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THE REQUIREMENT TO LIVE A SUFFICIENT LIFE IN UKRAINE: THE REALITIES

An adequate standard of living that ensures freedom from poverty is an inalienable right of man. At the universal level, this right has been reflected in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and other international instruments.

According to the Great Explanatory Dictionary of Modern Ukrainian, the term "sufficient" means: "which satisfies something or meets any needs", "is substantiated to the appropriate degree, convincing". The provisions of international instruments that refer to "adequate standard of living" include such opportunities as the right to adequate nutrition - this is, first of all, high-quality and high-calorie nutrition so that people do not feel hunger; the right to a sufficient amount of clothing - so that the person is not undressed; the right to adequate housing - that a person had the opportunity to satisfy their, at least minimal, housing needs; and, moreover, the satisfaction of life's needs in households, in services, in obtaining medical care, education and culture. Thus, in Clause 1 of Article 47 of the Constitution of the Republic of Moldova of July 29, 1994 it is stated that for a sufficient standard of living, except for food, clothing and housing, there is still "medical care and necessary social services" [1].

The right of a person to an adequate standard of living is an integrative social right that unites not only all other social rights into one integral system, but simultaneously determines, in a way, the essence and content of the legal regulation of most civil and political rights. On the other hand, its implementation also depends to a large extent on the implementation of a number of other constitutional rights and freedoms [2].

The basis for determining the subsistence minimum should be a method of its calculation and a certain minimum set of food, non-food products and services [3, p.55]. No less important is that, according to experts, the norms laid down in the subsistence minimum are significantly lower than physiological ones, and the set of non-food products does not provide many of the needs of the modern man at all. Moreover, there is a problem of matching the set and volume of goods of the minimum consumer basket to medical standards.

There are serious doubts as to the adequacy of the goods set for the

minimum consumer basket. The size of the subsistence minimum does not take into account a number of vital expenses: for the construction or purchase of housing or for hiring it for education, rehabilitation, retention of children in pre-school educational institutions, paid medical services, etc. Also, changes in the composition of the consumer basket due to changes in the sphere of housing and communal services are not taken into account.

The main constitutive elements of the constitutional and legal mechanism for ensuring the right to adequate standard of living are: 1) the system of legislative acts, which establishes citizens' social rights and, above all, the right to adequate living standards ; 2) the system of international legal documents establishing international standards of the right to adequate living standards, which Ukraine has signed and ratified; 3) legal acts of state executive bodies aimed at ensuring adequate standard of living in Ukraine; 4) special state bodies and institutions which deal directly with the problems of ensuring the right to adequate living standards; 5) a system of public organizations and movements designed to help meet the social needs of citizens; 6) targeted programs of socio-economic development; 7) special social funds, created by co-operating material and financial resources of state bodies, public organizations and movements, individual citizens.

So, summing up the above, it can be argued that the right to adequate standard of living for themselves and their families is one of the most important social rights that directly depends on the country's economic development and community resources and is closely linked with the rights to work, social protection, medical care, etc. Therefore, its provision and protection are gaining increasing importance and predetermines the urgent need for a theoretical contemplation of the content of the law enshrined in the current Constitution of Ukraine 48.

Taking into account that Ukraine is a party to the International Covenant on Economic, Social and Cultural Rights, in connection with which it is obliged to apply its provisions in national legislation, as well as European experience in regulating at constitutional level, we offer the right to an adequate standard of living. Everyone has the right to an adequate standard of living for himself and his family, which includes adequate food, clothing, housing and constant improvement of living conditions. The state is obliged to create conditions for citizens to exercise this right.

Literature

1. Constitution of the Republic of Moldova dated July 29, 1994 - [Electronic resource].
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3. Rabinovich P.M. Constitutional guarantees of human rights and citizen: the possibilities of modernization in Ukraine [Text] / P.M. Rabinovich // The Law of Ukraine. –2012. – No.8 – P. 50-59.