

SUMMARY

Subject of the research thesis: The problems of international citizenship

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Relevance of the research issue: Institution of citizenship is an object of interstate cooperation, and has an international dimension, which is expressed in the presence of a wide range of international legal regulations affecting the complex regulation of citizenship at the national level: in particular, the maintenance of the institution of citizenship, the acquisition and termination of citizenship, diplomatic protection of citizens, etc. At the same time it continues to be a fundamental institution of state law, since citizenship is central to the relationship between the state and the individual.

Contradictions between the national legislation of different countries, which regulates the issues of citizenship, is the cause of some of the most problematic allocation, most difficult to regulate the practice of international relations aspects of citizenship-related issues of statelessness, Multiple Nationality and citizenship in relation to the succession of States and diplomatic protection of citizens. National legislation does not effectively address these problems, so the state are turning to international legal mechanisms, such as the development of international treaties and their subsequent conclusion. In this regard, it is important to explore the theoretical rationale for the use of international agreements on issues of citizenship, as well as some aspects of the practical application of international treaties on 'citizenship in the Russian legal system.

The object of the study research is international relations that arise between the subjects of international law in the regulation of citizenship issues.

The subject of the study research are international treaties on issues of citizenship, decisions of international and national courts, acts of international organizations, the legislation of individual states, as well as publications of the Russian and foreign scientists, devoted to international cooperation on issues of citizenship.

The purpose of the research is comprehensive study of the most controversial issues of international legal regulation of citizenship in international law and international legal practice, the formulation of theory and practical recommendations aimed at further development of the theory and practice of international law in the field of international cooperation.

Research objectives:

- to analyze the correlation of political and legal nature of the institution of citizenship with international legal norms governing various aspects of citizenship;

- Identify Based on a comprehensive analysis of international law and Russian legislation gaps and contradictions in the legal regulation of citizenship in the Russian Federation;
- analyze the main features of citizenship in the European Union and emphasize their conceptually new features;
- identify the most common problems of regulation of citizenship that are subject to the regulation of international law (the problem of statelessness, Multiple Nationality and citizenship in relation to the succession of States and diplomatic protection of citizens).

Scientific novelty of the research: attempt a holistic and comprehensive study of the basic questions of citizenship, describing its importance in international law at the present stage of development. Attempts to summarize the international contractual and legal practices regarding citizenship.

Structure: the introduction, the two chapters, the conclusion and the bibliography.

Summary: Institution of citizenship raises a number of mutual rights and obligations of the state and the individual in international law. International law stresses the inadmissibility of linking the right of citizenship to the ethnic origin of the person, which indicates the interdependence of non-discrimination with the individual's right to a nationality.

International legal impact on the content of citizenship manifested in two forms: in some cases, international treaties secured immediate rights and obligations of individuals, ie they are addressed directly to individuals, in other cases, international treaties require States to bring its legislation into conformity with its provisions.

EU citizenship has international legal nature, which is expressed in the preservation of the subsidiary nature of the union citizenship in relation to national citizenship of the EU Member States. Furthermore, the analysis of EU citizenship suggests that EU citizens there are no duties to the Union, which, in our opinion, is contrary to the classical concept of citizenship, according to which it empowers individuals not only rights but also requires them to a responsible attitude to counterparties corresponding relationship.

In the case of territorial changes recognized the obligation of States to grant its nationality population acquired territory, taking into account the free will of each person, with the exception of third country nationals. When territorial changes states should be aware that these changes in affected individuals retain the right to statelessness, ie right not to choose the citizenship of any country. In this case, the states do not have rights under the pretext of avoiding statelessness impose its nationality contrary to the will of interested persons living in these areas.