Liu Ying ON THE SOURCES OF INTERNATIONAL ECONOMIC LAW

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International economic law is an important tool to consolidate the existing international economic order, and it is also an important means to promote the transformation of the old international economic order and establish a new international economic order. Studying the sources of international economic law is of great significance for exploring international economic law, reforming and establishing a new international economic order.

The source of international economic law is due to the increasing economic and trade exchanges between countries, resulting in international economic relations. After the emergence of international economic relations, countries will make some regulations in various ways and form some habits so that they can be observed together and make the occurrence economic relations can be successfully achieved. Under the influence of economic globalization, the sources of international economic law presents a new development trend.

The sources of international economic law refer to the main manifestations of international economic law, including domestic sources and international sources. The international sources of international economic law mainly include international treaties, international practices and resolutions of international organizations; the domestic sources mainly include domestic laws, and some countries also include judicial precedents [1].

International treaties. An international treaty is an agreement between states to determine their mutual rights and obligations. Among them, international treaties on international economic relations are the most important source of international economic law. The direct source of international economic law is the universal international conventions and multilateral treaties [2, p. 65].

Regarding international conventions and multilateral treaties, they are codes of conduct jointly designated by most countries or many countries in the world through international organizations or international conferences, such as the Paris Convention for the Protection of Industrial Property, the United Nations Convention on Contracts for the International Sale of Goods and Convention on the Safety of Containers, etc. These conventions or treaties are universal due to the participation of most countries, so they directly constitute the sources of international economic law.

International practice. International practice refers to the customary legal norms gradually formed through repeated practice and repeated use in long-term international exchanges. Written international economic and trade practices are formulated by certain international organizations or business groups. International practice is generally arbitrary. Only when the parties expressly cite the stipulations of a certain practice will the international practice be binding on them. For such practice, the parties are allowed to modify or supplement it.

Resolutions of international organizations. Resolutions of important international organizations refer to normative resolutions on international economy made by universal international organizations. According to international law, international organizations have no legislative power. Generally speaking, the resolutions adopted by international organizations do not have mandatory force on their member states, but according to the Charter of the United Nations, they have "the force of recommendation", that is, they do not have mandatory force. Therefore, they are different from international treaties. have an essential difference. However, the resolutions of international organizations that conform to the universally recognized norms of international law and have significant significance have legal effect and should be regarded as the sources of international law [3, p. 127].

Domestic legislation. Domestic legislation as the source of international economic law refers to the normative documents formulated by various countries on the adjustment of foreign economic relations. In order to facilitate foreign economic and trade activities, a country will formulate foreign economic laws suitable for its own country by referring to internationally accepted practices or regulations, thus forming a domestic source of international economic law.

Reference

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Ma Bingjun, Svadkovskaya E. A. EXPLORING THE LEGAL REGULATION OF COPYRIGHT PROTECTION IN CHINA IN THE DIGITAL ECONOMY

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In order to explore the legal regulation of copyright protection in China in the digital economy, the concept of copyright should first be clarified. Thus, let us start with the definition of intellectual property and definition of copyright, in order to be able to trace the relationship between copyright and intellectual property. It is worth noting that he system of private property rights, intellectual property is at the same level as property rights, creditor's rights and inheritance rights. The international community defines intellectual property as a private right, which is essentially a civil right. Intellectual property (IP) refers to creations of the mind,