SUMMARY

Key Words: protection, citizens, responsibility, concept, modern principles, International Law.

Subject matter: Incidence of international law and the internal competence of the states

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The aim of the research: Modern epoch has generated new kinds of the external economic cooperation. Last years the international trade relations with state participation have got absolutely other forms, left on qualitatively new level. It has found the expression, first of all that the states began to enter on its own behalf various foreign trade transactions, including such which were characteristic earlier only for legal bodies. Thus it is necessary to notice that by the end of XX century the tendency to non-recognition of immunity of the foreign state was extended in the legislation and judiciary practice of some the countries when it concludes private-legal transactions. In this connection a special urgency the problem of immunity of foreign state and its such major aspects, as strict observance of the conventional principles and norms of International law - the sovereignty and sovereign equality of the states gets, non-interference to their internal affairs. It is important to note, what exactly the sovereign equality principle makes a legal basis of immunity of the states and their property.

The aim of the research consideration of international legal aspect of the internal competence of the state and its parity with sphere of action of International law.

The methods used historical, legal, dialectical methods of logical deduction and Induction, system-structural approach, comparative legal and formal-legal methods.

Problems: - to consider concept of the internal competence of the state;

- to define a role of the state sovereignty as a basis of the internal competence of the state;

- to analyse a principle of non-interference to state internal affairs as main principle of international law;

- to investigate the international legal bases of intervention in the internal competence of the state.

The practical value of the research and spheres of application. Aspects of the internal competence of the state and its parity with sphere of action of International law are considered studied weakly in a science of modern International law.

Results of research: concrete recommendations and offers are developed for the further perfection of the legislation and practice of its application. Scientific working out of some concrete questions, substantive provisions, conclusions and practical recommendations can be taken into consideration at definition of a role of the state sovereignty as bases of the internal competence of the state.

Recommendations: 1. For International law peaceful co-existence and the principle of non-interference to internal affairs of the states are very important. The

United Nations Charter provides one exception of a principle: intervention is admissible and it is lawful concerning the state which has made aggression, commits breach of the peace or endangers peace.

2. The principle of sovereign equality of the states underlies all interstate relations and concerns any spheres of such relations. It has special value for the international military-political system.

3. The states should respect independence and integrity of other states and to try to settle disagreements peace methods. The principle of non-interference to state internal affairs is a part of usual international law and is based on the concept of respect of the sovereignty. The Charter of the United Nations and the Declaration on principles of International law 1970 fix a state duty to abstain from the military, political, economic and any other form of pressure directed against political independence or territorial integrity of other state.

4. According to United Nations Charter, military intervention is lawful in three cases: when there is a permission of the state, in case of self-defence, under the UN Security Council resolution. Acceptance by General Assembly of the United Nations of the Project of articles «Responsibility of the states for international-illegal acts» 2001 plays an all-important role in the statement of principles and norms of the international legal responsibility which introduction in practice of the states and the international intergovernmental organizations is connected with immeasurably great difficulties that is caused by absence of corresponding International legal certificates of the obligatory validity directed on regulation the relations between the states providing the sovereignty and non-interference to their internal affairs.