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## **PROBLEMS OF STATE SOVEREIGNTY UNDER GLOBALIZATION CONDITIONS**

The world crises and the internal one in Ukraine have not lowered the topicality of the theoretical problems concerning the European integration but, on the contrary, stimulated the attention of researchers to the organizational and legal problems of the definition of state sovereignty in the process of globalization and formation of different supranational organizations. The reason for this is, first of all, in the fact that in spite of the traditional character and simplicity of the problem of state sovereignty, nowadays the content of this category has undergone some essential transformations, and several questions concerning the state sovereignty in the process of globalization and formation of different supranational institutions remain rather disputable and unresolved, that is why cause numerous discussions. The important theoretical and practical issues such as the category of the content of state sovereignty, its alienability or inalienability, divisibility or indivisibility, supremacy of state power and sovereignty of state, and also the correlation of state sovereignty and powers of supranational organizations should be mentioned here.

The analysis of conceptions of state sovereignty which have developed in modern jurisprudence allows stating that, despite the considerable differences in researchers' opinions, all existing points of view can be divided into two big groups. The researchers who represent the first group consider that in globalization and formation of supranational organisations the state loses part of its sovereignty.

They develop and substantiate the concepts of «limited», «relative», «functional», «real» sovereignty. The theorists of globalization insist on the idea that

in modern world the territorial integrity of states and their sovereignty cease to play the role of the organizing principles of social and cultural life and that in global space the shifts take place in the direction transcontinental or regional limits of activities, interaction and power realization. Moreover, a number of authors predict decline of «state sovereignty» forced to share the powers with supranational structures and the non-governmental organisations.

The critics of this approach reasonably note that such concepts often serve the realisation of foreign policy purposes of great-power character, and the ideas of spreading democracy in their essence are the basis for carrying out the aggressive policy of influence some internal political processes by superpowers. The adherents of the second approach to understanding of sovereignty consider that the globalization processes in the modern world and participation of states in the interstate organizations do not cancel the principles of state sovereignty and non-interference into internal affairs of these states.

Admitting that the appearance of interstate organizations often dictates the necessity to create supranational institutions, called upon to realise the purposes and tasks of these organizations, they stress that the interrelation of a state and supranational associations should be considered not as the liquidation of state sovereignty but as the search for reasonable compromise between a state and the international institutions, as the transition from traditional power concepts of state sovereignty to the modern democratic concepts of state sovereignty.

According to this approach the transfer of some functions and sovereign rights by some states to supranational associations and structures means not the limitation of their sovereignty, but only one of the forms of their power realisation within the limits of the legal concept of state sovereignty. It is important to note that such pulling of powers should be carried out voluntarily through the conclusion of corresponding treaties. And if the state itself defines which of sovereign rights should be delegated to the supranational organisation or limited to some extent then such a treaty will

become the form of realisation of state sovereignty. At the same time pulling the sovereignty by a state to the supranational association means that the association, in its turn, assumes certain obligations concerning this state. Thus, the issue is not the liquidation of state sovereignty but mutual dependence, mutual influence of sovereignty of states and powers of supranational organisations.

Thereby, the state entering a certain international organisation gets more than loses, strengthens itself as a state and gets the signs of real and not formal sovereignty. It is the essence of democratic and mutually advantageous process which meets the requirements of modern civilisation development. Thus, the conclusion can be made that the problem of sovereignty in the process of globalization and formation of supranational organisations at different levels is complicated, ambiguous and demands constant monitoring by researchers.