THE BASIS OF NATIONAL SECURITY IN INTERNATIONAL LAW

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Abstract: One of the major principles of national security in every modern democratic state is the rule of law. This implies the definition of standards relating to vital state and national values, but also the existence of mechanisms and organisations which take care of security (the establishment, jurisdiction, tasks, powers, responsibility, and control thereof). This includes national law (constitution, laws and bylaws), but also international law (conventions, resolutions, charters, covenants, recommendations, court rulings, decisions of international courts, commissions, and arbitration bodies, etc.). Generally, in democracies, national law is based on international law. In this sense, it is possible to speak about international legal foundations of national security which set the framework for the proclamation, regulation and protection of state and national values and interests. In this context, the paper gives an overview of some major international sources of law pertaining to national security.
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