UDC 341.215.4 + 341.231.14
DOI https://doi.org/10.32782/2524-0374/2023-5/108

INTERNATIONAL LEGAL PERSONALITY OF AN INDIVIDUAL

МІЖНАРОДНА ПРАВОСУБ'ЄКТНІСТЬ ФІЗИЧНОЇ ОСОБИ

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The article is devoted to an actual problem: the recognition of an individual as a subject of international law. Theoretical and practical problems of international legal personality have been studied to define an individual as a subject of international law. The concept of "subject of international law" was also considered. On the basis of the general theory of law and the doctrine of international law, the concepts, characteristic features and features of the subject of law and the legal personality of an individual in international law were considered. The reasons for the disagreement among scientists regarding the recognition of the international legal personality of an individual were determined. The article analyzes the international legal personality of an individual, taking into account the development of modern international law and judicial practice, provides specific arguments for the inclusion of an individual in the list of subjects of international law. The most important difficulties that prevent the recognition of an individual as a legal personality of international law are identified.

The article examines the problems of the international legal personality of an individual in the context of such legal interrelated phenomena as the relationship between international and domestic law, state sovereignty and the subject of international legal regulation, international criminal liability of individuals and the protection of human rights. It is noted that for a long time the individual was considered mainly as an object of international legal regulation, did not have rights and did not perform duties, with the exception of those that were granted to him under domestic law.

Based on the analysis carried out, a conclusion is made about the need for full universal recognition of the individual as a subject of international law.

The purpose of the article is to determine the actual position of an individual in public international law and to identify the most important difficulties that prevent the recognition of an individual as a legal personality of international law.

The object of the research is social relations in the sphere of recognition of the international legal personality of an individual.

Key words: international legal status of individuals, a person as a subject of international and domestic law, human rights and state sovereignty.

Стаття присвячена актуальній проблемі: визнання індивіда як суб'єкта міжнародного права. Досліджено теоретичні та практичні проблеми міжнародної правосуб'єктності для визначення індивіда як суб'єкта міжнародного права. Було також розглянуто поняття «суб'єкт міжнародного права». На основі загальної теорії права та доктрини міжнародного права, були розглянуті поняття, характерні ознаки та особливості суб'єкта права та правосуб'єктності індивіда в міжнародному праві. Визначено причини розбіжності серед вчених щодо визнання міжнародної правосуб'єктності індивіда. У статті проаналізовано міжнародну правосуб'єктність індивіда з урахуванням розвитку сучасного міжнародного права та судової практики, проведено конкретні аргументи підстави включення індивіда до переліку суб'єктів міжнародного права. Виявлено найбільш важливі труднощі, що перешкоджають визнанню індивіда як правосуб'єктність міжнародного права.

У статті досліджуються проблеми міжнародної правосуб'єктності індивіда в контексті таких правових взаємопов'язаних явищ, як співвідношення міжнародного та внутрішньодержавного права, державний суверенітет і предмет міжнародно-правового регулювання, міжнародна кримінальна відповідальність фізичних осіб та захист прав людини. Зазначається, що протягом тривалого часу індивід розглядався переважно як об'єкт міжнародно-правового регулювання, не мав прав і не виконував обов'язків, за винятком тих, що були надані йому за внутрішньодержавним правом.

З проведеного аналізу робиться висновок необхідність повного загального визнання індивіда суб'єктом міжнародного права.

Метою статті є визначення фактичного становища індивіда у міжнародне публічне право і виявити найважливіші труднощі, що перешкоджають визнанню фізичної особи як правосуб'єктності міжнародного права.

Об'єктом дослідження є суспільні відносини у сфері визнання міжнародної правосуб'єктності індивіда.

Ключові слова: міжнародно-правовий статус індивідів, людина як суб'єкт міжнародного та внутрішньодержавного права, права людини та державного суверенітету.

Introduction. For a long time, the individual was considered mainly as an object (destinator) of international legal regulation, and not as an independent participant in international legal relations: a person did not have rights and did not perform duties, with the exception of those that were granted to him under domestic law. The modern status of an individual under international law includes not only rights and freedoms, but also duties imposed on a person. Significant changes in international law that occurred after the Second World War, in particular, the recognition of a person as a subject of international crimes and crimes of an international nature [1]

Today it can be argued that the legal status of an individual in international law has already overcome the narrow framework of the beneficiary of interstate agreements. The individual has become an active participant in international relations, not only independently exercising and protecting his rights, but also decisively influencing international rule-making. By their actions, individuals are able to influence the process of compliance by the state with the norms of international law, and in their activities they can affect the norms of direct application. However, the issue of international legal personality in general, and especially the status of an individual in international law, is one of the most controversial in world legal science [2, p. 81–88]. Despite the prescription and duration of the discussion and the many scientific papers exploring this topic, it is still relevant. In the legal literature, it is rightly emphasized that the discussion about the international legal personality of an individual is by no means completed. Moreover, in the post-Soviet space, it is, in fact, only seriously beginning. The fact is that the legal status of an individual in international law is an important component of the concept of human rights and freedoms. Human rights and freedoms are natural and inalienable rights of an individual and do not depend on state recognition or non-recognition. At the same time, the protection of these rights and freedoms is part of the obligation of the state – which is the main source of possible violations, and in many states the individual is deprived of the opportunity to independently protect his rights. In addition, at present, in international law, the proportion and importance of the norms devoted to the legal status of an individual is increasing and increasing. And all this is essentially directly related to the issues of the relationship between international law and domestic law, and, of course, with issues of state sovereignty. All these issues have not only legal but also political significance.

The provisions and conclusions of the articles can be useful for further study of the status of the individual both in

international and domestic law, and in curricula, as well as in the field of practical issues of human rights protection.

Literature review. Despite the many scientific papers on the legal status of an individual in international law, the issue has not yet been resolved. There are different positions when discussing this problem, from the approval of recognition to complete denial with intermediate positions of partial recognition and indications of the specific nature of the legal personality under study [3]. Also, in addition to the well-known debatable issues in the field of recognition of the international status of an individual, in the world legal literature, there are still separate scientific issues that need further theoretical development, mainly relating to the concept of legal personality, its content and essence, legal characteristics, classification of subjects of international law.

In the modern Ukrainian doctrine of international law, little attention is paid to this issue. Most authors deny the international legal personality of an individual. At the same time, the problem of the international status of an individual is reflected mainly at the level of educational literature on international law and the theory of state and law. Among the scientists who devoted due attention to this issue in their scientific works, it is necessary to single out Tarasov A., Butkevich V., Mitsik V. V., Timchenko L. D., Kuleba D. and others.

Methodological framework. In the process of research, general and particular scientific methods were used: systemic, dialectic, historical-legal, comparative-legal.

Consideration of the problem of the international legal personality of an individual is impossible apart from the study of the variety of legal interrelated and contradictory phenomena as the relationship between international and domestic law, state sovereignty and the subject of international legal regulation, right and duty, legal relationship, individual international criminal liability and protection of human rights. In studying these and many other problems, the dialectical method was used. The categories of dialectics were also used, such as general and particular (the concept of a subject of law and a subject of international law), etc.

For the analysis and characterization of various legal phenomena in the field of the international legal personality of an individual and various concepts of the international legal status of an individual, historical-legal and comparative methods were used.

Results And Discussion. For a long time there was a conviction about the complete dependence and obedience of a person to the state. The nature of this relationship was expressed by the term "subject". In accordance with this approach, the individual (along with other objects) was under the jurisdiction of his "sovereigns", i.e. a person was considered as an object, and not as a subject of law, the scope of his rights, freedoms and duties was determined by domestic law.

With the adoption of the Universal Declaration of Human Rights in 1948, the situation changed radically. In international law, norms have been introduced that put the individual on the same level as the state, as a result of which the person has not only become recognized as the bearer of rights and freedoms, but also acquired the procedural opportunity to act as an equal party in legal proceedings with the state. Individuals have now come to be regarded as holders of substantive and procedural rights that enable them to act internationally.

However, in the general theory of law, including in the doctrine of international law, there is no single approach to determining the legal status of an individual in international law. There are basically two mutually exclusive positions on the issue of international legal law of the subjectivity of an individual. The first asserts that human rights and freedoms are within the sphere of internal jurisdiction of states. Other scientists, although they share this opinion, believe that an individual can only be a subject of international relations and believe that the object of regulation of human rights norms, as well as other norms of international law, are interstate relations, in this case relations of cooperation in encouraging respect for human rights. With this approach, the state does not assume any obligations to its citizens, and the citizen only enjoys the "fruits of cooperation". It is believed that individuals can only be beneficiaries, and not subjects of international law. Since, although they are capable of having certain rights and obligations, they nevertheless cannot participate in the creation of such rights and obligations, as well as in their application, and cannot be held legally responsible under international standards. Similar positions are taken by Baimuratov M. O. [4, p. 65–73] and Cherkes M. Yu. [5, p. 123–130], etc.

With such views, the concept of sovereignty is viewed not as a relative, but as an unrestricted freedom of action at the national level, and as a result, the international legal personality of an individual and the primacy of international law over national norms in the field of human rights are denied.

The second position is that, despite the traditional recognition over a long historical period of the principles of respect for sovereignty and non-interference in the internal affairs of states and their important role in modern interstate relations, the scope and content of sovereignty has now changed under the influence of a number of factors, primarily humanitarian nature.

Sovereignty is a relative concept, argue the supporters of the international legal subjectivity of the individual. According to I.P. Blishchenko needs to "take a fresh look, in particular, at the correlation of such principles of international law as respect for sovereignty and non-intervention, the concept of legal personality in international law and international relations. We have always proceeded from the concept of absolute sovereignty, and in the current situation of an interconnected and interdependent world, the expression of the objective laws of this world is the international duty of states to solve their internal development problems, taking into account universal interests. In other words, if a state resolves its internal issues without taking into account these interests, and moreover, contrary to them, violating the generally recognized principles and norms of international law, then the international community has the right to interfere in internal affairs and force the state to fulfill these international obligations" [6, p. 3]

In addition, supporters of the position of the international legal personality of an individual proceed from the fact that when concluding international agreements on human rights, states voluntarily renounce part of their sovereign rights in this area and transfer them to international bodies that are empowered to "intervene" in their internal affairs. Recognition of human rights has led to the fact that "the individual has become a direct subject of international law. States, ratifying international agreements on human rights, undertake obligations to comply with the agreements reached not only to other states, but also to their citizens and all persons, under their jurisdiction. At the same time, it is recognized that the only property that an individual does not possess is "participation in the creation of the principles and norms of international law. However, as international law and interstate relations develop, the scope of the rights and obligations of an individual will increase, and its role in the international arena – to increase" [7, p. 44–54]. Referring to international law, H. Lauterpacht (the first scientist who promoted the idea that international law is a human right) argues that "to the extent that which the UN Charter contains an obligation to respect fundamental rights and freedoms, it leads to the recognition of the individual as a subject of international law" [8, p. 35]. In the study "The Status of the Individual and Contemporary International Law", prepared by the Special Rapporteur of the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities E.-I. Daes argues that the individual should be granted legal personality under international law and that the individual should have certain rights and responsibilities as a subject of international law [9, p. 98]. This study was presented by the Sub-Commission in 1989. Also, Oxford Uni-

versity professor Antonio Cassis believes that, in accordance with modern international law, individuals have an international legal status. In his opinion, individuals have a limited legal personality (in this sense, they can be put on a par with other, in addition to states, subjects of international law: rebels, international organizations and national liberation movements) [10, p. 85]. It is believed that an individual in international law has a limited legal personality *ad hoc* (for specific cases) when applying to international courts, and when he is responsible for international crimes, and the fact that the scope of this legal personality can be functional (for certain purposes) in nature does not contradict general criteria of international legal personality that arise for a person.

The Court of Justice of the European Union takes a no less clear position. In the case "Van Gend and Loos vs the Dutch Government", he noted: "The community ascertains a new legal order in international law, according to which the advantages of states in terms of sovereign rights are limited and not only states, but also citizens are recognized as subjects". In this regard, V. Butkevich correctly writes, that the practice of the European Court of Human Rights not only recognizes an individual as a subject of international law, but also gives a clear answer to all the objections put forward by opponents of such legal personality [1, p. 44–45].

It should be emphasized that in the Ukrainian legal literature, among the supporters of the international legal personality of the individual, there is also a peculiar point of view according to which it is believed that without the legal personality of a person, it is generally meaningless to talk about the legal personality of organizations and states. Law cannot exist outside of man. Without a person, neither the state nor the organization has not only legal capacity, but also legal capacity itself. It is the person who is the primary source of legal personality as such. Some Ukrainian authors believe that the individual is a non-traditional subject of international law [11, p. 31–34].

The grounds or reasons for such contradictory scientific positions, in our opinion, are mainly as follows:

Firstly, in the texts of international treaties in the field of human rights, there are no signs or terms that would indicate that an individual is an object of interstate relations, there are no prescriptions that definitely indicate the recognition of an individual as a subject of international law. In addition, from a legal point of view, the responsibility for fulfilling obligations in relation to all persons under the jurisdiction of individual states lies with the states themselves. Since in order to make the institution of state responsibility in the field of human rights protection effective and balanced, the foundations of the mechanism of universal responsibility of states were laid in international law. To this end, Article 34 of the European Convention and Article 41 of the International Covenant on Civil and Political Rights have been amended with provisions that establish an obligation to implement the ergaomnes principle, i.e. each state is responsible for how rights are respected in other participating countries agreements.

Secondly, the absence in international law of any sources that would point to a specific list of such subjects, i.e. in international law there are no norms containing a list of its subjects.

Thirdly, the absence in legal science of a generally accepted definition of the concept of international legal personality and its features.

Fourthly, the existence of an international system for the protection of human rights with the right of citizens to apply directly to special international bodies for the protection of human rights.

Therefore, in order to objectively determine the state of the international status of an individual, it is necessary firstly, at the level of theory: to find out, on the one hand, what a subject of international law is in general, while referring to a more general concept – a subject of law (as a category of general theory of law) and the doctrine of legal personality in international law, and on the other hand, highlight what social relations are included in the subject of legal regulation of international law. In this regard, it should be noted that in the theory of law the concepts of "legal personality" and "subject of law" are inextricably linked. Legal personality is "the ability of a person to be a subject of law". "Subject of law" and "subject of legal relationship" are not identical concepts. The subject of legal relations is a subject of law that implements its legal content. The subject of law is also defined as a person with legal personality, that is, a person potentially (in general) capable of being a participant in a legal relationship. And the subject of legal relations is a real participant in these legal relations. Legal personality includes both legal personality and legal capacity, and delinquency of the subject of legal relationship. Consequently, all citizens have procedural legal capacity, that is, they are subjects of procedural law, but not all of them exercise it.

An individual can be a participant in legal relations, being endowed with the right and legal capacity. If there is only legal capacity, then the individual is the subject of law, but not the legal relationship. From the moment of birth, a person has legal capacity, and when he reaches a certain age, he becomes capable. Then he can become a real participant in legal relations.

All these conclusions are correct in the general theory of law for both domestic and international law, since the concept of legal relationship is identical for them.

The assertion that every person has legal capacity is fundamental to the concept of human rights. Legal capacity, this is the ability to have a right, is associated with human rights and vice versa, the latter imply its existence. Human rights are the recognition of the legal capacity and legal personality of a person. The authors of the Universal Declaration of Human Rights, Art. 6 of which states that "every person, wherever he may be, has the right to recognition of his legal personality". This provision is also enshrined in the International Covenant on Civil and Political Rights (Article 16).

With regard to the subject in international law, it should be noted that in the doctrine of international law there are different characteristics of its definition. The majority of authors define the subjects of international law as participants in international relations, possessing international rights and obligations, exercising them on the basis of international law and bearing, if necessary, international legal responsibility. The peculiarity of the status of the main subjects of international law is that they act not only as bearers of rights and obligations, but also as the main actors in the creation and implementation of international legal norms. Among those who advocate the recognition of an individual as a subject of international law, the following definition of a subject of international law is proposed: "it is a bearer of international rights and obligations who participates in international legal relations, in the creation of international law and control over their implementation, and is also responsible for violation such norms". On the issue of signs of international legal personality, most scientists consider the presence of international legal capacity and legal capacity; norm-setting ability; international liability. International legal capacity and legal capacity is the ability of a person to independently exercise their international rights and bear international obligations. States have this capacity from the moment they are formed (*ipso facto*); but peoples and peoples fighting for independence from the moment of their recognition; international organizations from the moment of entry into force of their constituent document (charter), and individuals from birth. But here it should be noted that the scientific direction for the recognition of the international legal personality of an individual began to gain more and more importance only from the moment the General Declaration of Human Rights was adopted on December 10th, 1948. Rule-making ability is the ability of the subject to take part in the development and adoption of international law, which is typical for the main subjects of international law. International tort

capacity is the ability of a person to independently bear international responsibility for committing international crimes and other international offenses. Naturally, in international law, as well as in domestic law, there are different categories of subjects, and in any area of law, its subjects have different rights and obligations. A feature of international law is the presence of law-forming (norm-forming) and non-forming subjects. Non-law-forming subjects cannot directly create legal norms. Such subjects include, in particular, non-governmental organizations, individuals. In international law, treaty capacity is fully inherent only in sovereign states. Other entities – intergovernmental organizations, state-like entities, nations and peoples fighting for independence – have limited contractual standing. There are entities that only apply international law. These are international courts, arbitrations. To assert whether an individual is a subject of international law or not depends not only on the characteristics of the subject itself (the concept and features of a subject of international law), but also on the characteristics of the nature and purpose of international law. The range of subjects of international law depends on the range of social relations regulated by it, i.e. from the subject of regulation.

The subject of international legal regulation can include international relations that develop between subjects of international law and relations that go beyond the jurisdiction of one state (with the participation of a foreign element) and domestic relations that have a universal international character (meanings). Interstate relations include: diplomatic, political, legal, economic, military, scientific, cultural and other relations that develop between states, international organizations and other entities. Interstate relations of a universal international character include: ensuring and protecting human rights, environmental problems, cultural heritage problems, etc. e. These relations have moved from the category of cases falling within the internal competence of the state into the sphere of common interests of the international community. And international non-interstate relations (relations involving a foreign element), which are regulated on the basis of international and domestic law, are those relations in in which the state is only one of the participants or does not participate at all.

In the conditions of international legal regulation of certain internal relations with the participation of individuals and legal entities, an individual gets the opportunity within the framework of such relations to exercise internationally recognized rights on his own behalf. At the same time, when considering the international legal personality of an individual, it is important to determine in what cases he can be a subject of international legal relations. In this case, these are such branches of law as: economic law, international human law and some others. There is an area where an individual cannot be a subject of international legal relations – this is international humanitarian law (the law of war, the law of armed conflicts), territorial disputes and others.

Undoubtedly, international law historically developed as interstate law, and states were the only subject of international law. However, the development of international relations and the change in their structure and the specifics of international legal regulation led to the transformation of the concept and types of subjects of international law. There is a tendency to expand the range of subjects of international law. The main condition for the possibility of the emergence of other subjects is the absence in international law of a ban on the emergence of new subjects. Today, for example, concepts of the legal personality of the world community are being formed as a new subject of international law. Trends in the development of international law consist not only in regulating diverse relations between states and in the emergence of new subjects, but also in strengthening the role of a person who has become one of the participants in international relations and subjects of international law.

The branches of international law, in which the legal personality of an individual is especially clearly expressed, are international human law, international humanitarian law, and international criminal law.

Secondly, on a practical level, it is necessary to identify certain facts on the basis of precedents or the position of international bodies asserting the international legal personality of an individual.

In this regard, it should be noted that the international legal personality of an individual is actually manifested in many cases:

The individual is the subject of international legal responsibility. This is, for example, defined by the 1948 Convention on the Prevention and Punishment of the Crime of Genocide.

If all domestic remedies have been exhausted, the individual has the right to direct appeal to supranational judicial and quasi-judicial bodies, institutions (for example, the right of individual appeals to the European Court of Human Rights, the Human Rights Committee, the Law of the Sea Tribunal, etc.).

According to Art. 190 of the UN Convention on the Law of the Sea 1982. An individual has the right to sue a state party to the Convention and demand consideration of the case in the Tribunal for the Law of the Sea. The right of an individual to apply to international judicial bodies is recognized in the constitutions of many countries (Article 55 of the Constitution of Ukraine).

Determination of the legal status of certain categories of individuals (for example, officials or employees) and in international bodies where they act in their personal capacity (judges, arbitrators, etc.). International law also defines the legal status of a married woman, a child, refugees, migrant workers and members of their families and other categories of individuals.

In addition, individuals in certain cases may participate indirectly in the creation of international norms. This happens when representatives of non-governmental organizations take part in the development of many international treaties, as well as with the participation of prominent personalities in international lawmaking, or when considering cases in a European court, when judicial precedents are created. At the same time, the absence of rule-making functions in an individual indicates only the specificity of the individual's legal personality, and does not deny his international legal personality.

In international legal jurisprudence, the idea of recognizing the legal personality of an individual is gradually being introduced. This is confirmed by the practice of international institutions such as the European Court of Human Rights, the International Court of Justice. For example, the International Court of Justice considered a case in which it was stated that an international legal act can directly create rights for an individual.

In all these situations, the individual acts not through the mediation of his state, but on his own behalf, as the bearer of rights and obligations arising from specific international treaties.

Conclusions. The individual is the main non-traditional subject of international law. Currently, there is an almost universal recognition of individuals as subjects of international law with limited, special legal personality.

The absence of full universal recognition of the international legal personality of an individual does not affect the existence of his rights and freedoms, does not cancel his right to judicial protection in interstate judicial institutions, and also to bear international criminal responsibility in case he commits international crimes. At the same time, in the case of full universal recognition of an individual's international legal personality, neither the sovereignty of the state nor its "decisive role in regulating social relations – domestic and international" is taken away, does not deprive the state of its law-making activity, as the main law-former of the norms of international law.

One of the trends in modern international law is the expansion of the content and scope of the international legal personality of an individual.

In modern international human rights law, a system of uniform standards of the rights and freedoms of individuals is enshrined, regardless of their status as citizens or aliens, and regardless of whether this contradicts the internal law of the states of which they are citizens or not. These rights and freedoms constitute one of the foundations of the world order. Therefore, the full universal recognition of an individual's international legal personality is important not only to ensure the effective protection of human rights, but also to maintain international security and stability, especially in the light of current international events.

An individual as a subject of international and domestic law participates in international and domestic relations. At the same time, in both spheres, he manifests himself in a homogeneous capacity, acting on his own behalf and in his own interests.

Recognition of individuals as participants in international legal relations does not mean equating them with the main traditional subjects of international law, does not oppose two subjects – the state and the individual. Individuals do not have such elements of international legal personality as the right to be parties to international treaties, members of international intergovernmental organizations, and even more so, to create norms of international law, as the main traditional subjects can do. But in any area of law, its subjects have a different scope of rights and obligations. For example, in international law, treaty capacity is fully inherent only in sovereign states.

Today, the rights and freedoms of the individual exist outside the national jurisdiction of states and concern the rights of the entire international community – this is a universal fact.

The concept of sovereignty in the conditions of global integration, the strengthening of the interdependence of states and the universality of human rights should be considered only in the context of relations with other states, i.e. towards peers. However, the principle of sovereignty is not violated when the will of the entire world community is expressed in the event of a violation of human rights, since these are phenomena of different order. At the same time, the universality of human rights means their priority over national legislation and the ability to evaluate national legislation from the standpoint of human rights. Giving human rights a universal character also means their withdrawal from the internal competence of states and their transition to the supranational (supra-sovereign) level and, consequently, the primacy of international law over national ones.

REFERENCES

1. Буткевич В. Ґенеза доктрини міжнародної правосуб'єктності індивіда. (2010) *Право України* (2), с. 44–54.
2. Тарасов О.В. Суб'єкт міжнародного права: проблеми сучасної теорії. Х.: Право, 2014. 512 с.
3. Мицик В.В. Питання про міжнародну правосуб'єктність фізичної особи. Альманах міжнародного права. 2010. Вип. 2. С. 25–36
4. Баймуратов М.О. Міжнародне право. Підручник. Харків, «Одісея». 2001. 672 с.
5. Черкес М.Ю. Міжнародне право. Підручник. Київ, «Знання», 2011. 397 с.
6. Ніколайко І.В. Права людини та система ООН: (Пробл. багатосторон. міжнар. співробітництва). Ін-т держави та права. Київ: Наук. думка, 1991. 165 с.
7. Solomon E. Salako. The Individual in International Law: 'Object' versus 'Subject', July 2019, International Law Research 8(1):132 .Published by Canadian Center of Science and Education International Law Research; Vol. 8, No. 1; 201. doi:10.5539/ilr.v8n1p132. С. 132–140 URL: https://www.researchgate.net/publication/334610566_The_Individual_in_International_Law_%27Object%27_versus_%27Subject(Published online: 21 .6.2019 г.).
8. Lauterpacht H. International law and Human Rights. London, 1950. 475 pp.
9. UN Doc. E/CN.4/Sub.2/1989/40, 26 July 1989.
10. Cassese A. International Law. Oxford, 2001. 496 pp.
11. Наум М.Я., Сальніков М.О. Фізична особа як суб'єкт міжнародного права. Міжнародний науковий журнал «Інтернаука» *Юридичні науки*. Київ, 2018, № 8 (48), 2 т., с. 31–34.