SUMMARY

Subject of the research thesis: The criteria of statehood in contemporary international law

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Relevance of the research issue: At the present stage, there are some changes in the content of the state's characteristics. States are becoming increasingly interdependent and interrelated. State sovereignty to some extent limited by the states through combining community integration.

Despite the increasing number of participants in the international legal system, the state will certainly remain the most important subjects. Accordingly, States are the main and most traditional subjects of international law. While in international law the importance and key role of states is not in doubt, controversial issues remain, which are related to the relevant universally recognized signs to the factual circumstances that characterize the state as some signs of statehood.

It is complex and important question of whether the appearance of a new states an issue of fact or law, and how the interaction between the criteria of effectiveness and other relevant principles of law can be agreed.

Despite the fact that criteria of the state according to international law doctrine do not cause significant disputes (a) a permanent population; b) a defined territory; c) government; and d) capacity to enter into relations with other states), their application to specific situations causes many problems. In addition, it is necessary to take into account the fact that the above criteria of the state, although they are basic, but no exhaustive and may be supplemented.

The object of the study research are the criteria of statehood under international public law.

The subject of the study research are norms of public international law governing such a category as the criteria of statehood, as well as the states with all the elements of statehood and education, do not have these features.

The purpose of the study research is theoretical analysis of the criteria of statehood based on the principles and norms of contemporary international law, in the analysis of structures that do not have all the attributes of statehood, to identify existing contradictions in this area and ways to resolve them.

Research objectives:
- consider a statehood in modern jurisprudence;
- reveal normative content of the concept of statehood;
- examine the state as the main subjects of international law;
- analyze the international legal practice in relation to entities that do not have all the attributes of statehood.
Scientific novelty of the research: characterization of the state under the main criteria of statehood as independent scientific categories; identification relations between the state and statehood; as well as theoretical analysis of entities that do not have all the criteria of statehood.

Structure: the introduction, the two chapters, containing four paragraphs, the conclusion and a 66-reference bibliography (forty four of which are in foreign languages. The total volume is 57 pages.

Summary: The category of "statehood" is understood as qualitative characteristics of state-organized society, which shows the interaction of public authorities and society, directed to the existence and functioning of the state. Statehood shows that the state can not exist without a society; it is derived from the public and operates only in correlation with it. Institutionally statehood includes organs of sovereign public authority and control, elements of society involved in the exercise of state power, the shape of their interaction.

Despite the fact that the Montevideo Convention is the main source of the criteria for statehood, however, according to some authors, it does not correspond to the current realities. It includes the most important and basic criteria such as a permanent population; a defined territory; government; and capacity to enter into relations with other states; these elements, although they are basic, no exhaustive and may be supplemented. It should expand the list of criteria of statehood and add features such as a degree of permanence; willingness to comply with international law; some degree of civilization; sovereignty; functioning as a state.

It is necessary to understand that not every "entity" can be recognized by the State. States are the primary and sovereign subjects of international law and the recognition of specific "entity" as a State requires detection of the presence of his permanent population, defined territory, government and capacity to enter into relations with other states, as well as other criteria. Despite the fact that currently in international law it is prevailed declarative theory of the origin of the state, to establish the ability of the "entity" to enter into relations with other states depends directly on its recognition as a state, which on the contrary is a demonstration of the constitutive theory of the origin of the state.