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CONSTITUTIONAL AND LEGAL PROVISION OF ECONOMIC RIGHTS AND FREEDOMS OF A PERSON AND A CITIZEN

In accordance with the Article 3 of the Constitution of Ukraine "a person, his/her life, health, honour and dignity, privacy and safety are recognized as the highest social value in Ukraine. Human rights and freedoms as well as their guarantees determine contents and guidelines of government activities. Enforcing and provision of human rights and freedoms are the main duty of the state".

Enshrining the rights and freedoms of a person and a citizen on the constitutional level is the most significant in legal regulation of person's status in any country. Indeed, in the case when there is not enough attention given to the rights and freedoms of a person and a citizen in the Constitution, they may be turned into mere declarations without any practical implementation. So, the important objective is to determine the subject matter and peculiarities of the constitutional system of the rights and freedoms of a person and a

citizen. It is the constitutional rights and freedoms that are guaranteed and cannot be withdrawn.

At the same time, the rights and freedoms must determine the activity contents and guidelines of legislative, executive, legal and other bodies of state and local authority, enterprises, establishments and organizations. The Constitution of Ukraine distinguishes the notions of "the rights of a person" associated with the human being itself, its existence and development (the rights of physical person for life, dignity, freedom and personal privacy as well as inviolability of housing) and "the rights of a citizen", that are not always the same as the previous ones (political, in particular, the right to vote and to be elected) and depend on the citizenship.

Constitutions generally capture only the list of fundamental rights and determine their contents and principles of realization and protection. That is why legal regulatory acts are adopted specifying the contents of these rights, practical mechanisms of their realization upon national, regional and local levels.

One of the basic kinds of rights and freedoms of a person and a citizen together with political, civil, social and cultural ones are economic rights. The latter may be defined as legal rights, certain abilities of a person and a citizen in economic field, in the sphere of economic (property) relations. Such abilities provide realization of a person's and a citizen's capabilities to acquire facilities for living taking part in production of relevant goods.

Economic rights of a person and a citizen are:

- the right to property (Article 41 of the Constitution of Ukraine) - everyone has the right to own, use and dispose his/her property, the results of his/her intellectual and creative activity. This refers to the objects of private, government and communal property. No one can be illegally deprived of the right to property;

- the right to entrepreneurship (Article 42) that is legal;
- the right to labour (Article 43) that is the possibility to earn one's living by labour that is freely chosen or accepted. The use of compulsory work is prohibited. Everyone has the right to appropriate, safe and healthy working conditions and salary not lower than the one determined by the state.

- the right to strike (Article 44) for protecting one's own economic and social interests;

- the right to leisure (Article 45) is secured by providing

weekly days off, paid annual holiday, shorter work days for some professions and productions.

The other important right captured in constitutions of some countries is the right of employees to take part in managing their enterprise.

The mentioned rights and other economic and relevant social rights and freedoms are aimed to guarantee a person's economic freedom and opportunities to meet his/her vital needs. The commitment of countries represented by their bodies and authorities, other subjects stays in providing appropriate mechanisms of their realization.