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ACTS OF «SOFT LAW» AND INTERNATIONAL RULE OF LAW

«Soft law» is new and yet unexplored phenomenon in the theory of state and law. Nevertheless the role of acts of «soft law» in the international and national rule of law cannot be ignored. That's why the theoretical research of the role of acts of «soft law» in the international rule of law is important and has practical value.

Recommendative, non-binding for the subjects of law character is one of the outstanding features of the acts of «soft law» among all other sources of law, which at the same time doesn't deny their legal character but determines special role of acts of «soft law» in the international rule of law.

The international rule of law consists of strictly defined at the legislative level sources of law which are: international agreements; international customs; general principles of law, admitted by the civilized nations; court decisions and the doctrine of the most qualified specialists in the field of public law of different nations as the subsid-

ary instruments for legal rules defining.

At the same time, non-binding acts of «soft law» can be transformed into acts of «hard law» provided that they are admitted and effectively enforced by the subjects of law during reasonable period of time.

Also almost every international agreement contains recommendative rules at least in its preamble. This part of agreement is targeted on outlining the goals and main directions of the co-operation of the member states of this agreement and thereafter is transformed into acts of «hard law» in the main part of agreement.

Transformation of the acts of «soft law» into acts of «hard law» in the international rule of law in some degree defines the acts of «soft law» as the forerunners of the international law making process and such tools, with the help of which the legislator can transform general tendencies and minimal standards into certain obligations for the subjects of the international law.