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INTERNATIONAL LEGAL STATUS OF INTERNATIONAL ORGANIZATIONS

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Abstract: The article analyzes the international legal status of international organizations, the primary subjects of international law, the status of international relations and legal order with the help of scientific literature.

Keywords: juridical status, international organizations, law, UN, International Court.

International organizations are derivatives or, in other words, secondary subjects of international law, that is, they do not arise independently, but are established for specific purposes on the basis of the will of the primary subjects of international law, and therefore its status and domestic legal order in international relations at the disposal of the constituent states. In general, the charters (charters) of international organizations reflect the will of the primary actors that created these organizations. For example, the Preamble to the UN Charter sets out the rationale and purpose of the United Nations and concludes: “Therefore, our respective Governments, through their representatives in San Francisco, present their credentials to the United Nations. They agreed to adopt a charter and on this basis established an international organization called the United Nations”. Alternatively, the situation is somewhat different, with the preamble to the UNESCO Charter stating that the governments of the participating States declare that they have drawn up the founding documents of the Organization on behalf of their peoples: “States have drawn up this United Nations document on education, science and culture in order to achieve the cooperation of all peoples of the world in the field of education, science and culture and the international peace and common well-being of mankind” [1, p.22].

In any constituent document of an international organization, the organization is not indicated by the word “derivative subject”, a concept introduced by theorists [2, p.17]. The first reason to say that international organizations are a specific subject of international law is that they, like states, cannot have their own territory, their own permanent population. Second, as noted above, it is formed on the basis of the will of the primary subjects, i.e., “comes into the world” [3, p.40].

As a subject of international law, international organizations are completely different from states. The legal basis of international

organizations is, first of all, the constituent documents of international organizations, as well as the "rules of the organization" of each international organization. In accordance with Article 2 of the Vienna Convention on Treaties between States and International Organizations or International Organizations of 21 March 1986, they consist, in particular, the constituent documents (charter) of the organization, decisions and resolutions adopted on this basis, as well as the relevant practice of the organization. The legal basis for the structure of an international organization is mainly agreements concluded by primary entities, which can be called by different names, i.e. Status (League of Nations); Charter (United Nations or Organization of American States); Treaty (NATO or Collective Security Treaty Organization) Convention and others [4, p.26].

Regardless of the name of the constituent documents of international organizations, they are treaties, but they differ in their content, essence and form. This applies, first of all, to the separate procedure established for participation in the contract and termination of participation. For example, membership in an international organization is possible only on the basis of the admission procedure. Membership may be suspended by decision of the international organization.

Their charters will vary considerably in content compared to other contracts. The charter of an international organization shall be expanded in accordance with its requirements for the performance of its duties. The changes will be based on the practice that member states object to. The usual norms that arise in this way are an integral part of the law of any organization. For example, in 1994, the UN Security Council established an international criminal tribunal for Rwanda in its 955th resolution, based on Chapter VII of the UN Charter, "Threats to Peace, Disruptions and Actions against Acts of Aggression". However, in fact, this chapter does not mention the possibility of establishing such an international organization. Nevertheless, the UN Security Council resolution gained legal normative content as a result of the support or silent recognition of states [5, p.20].

The duties and powers of international organizations are enshrined in their charters. At the same time, the charter may not cover these cases to the fullest extent and fully cover all the nuances of international life. Therefore, it was necessary to recognize the theory of 'comprehensible powers'. In 1996, the International Court of Justice ruled, based on current international practice; "The requirements of international life may require that organizations have additional powers to achieve their goals, which are not directly provided for in the basic documents governing their activities" [6, p.34].

The following characteristics are characteristic of an intergovernmental international organization:

- First, the membership of states;
- Second, the existence of an international founding agreement;
- Third, the existence of permanent bodies;
- Fourth, respect for the sovereignty of states.

International organizations may also be established by a decision of another international organization. In this case, too, the question of the establishment of a new international organization will depend on the will of the sovereign states that are members of the international organization that constitutes it. This is because, with their consent, a new constructive subject of international law can be established.

Thus, an international intergovernmental organization is a subject of international law established on the basis of a special interstate international treaty (charter), having international legal capacity and a certain organizational structure, and operating on the basis of international law. Establishment of international intergovernmental organizations is carried out in the following stages:

1. Adoption of constituent documents of organizations;

2. The formation of its material system, in which the consent of the Member States on membership fees and their payment play an important role;

3. The organization of the main bodies and the beginning of their activities.

Termination of the international intergovernmental organization. While the establishment of an international intergovernmental organization depends on the will of its member states, its dissolution depends on the will of its members. The termination of an international organization can take place for a variety of reasons. An international organization may be dissolved if it fails to perform its function. In the League of Nations, for example, it failed to prevent World War II and disintegrated. Instead, the United Nations was established as a universal organization responsible for security and peace around the world, with a more effective mechanism. In the second case, the international organization may be dissolved when the mutual interests between the states that make up the international organization disappear, that is, when the ideological or other similarity that unites them disappears. For example, in 1991, with the collapse of the socialist camp, the Warsaw Pact, as well as the Council for Mutual Economic Assistance (Soviet Economic Cooperation), which economically united the camp, was abolished. In the third case, as a result of the merger of members and powers, their powers are merged with the powers of another organization, in which one or more organizations are liquidated or, in general, these organizations are replaced by another organization that combines their powers. For example, the European Coal and Steel

Community and the European Economic Community have emerged as a single EU organization in their development process.

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ANALYSIS OF SOME OF THE ISSUE OF EXPANDING THE SUBJECT OF A LOAN AGREEMENT

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Abstract: The article analyzes the concept, value of the loan agreement and issues related to its application. The article also considers the expansion of the scope of the subject of the loan agreement and develops proposals to improve the legislation on debt.

Keywords: Debt, contract, goods, money, securities, creditor, borrower, interest, rights and obligations of the parties, financial market.

Given the current procedures and procedures for loan agreements, the habits of business in the industry and the legislation aimed at regulating lending in the banking and financial sector, the loan agreement has the following legal characteristics: indicates: a unilateral or bilateral, real and consensual contract, a contract concluded free of charge or for a fee. Such a