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**Роль гражданского общества,
социального и правового
государства в защите и
реализации прав человека**

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Редакционная коллегия:

к.ю.н. Викторова С.И., к.ю.н., доцент Белова И.А.,
к.ю.н. Комарова И.К., к.ю.н. Прокопик В.А., Филипчик Т.В.

Рецензенты:

Мисаревич Н.В., к.ю.н., доцент (ГрГУ им.Я.Купалы)
Чернецкая С.К., к.ф.н., доцент

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В статьях отражено содержание докладов ученых, практических работников, аспирантов, студентов по теоретическим и практическим проблемам защиты и реализации прав человека, вопросам совершенствования законодательства на современном этапе развития общества и государства.

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национализм и вражда народов»; «...расшатывать, таким образом, поколение за поколением»; «главную ставку делать на молодежь, разлагать, развращать, растлевать её».

Средством обороны от информационного нападения представляется только одно – всеобщее просвещение и максимальное развитие самосознания личности каждого человека.

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NEW LOOK ON CRITERIA OF INTERNATIONAL RIVER AS A PRECONDITION FOR IMPROVEMENT OF MANAGEMENT OF THE PLANET'S FRESHWATER RESOURCES IN THE INTERESTS OF HUMANITY

*Samoilenko Y.A.,
State Higher Educational Institution
"Ukrainian Academy of Banking
of the National Bank of Ukraine"*

Legal regulation of regime of international rivers is one of the institutions in international law. International rivers are vitally important freshwater resources, which have a strategic value for each state. International rivers flow through the territory of several countries and serve as waterways in navigation. So, they are one of the key factors in relationships between states of a certain region.

International rivers are also intensively used for non-navigational purposes – in industry, agriculture and to satisfy the human needs. This inevitably leads to changes in their hydrological regime, and therefore also affects the interests of riparian states. According to opinions of experts we have enough water on the planet to satisfy needs of all people in the world. However, the distribution of freshwater resources is not equal, and management – often is irrational. So, now many countries have privations of fresh water. Under forecasts of the UN in 2025 about 2/3 of world population may be in limited access to fresh water. There are 145 countries, located in the basins of transboundary water resources. Taking into account the differences between these countries in economic, scientific and technical development, in political orientation and also their attempts to satisfy their need for fresh water, some researchers foresee many conflicts around shared water resources in the future.

Contemporary development of international law and practice of international relationships shows the obsolescence of approaches of understanding the concept of international river. This notion has different meanings now. So, searches of the most successful concept of international river aren't completed. Such situation motivates to find the optimal definition of international river on the basis of analysis of its criteria.

Exploration of international law doctrine demonstrates the existence of already formed, but dissimilar, scientific approaches to the concept of international river. Each approach is based on designation of its certain features. Features of international river, that are considered as significant, represent key and all known, immanent or acquired, properties (characteristics) of such river as transboundary natural water resource and object of international-legal regulation.

In general, all types of definitions of international river in their totality are based on the following criteria:

- transport (functional, natural) criterion or criterion of navigability;
- geographical criterion;
- legal (juridical) criterion;
- political (geopolitical) criterion.

Transport criterion of international river means the possibility to regular navigation on international rivers. Geographical criterion indicates the connection between international river and the sea. Legal criterion provides regulation of usage of international rivers by international agreements of riparian states. Political criterion means crossing or separation the territory of two or more states by international river.

Transport criterion of international river is not necessary to highlight. In light of the development of hydrotechnic construction practically any non-navigable river can be adapted to the needs of navigation. That's why the concept of river navigability became much broader in its content in our times. According to art. XII of the Helsinki Rules on the Uses of the Waters of International Rivers (Helsinki, August 1966) rivers are navigable if in their natural or canalized state they are currently used for commercial navigation or are capable by reason of their natural condition of being so used.

In our opinion, geographical criterion of international river has the derivative character, unlike the transport criterion. Their common fundamental feature is the denotation of navigability of the rivers that flow through the territory of several states. Natural connection of international river with the sea only causes the intense navigation on relevant waterways. Given the non-topicality of criterion of navigability, geographical criterion is also not a significant feature of the concept of international river.

Legal criterion is also not significant, because agreement between riparian states about the usage of international river only shows the international duties of countries in this area.

The main and sufficient condition of recognition waterways as an international rivers is their flow through the territory of several states. This characteristic of flow of such rivers determines the necessity of setting the international-legal regime of their usage [1].

We agree with the content of political criterion, but consider, that it name isn't correct. To this problem draws attention the fact, that in some cases crossing (separation) the territory of two or more countries by international river is interpreted not as political, but as its geographical criterion [2, p. 12; 3, p. 33; 4, p. 312]. Indeed, on the one hand, activity of riparian states in usage of international rivers, numerous

international disputes in this sphere point to the political aspect of factor of crossing the territory of several states by these waterways. On the other hand, having a fixed length, width and depth, international river complements the geophysical characteristics of territories of relevant countries.

We think, we must talk about the criterion of transterritoriality of international rivers. Generally, the territory is inseparable from its organization: geophysical areas (places) aren't presented in international relationships as long as they aren't correlated with the state and (or) system of states [5, p. 6]. So, international rivers are the objects of international relationships due to their location on the territory of several riparian states. That's why the basis of criterion of transterritoriality, actually, is the fact of flowing of river waters through the territory of more than one country. Appropriateness of designation of this criterion is quite logically explained by the necessity of voluntary restriction of the territorial sovereignty of states as a result of community for them their already mentioned freshwater resources.

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НЕКОТОРЫЕ АСПЕКТЫ БЕЛОРУССКО-ЛИТОВСКИХ ОТНОШЕНИЙ НА СОВРЕМЕННОМ ЭТАПЕ

Степанов Г.И., к.и.н., Н.В. Павлова Н.В., к.филос.н., Опимах Н.А., к.и.н.
БГПУ им. М.Танка

На протяжении ряда столетий историческая судьба народов Беларуси и Литвы была неразделимой. И лишь только в XX веке в условиях формирования собственной национальной государственности разошлись пути их развития. В 1991 г., получив независимость, оба государства приступили к поиску новых форм взаимоотношений. 20 декабря 1991 г. парламент Литвы признал независимость Беларуси, а 27 декабря того же года Беларусь признала независимость Литовской Республики. 30 декабря 1992 г. в Минске было подписано соглашение об установлении дипломатических отношений между двумя странами. В феврале 1995 г. во время официального визита в Литву Президента Беларуси А.Г. Лукашенко были подписаны два важных документа – договоры о добрососедстве и сотрудничестве и о государственной границе между Литовской Рес-