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## METHODOLOGICAL APPROACHES TO THE CREATION OF CONTEMPORARY COPYRIGHT INTERNET- LEGISLATION IN COUNCIL OF EUROPE'S DOCUMENTS

The article is devoted to the analysis of the methodological approaches in creation of contemporary copyright internet- legislation and providing the fundamental constitutional right of freedom of expression and communication in the Council of Europe's documents.

The position of Council of Europe concerning creation of copyright internet-legislation should be considered due to the fact that national laws in this field cause the negative reaction of society, which regards them as violation of constitutional right to freedom of expression and access to information. The author reveals the main provisions of Convention on Cybercrime and «Declaration on Human Rights and the Rule of Law in the Information Society» about achieving a balance between the

rights of creators and the social interests regarding the use of information and cultural values. It is emphasized that this is the first European documents that ensure respect for human rights in the era of Internet and High technologies. These documents define the legal boundaries of state activities under new conditions and create a basis for updating the Convention for the Protection of Human Rights and Fundamental Freedoms) and help to develop a balanced approach for relation between intellectual property rights and informational needs both the person and society in general. Their study, promotion and accounting will enable improvements in constitutional law and the law practice of the state bodies in the new realities of the information society.