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PROTECTION OF STATELESS PERSONS

According to the Universal Declaration of Human Rights and the relevant international treaties, everyone should enjoy the right to have the nationality of a country, but in practice, some people will always lose their nationality for various reasons, which is not conducive to the protection of their due rights, and will also cause chaos to the order of the international community. Therefore, it is necessary to study the protection of stateless states so that respect for individuals and their fundamental human rights can be fully demonstrated.

Stateless nationality (statelessness) means a state in which a natural person is not considered its people by the laws of any state, or it means that the natural person does not belong to any state. Stateless people face many obstacles and serious threats to the protection of international law because they do not have the nationality of any country. In-depth analysis of the current situation of stateless people in the world and the theoretical basis of their protection will help to strengthen the protection of stateless people and reduce the status of stateless people.

Status quo. Recently, the UNHCR officially counted about 5.8 million stateless people worldwide, but in fact, there should be 15 million stateless people worldwide. Stateless status is a real problem for many countries, which will not only make it not as properly protected as its own citizens, but also affect social stability and hinder the healthy development of society[1].

There are various reasons for statelessness, summed down, mainly in the following aspects.

First, abandoned babies or were born. In some countries, nationality is determined according to the descent, that is, the nationality of the child based on the nationality of the parent, which is known as the descent doctrine. Therefore, in such countries, the nationality of abandoned parents cannot be determined, and without

adoption, or the children of stateless parents do not have the nationality of any country.

Second, marriage. The laws of some countries stipulate that if a native person marries a person with foreign nationality, if the foreigner is married, the national law does not recognize the marriage phenomenon will make him have the foreign nationality, and if he does not voluntarily apply to join the foreign nationality, he will be considered as a stateless person.

Third, war. Nationality is usually based on the existence of a sovereign state regime, that is, when the sovereign state or regime disappears, and the citizens under the original sovereign state will become stateless during that period.

Fourth, deprivation. The deprivation of nationality A disciplinary legal means can occur in a variety of circumstances, such as the illegal departure of a country, calls not to return, or for some political reasons.

Fifth, to delimit submit to the rule of» » refers to the act of a person voluntarily or voluntarily obtaining the nationality of another country outside his original nationality. In some countries, if their nationals automatically lose their citizenship or lose their citizenship after obtaining a citizenship permit, if they do not join the country.

Sixth, give up. This «naturalization» is one of the reasons why individuals renounce their nationality, and that individuals renounce their nationality for other reasons. He is considered stateless when he does not become a citizen in any other country [2].

In theory, everyone should have the right to obtain the nationality of a country. Although stateless persons are recognized at both international and domestic law levels, the international community still strives to reduce the large number of stateless people, and thus signed the Convention on the Reduction of stateless Persons (1961). At the same time, there are similar provisions in relevant international legal documents, such as article 4 of the European Convention that everyone is entitled to a country, and article 7 of the Convention on the Rights of the Child stipulates that each child has the right to name and nationality from the

date of birth. Stateless status has increasingly become a focus of attention among the international community and international law, not only because people without any nationality lose many of their rights because of their lack of nationality, but also because their stateless state prevents them from any country and poses serious obstacles and threats to their survival.

References:

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ПРОБЛЕМИ ЗАСТОСУВАННЯ ПРОГРАМИ ВІДНОВЛЕННЯ ДЛЯ НЕПОВНОЛІТНІХ, ЯКІ Є ПІДОЗРЮВАНИМИ У ВЧИНЕННІ КРИМІНАЛЬНОГО ПРАВОПОРУШЕННЯ В УМОВАХ ВОЄННОГО СТАНУ

Додержання прав та інтересів дітей у кримінальному провадженні та поза його межами відповідно до міжнародних стандартів, забезпечення їхніх прав та інтересів, особливо у період воєнного стану, потребує підвищеної уваги.