of the national education systems of the CoE countries cannot be denied at present. The regional agreement was revised after its signing on December 12, 2014. In Addis Ababa, the Revised Convention on the Recognition of Courses, Certificates, Diplomas, Degrees and Other Academic Qualifications Concerning Higher Education for African States. Twenty African countries, as well as the Vatican, have now joined this Revised Convention. The content of the articles of this agreement is similar to the 1997 Convention and the 2011 Convention, while the rather original preamble of the document is of some interest. In particular, it speaks of the prominent role of education systems in ensuring the integration of the African continent through cooperation between higher education institutions [11].

Conclusions. In summary, after examining the key directions and challenges related to the international legal framework for ensuring the right to accessible and quality education for all, particularly in the face of modern challenges, the following conclusions can be drawn:

The right to education is a fundamental human right essential to the realization of many other rights at the global level. While there is growing international cooperation in promoting this right, significant challenges remain in guaranteeing access to education at all levels—from early childhood to higher education and lifelong learning. Existing international legal instruments and mechanisms do not comprehensively capture the complexity of the right to education, nor do they establish a unified model for lifelong learning. This results in persistent disparities between more and less developed countries in terms of access to preschool, primary, secondary, and tertiary education, and in ensuring equal educational opportunities for marginalized and vulnerable groups.

Particular attention has recently been given to the issues of accessible and quality education in the aftermath of the COVID-19 pandemic, which revealed the unpreparedness of many states to adapt their education systems to remote learning and other emerging needs.

Furthermore, the lack of universally binding standards and educational levels at the international legal level has limited global efforts largely to achieving universal access to primary education. This narrow focus has diverted attention from other crucial aspects of educational accessibility, such as access to higher levels of education and quality assurance mechanisms. Therefore, a more comprehensive approach is needed—one that promotes inclusive and equitable quality education and ensures lifelong learning opportunities for all.

REFERENCES

1. Filosofiya Vidrodzhennya na Ukraini : monohrafiya [Philosophy of the Renaissance in Ukraine : Monograph]. Avt. kol. : M. V. Kashuba, I. V. Paslavs'kyi, I. S. Zakhara ta in. ; Akademiya nauk URSR, Instytut susp. Nauk. Kyiv : Naukova dumka Publ, 1990. 336 p.
2. Siropolko S. Istoriya osvity v Ukraini. Kyiv : Naukova dumka Publ, 2001. 912.
3. Kuhay K. B. Stanovlennya klasychnoyi universytet-s'koyi osvity v Zakhidniy Ukraini (XVII–XIX st.) [The formation of classical university education in Western Ukraine (XVII–XIX)]. *Naukovyy visnyk Mizhnarodnoho humanitarnoho universytetu*. 2017. No 13. Pp. 24–29.
4. Ostroz'ka akademiya XVI–XVII Stolittya. Entsyklopediya [Ostroh Academy of the 16–17th centuries. Encyclopedia]. Ostroh : Vydavnytstvo Natsional'noho universytetu “Ostroz'ka akademiya” Publ, 2011. 512 p.: il.
5. Istoriya ukayins'koyi Kul'tury u p'yaty tomakh. Tom 2. Ukayins'ka kul'tura XIII – pershoi polovyny XVII stolit' [History of Ukrainian culture in five vol. Vol. 2. Ukrainian culture of the XIII – the first half XVII century]. Kyiv : Naukova dumka Publ, 2001. 591 p.
6. Kryvchyk H. H. Vyshcha shkola i Bolons'kyi protses: Konspekt Lektsiy [Higher School and the Bologna process: A summary of lectures]. Dnipropetrovs'k : PDABA, DRIDU Publ, 2008. 34 p.
7. Korol' A. Vyshcha osvita v Ukraini: etapy rozvytku [Higher Education in Ukraine: Stages of Development]. *Naukovyy visnyk MNU im. V. O. Sukhomlyns'koho. Pedahohichni Nauky*. Lyuty, 2016. No 1 (52). Pp. 93–97.
8. Turkot T. I. Zarodzhennya i rozvytok vyshchoyi shkoly v Ukraini [The origin and development of higher education in Ukraine]. *Pedahohika vyshchoyi shkoly*. URL : <http://wesudents.com.ua/glavy/50446-zarodjennearozvitok-vischo-shkoli-v-ukran.html>
9. Agreement on the Importation of Educational, Scientific and Cultural Materials, Lake Success, New York, 22 November 1950. UN. URL : https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XIV-2&chapter=14&clang=_en
10. Regional Convention on the Recognition of Studies, Diplomas and Degrees in Higher Education in Latin America and the Caribbean, Mexico City, 19 July 1974. UNESCO. URL : http://portal.unesco.org/en/ev.php-URL_ID=13512&URL_DO=DO_TOPIC&URL_SECTION=201.html
11. Revised Convention on the Recognition of Studies, Certificates, Diplomas, Degrees and Other Academic Qualifications in Higher Education in African States Addis Ababa, 12 December 2014. UNESCO. URL : http://portal.unesco.org/en/ev.php-URL_ID=49282&URL_DO=DO_TOPIC&URL_SECTION=201.html

12. Asia-Pacific Regional Convention on the Recognition of Qualifications in Higher Education Tokyo, 26 November 2011. UNESCO. URL : http://portal.unesco.org/en/ev.php-URL_ID=48975&URL_DO=DO_TOPIC&URL_SECTION=201.html

13. Regional Convention on the Recognition of Studies, Diplomas and Degrees in Higher Education in Latin America and the Caribbean, Mexico City, 19 July 1974. UNESCO. URL : http://portal.unesco.org/en/ev.php-URL_ID=13512&URL_DO=DO_TOPIC&URL_SECTION=201.html

14. Convention on the Recognition of Qualifications concerning Higher Education in the European Region, Lisbon, 11 April 1997 UNESCO. URL : http://portal.unesco.org/en/ev.php-URL_ID=13522&URL_DO=DO_TOPIC&URL_SECTION=201.html

Ю. О. Корольов, С. С. Атаманська. МІЖНАРОДНІ СТАНДАРТИ ТА ІНДЕКСИ ВИЩОЇ ОСВІТИ В УКРАЇНІ: ІСТОРИКО-ПРАВОВІ АСПЕКТИ

Встановлено, що витоки стандартів міжнародного співробітництва у вищій освіті сягають Угоди про імпорт освітніх, наукових і культурних матеріалів 1950 року. Згодом сприяння співпраці між державами у сфері вищої освіти стало основним напрямом діяльності Організації Об'єднаних Націй з питань освіти, науки і культури (ЮНЕСКО). ЮНЕСКО ініціювала розробку та ухвалення багатосторонніх угод щодо взаємного визнання кваліфікацій і академічного досвіду в рамках вищої освіти.

Ці регіональні та глобальні конвенції виділяють кілька ключових принципів: вища освіта визнається суспільним благом і суспільною відповідальністю; державний нагляд залишається центральним, а приватна вища освіта й академічна автономія також зберігаються. Крім того, конвенції підкреслюють важливість академічної мобільності на всіх рівнях освіти. Механізми визнання кваліфікацій вищої освіти, викладені в цих конвенціях, базуються на взаємності та недискримінації. Вони також відображають різноманітність національних систем вищої освіти та потребу в більшій стандартизації, прозорості й гармонізації.

Імплементация правових стандартів Ради Європи у сфері вищої освіти ґрунтується на положеннях Конвенції 1950 року та статті 2 Протоколу до неї, як вони тлумачаться Європейською комісією та Європейським судом з прав людини. Європейська правова практика загалом не накладає на держави позитивних зобов'язань щодо розширення вищої освіти для задоволення індивідуальних потреб. Дає змогу обмежувати доступ до вищої освіти за умови, що вона відповідає принципам недискримінації. Двосторонні освітні угоди України зазвичай стосуються програм академічного обміну, умов навчання для громадян країн-партнерів, обміну інформацією про управління вищою освітою та реалізації міжуніверситетського співробітництва. Ці угоди, зокрема на рівні університетів, слугують практичними інструментами для впровадження та поширення міжнародних правових стандартів у сфері вищої освіти, які активно застосовуються як державними, так і приватними університетами України.

Значна частина цих міжуніверситетських угод зосереджена на співпраці між конкретними відділами чи лабораторіями. Такі угоди часто укладаються на два-п'ять років або на невизначений термін зазвичай з умовами автоматичного продовження або перегляду. Їхній зміст часто відображає умови двосторонніх угод між державними відомствами, які здійснюють контроль за вищою освітою. Українське законодавство передбачає відповідальність держави-агресора за порушення прав людини на окупованих територіях. Хоча воно визнає продовження середньої та вищої освіти жителями цих регіонів, але не визнає академічних сертифікатів, виданих окупаційною владою. Натомість українське законодавство передбачає механізми підтвердження кваліфікацій, отриманих на окупованих територіях, і надає постраждалим жителям пільговий доступ до вищої освіти за державне фінансування.

Ключові слова: академічна мобільність, академічні обміни, визнання освітніх кваліфікацій, вища освіта, міжнародні стандарти вищої освіти, міжвузівські угоди, право на вищу освіту.