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Aytek Babayeva,

Ph.D student, Academy of Public Administration under the President of the Republic of Azerbaijan; babayeva.aytek@gmail.com; ORCID: 0000-0003-1203-8109

# THE ROLE OF THE PRINCIPLES OF INTERNATIONAL LAW IN THE FORMATION OF SPECIFIC PRINCIPLES OF SUSTAINABLE DEVELOPMENT

The article analyzes the role of the principles of international law in the formation of specific principles of sustainable development. It emphasizes the general role of the basic principles of international law, a number of principles (respect for human rights and fundamental freedoms, the principle of cooperation of states, the principle of conscientious fulfillment of international obligations, the principle of sovereign equality of states), as well as new emerging principles of international law (the principle of international legal protection of the environment, the principle of collective security). Sustainable development is particularly linked to human rights and social, economic and environmental goals. The concept of sustainable development combines economic, environmental and social priorities and can be implemented in the context of national-legal application, reflecting international legal regulation. This requires a unified approach to the problem from the international-legal point of view, as national-legal regulation depends on the effective implementation of international norms.

International courts are already referring to sustainable development documents. Sustainable development has been the subject of discussion by national courts, and a number of provisions in these areas have been included in the constitutions of states. In addition, globalization, the emphasis on the human rights factor, the dependence of the security of each country on the international security system, the rapidly growing role of international relations and international law in domestic affairs, etc., which are among the new trends, can be specifically mentioned.

Finally, specific principles of sustainable development (equality and poverty reduction; the principle of responsibility of states; the principle of careful approach to human health, natural resources and ecosystems; the principle of public participation and access to information and justice; good governance principle; principle of integration and interaction, etc.) are closely linked to and formed on the basis of international law and human rights.

**Keywords**: sustainable development, human rights, sovereign equality, cooperation of states, international obligations, specific principles, international agreements, economic cooperation, environmental protection, responsibility of states, international law.

**Introduction.** The analysis of sustainable development issues requires a close study of important areas in this area together with international law. The growing role of international law as a regulator of international relations requires special attention to this issue. The increase of the number of international agreements in various directions and the role of international legal regulation in approaching various problems is also important here. Sustainable development is closely interrelated with international economic and environmental law, international legal protection of human rights, responsibility in international law and other areas of international law.

**Research.** Specifically, the concepts of international economic law include the international law of economic development (V. Friedman), the concept of world economic law (V. Fickenscher, T. Peterson, P. Reuters), the law of international development in developing countries (M. Bedjaui), O. Rivero, M. Bulaich, K. Heilbronner, etc.), world law (G. Berman), etc. takes a special place (Sadıgov, 2008, p. 24-27).

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In the 21st century, international law has been formed as the law of the international community. Its main feature is that the task of ensuring the interests of the international community as a whole comes to the fore. In this case, it is not just a matter of declaring rights and freedoms, but also the realization of human rights, which has led to the democratization of many national legal systems and the emergence of effective mechanisms for the interaction of international and national law in the field of human rights. These are directly related to the development of the concept of expanding the notion of international law. Expansion is the basis of the concept of legal realism in the United States (M. Kaplan, N. Katsebach) (Hamati-Ataya, 2010, p. 1079-1101). Its supporters see international law as a process, not a system of norms.

**Discussion.** The basic, universally recognized principles of international law, as a whole, are the basis of the international norm-setting process, the basis of international law and an important criterion of international law, norms of jus cogens, and form the legal basis for the creation of other legal rules. In the description and application of the principles of international law, there is a correlation between them, and each principle must be considered in conjunction with other principles. Although the basic, universally recognized principles of international law are generally enshrined in the UN Charter, their content and system are set out in the Declaration on the Principles of International Law on Friendly Relations and Cooperation between States in accordance with the Charter of UN adopted by the UN General Assembly in 1970 and 1975. It is defined in the OSCE Helsinki Final Act. These documents reflect ten important principles of international law: the principle of non-use of force or threat of use of force; the principle of peaceful settlement of international disputes; the principle of sovereign equality of states; the principle of non-interference in the internal affairs of states; cooperation of states; the principle of equality of rights and self-determination of peoples; the principle of conscientious fulfillment of international obligations; the principle of territorial integrity of states; the principle of inviolability of borders; the principle of respect for human rights and fundamental freedoms.

The above-mentioned norms reflect the international legal approach to the problem. There are very interesting and contradictory interpretations in the theoretical literature regarding the issue. There are even positions that do not consider sustainable development a legal concept. For example, Fievet G., recognizing sustainable development as an important philosophical or political goal, insisting that it has nothing to do with law: «The connection of any process or concept with law is conditioned by its ability to contribute to its formation. Sustainable development, as a political goal, will affect international negotiations, which may have little effect on the content of the law» (Ciampi, 2011). In our opinion, such a restriction was preferred because the author's explanation dates back to 2001. However, the fact that states are currently making changes in their legislation in accordance with the goals of sustainable development is a direct proof of the impact on the formation of such law.

Another group of researchers avoids defining the legal nature of sustainable development, citing the illegal nature of its development. Outside of its potential character as a norm of international law, these commentators believe that a more relevant and productive approach is not based on the legal nature of sustainable development, but on various principles that are important for its realization (Barral, 2012, p. 378). We believe that the most successful theoretical approach is not to look at sustainable development as a legal principle, but as a new branch of international law in general. As a recent trend that has received significant support, such an explanation provides a basis for analyzing the relationship between the concept of sustainable development and the basic principles of international law (Schrijver, 2008, p. 19).

1. The principle of respect for human rights and fundamental freedoms.

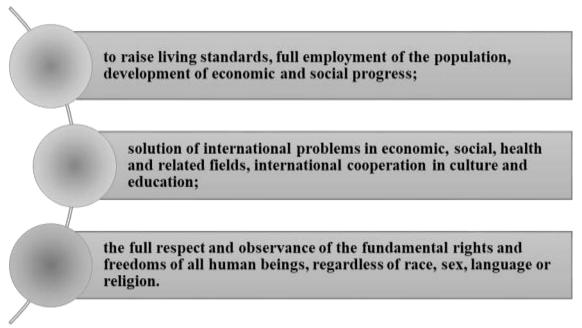
The connection between the principle of respect for human rights and the concept of sustainable development is reflected in the following. First, one of the main tasks of international law is to ensure fundamental human rights and freedoms. In the modern world, it is impossible to ensure these rights and freedoms without adhering to the principles of sustainable development. For example, in a situation where the environment is polluted, not only the right to health or the right to live in a healthy environment is violated. At the same time, the right to life is endangered. Or a

breach of global security could create irresistible problems for almost all rights and freedoms. Second, the concept of sustainable development reveals the essence of the tasks and problems facing states and international law in modern conditions. Third, based on these aspects, the concept of sustainable development should be recognized as a new ideological basis for human rights (Cordonier Segger & Khalfan, 2011, p. 16).

Sustainable development must be shaped by the universal concept of human rights, which includes: the acceptance of human dignity and human rights as higher absolute values; independence of human rights from the will of the state and their indivisibility; equality of people in terms of dignity and rights; incompatibility of human rights with exploitation and slavery, fear and need, arbitrariness and crime; recognition of the interdependence of the entire system of civil, political, economic, social and cultural rights and the relationship of these rights to duties; formation and development of a new generation of human rights; serious recognition of the values of democracy and justice; mutual identification and development of complementary international and domestic human rights' systems.

Ii is important to note, that the section II of the Constitution of the Republic of Azerbaijan is entirely devoted to human and civil rights and freedoms and responsibilities. In addition to the above, various aspects of the principle of respect for human rights and fundamental freedoms are enshrined in other articles of the Constitution of the Republic of Azerbaijan - Articles 10, 12, 148, 151 and some others. According to Part 1 of Article 12 of the Constitution of the Republic of Azerbaijan, ensuring human and civil rights and freedoms, a decent standard of living for the citizens of the Republic of Azerbaijan is the highest goal of the state. According to Part 2 of the Constitution, the human and civil rights and freedoms listed in this Constitution are applied in accordance with international treaties to which the Republic of Azerbaijan is a party.

Existing theories in the field of human rights also reflect the characteristics of continuous development. Article 1, paragraph 3, of the Charter of the United Nations states that one of the main objectives of the United Nations is to address international economic, social, cultural or humanitarian issues and to promote respect for the fundamental rights and freedoms of all, regardless of race, sex, language or religion and encouraging the achievement of international cooperation. Article 55 of the Charter defines other aspects of the principle of respect for human rights and fundamental freedoms. This article states that in order to create the necessary conditions for stability and peace between nations, based on respect for the principle of equality of rights and self-determination of peoples, the UN supports the following («Charter of the United Nations»):



**Figure 1. Conditions for stability and peace between nations**Sourse: complied by the author according to («Charter of the United Nations»)

Thus, in the late XX and early XXI centuries, another feature of human rights emerged as a factor in the strong and balanced development of society. It was a concept of sustainable development. The value of sustainable development for everyone is to live in a predictable and protected society. In such conditions, a person can focus on long-term goals and make plans for the future. Sustainable development is a balanced development that reconciles conflicts. The importance of human rights as one of the factors leading to the balanced development of the individual, society and nature is that they initially harmonized different values (freedom and equality, self-determination and social security) as a normative model. In addition, conflicts between individual and collective needs, interests of the individual, social group, state and society have been resolved.

The analysis of the principle of development, which is one of the specific principles of human rights, is also important in the analysis of relations within the right to sustainable development as a human right with a separate regulatory framework.

The Declaration adopted at the Rio de Janeiro Conference in 1992 more legally defined the socio-economic foundations of sustainable development («Rio Declaration», 1992). The Declaration sets out about 12 principles for sustainable development. Although not legally binding, the Declaration made a number of important proposals for the right to development.

In line with the concept of sustainable development, the 1986 UN Declaration on the Right to Development also sees the human individual at the center of the development process (UN GA A/RES/41/128 - Declaration on the Right to Development, 1986). Article 2, paragraph 1, of the Declaration states: «A person is a central subject of individual development and must be an active participant and beneficiary of the right to development». Article 1 of the Declaration defines the right to development as follows: «The right to development is an inalienable human right on the basis of which each individual and all peoples participate in economic, social, cultural and political development in which all human rights and fundamental freedoms can be fully realized. Every individual has the right to do so, to support development and to benefit from it».

According to Part 1 of Article 2 of the Declaration, a person is a key subject of the development process, must be an active participant and beneficiary of the right to development. In addition, Article 8, paragraph 1, states that States must take all necessary measures at the national level to exercise their right to development. For example, equality of development must be ensured for all in matters of access to resources, education, health, nutrition, housing, employment and equitable distribution of income; effective measures must be taken to ensure the active role of women in the development process; appropriate economic and social reforms must be carried out in order to eliminate all social injustices.

The right to development covers the right of every person and all peoples to participate in development, the right to promote development, the right to share the results of development (Xigen, 2019, p. 176). Like the right to peace, the right to development may differ in the scope of the subject to which it is addressed. The right to development also includes the right to individual development of a particular person and the right to self-determination, understood as a collective right of peoples in general (Ngang, Kamga & Gumede, 2018, p. 17).

The introductory part of the Declaration on the Right to Peace, adopted in 2016, referred to key international human rights instruments, recalled the 2030 Agenda for Sustainable Development, and stated the importance of peace as a principle of international law. In the Sustainable Development Goals - 2030 Agenda, international legal requirements for peacekeeping are linked to the legal basis of the concept of sustainable development. The introductory part of the Declaration refers to both the Declaration on the Law on Development and the Agenda for Sustainable Development - 2030. In addition, Article 1 of the 2016 Declaration on the Right to Peace explains the right to peace on the basis of the development process: «Everyone has the right to enjoy peace in a way that promotes and protects all human rights and the full realization of development».

2. The principle of sovereign equality of states.

The main content of the principle enshrined in Article 2, paragraph 1, of the UN Charter is as follows: States are obliged to recognize and respect each other's sovereign equality and all the

rights inherent in sovereignty, including legal personality; each state has the right to freely choose and develop its political, social, economic and cultural system, and to determine its laws and administrative rules; all states have equal rights and responsibilities; all states are obliged to respect and honor each other and to conduct their relations with other states in accordance with their personal decisions in accordance with international law; each state has the right to participate in international organizations and treaties; States are obliged to fulfill their obligations under international law in good faith.

While sovereignty is usually understood as the full power of a state within a country and its independence abroad, the equality of the legal status of states means that all norms of international law are applied to them in the same way, with equal binding force. In addition, states have an equal ability to create rights for themselves and to assume obligations (Aliyev, 2019, p. 30).

Following the principle of sovereign equality of states, the principle of equality for sustainable development can also be put forward. This principle promotes the principle of equality between states and equality between people. The principle of equality, equal rights and non-discrimination is important for the protection of human rights and freedoms and forms the basis for the development of international cooperation in humanitarian matters. It is impossible to imagine the concept of human dignity without this principle. According to Article 1 of the Preamble to the Universal Declaration of Human Rights of 1948, the recognition of the equality of rights of all members of the human family is the foundation of freedom, justice and secular peace.

The principles of equality and non-discrimination are reflected in more detail in the provisions of the 1966 International Covenants. Articles 2, 3, and 26 of the International Covenant on Civil and Political Rights of 1966 set out the following five interrelated principles: the principle of equal exercise of rights; the general principle of equality arising from the principle of equality between men and women; the rule of law and the principle of equality before the court; the principle of equal protection by law; the principle of non-discrimination.

# 3. The principle of international cooperation.

This principle implies the interaction of states on the basis of the UN Charter. According to Article 1, paragraph 3 of the UN Charter, states are obliged to «implement international cooperation in solving international problems of economic, social, cultural and humanitarian nature», and Article 1, paragraph 1 of the Charter provides for the protection of international peace and security. To this end, effective collective measures have been set. Articles 55 and 56 of the UN Charter are also dedicated to cooperation between states in the social, economic and cultural spheres.

Cooperation in the field of international peace is, of course, a legal duty of the state. Based on the principle of cooperation, states must act in their international relations in such a way that they do not hinder cooperation, but rather develop it. Specific forms of cooperation between states depend on the states themselves, their needs, resources, domestic legislation and international obligations.

# 4. The principle of conscientious fulfillment of international obligations.

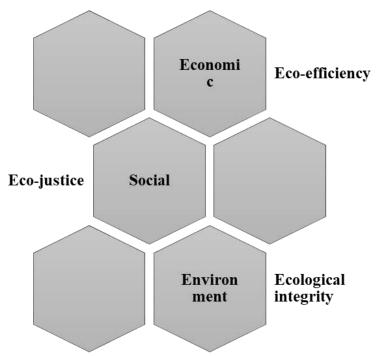
This principle is known in international law as the principle of pacta sunt servanda («agreements must be observed»). It is considered that without the principle of conscientious fulfillment of obligations under international law, international law would have lost its legal character (Lukashuk, 1996, p. 288).

The 1969 Vienna Convention on the Law of Treaties states that this principle is «binding on all parties to a treaty in force and must be performed by them in good faith». Article 2, paragraph 2, of the Charter of the United Nations states that all members of the United Nations are conscientiously fulfilling their obligations under this Charter in order to secure the rights and benefits of membership in the Organization. In this case, the responsibility of states is especially important. The Draft Articles on the Responsibility of States, approved by the 53rd session of the UN Commission on International Law on 31 May 2001, states that an illegal act belongs to a state in accordance with international law and reflects a violation of that state's international obligations (Article 2) (Lukashuk, 1996, p. 395). Accordingly, the norm of international law by the state and must be violated in order to create international responsibility. Pursuant to Articles 1 and 31 of the

Draft Articles on the Liability of States, any international illegal act of a State shall give rise to the liability of those States which the responsible State is obliged to give full compensation for the damage caused by the international illegal act. According to the Draft Articles on the Liability of States, compensation means the responsibility of States for the full compensation for damage caused by the illegal actions of States (Article 31) (Annalisa, 2011, p. 258).

## 5. Emerging principles of international law

The concept of sustainable development is a combination of three main elements, according to which the three main goals are highlighted (Grishkevich, 2016, p. 17).



**Figure 2.** The main elements of the concept of sustainable development *Sourse:* complied by the author according to (Grishkevich, 2016, p. 17).

In this context, the analysis of sustainable development issues is important.

The principle of international legal protection of the environment. This principle was first discussed and widely approved at the Stockholm Conference on the Environment in 1972 during the adoption of the Stockholm Declaration on the Environment. The Charter of the World Conservation Union, adopted by the UN General Assembly in 1982, specifically establishes this principle.

In this regard, the specific principles arising from international legal protection of the environment should also be noted. According to the first principle of the Stockholm Declaration, adopted by the Stockholm Conference on the Environment in 1972, everyone has the right to an environment conducive to freedom, equality and prosperity, as well as to the protection of the environment for present and future generations which are responsible for improving processes. Principles 2-5 of the Stockholm Declaration emphasize the importance of different types of natural resources for humans, as well as the need for their efficient use and protection. Principle 6 of the Declaration provides for the prohibition of harmful and other similar substances in the environment. Principle 8 states that economic and social development is an integral part of the process of improving the environment and that this process is carried out taking into account the interests of developed and developing countries. Principle 9 deals with accelerating development through financial and technical assistance as an important way to address environmental problems. Complementing this principle, Principle 12 links the need for international financial and technical assistance to developing countries at their request, with the participation of developed countries in environmental protection. Principle 13 of the Declaration states that ensuring an efficient regime of natural resources and improving the environment is possible on the basis of planning that takes into account environmental factors. Principle 17 of the Declaration imposes certain planned management and control responsibilities on the national administrations of States in order to improve the state of the environment. Principles 18 and 20 of the Declaration state that scientific and technological progress must be directed to the solution of environmental problems. According to the 24th principle of the Declaration, in order to prevent harmful effects on the environment, to reduce and prevent them as much as possible, as well as to establish effective control, preference is given to cooperation on a contractual basis. The key content of Principle 25 is that international organizations play an effective and dynamic role in protecting and improving the environment. Principle 26 defines and calls for co-operation between states in the elimination of weapons of mass destruction as a global problem.

The principles of international legal protection of the environment were further developed in the World Conservation Charter adopted by the UN General Assembly on October 28, 1988. The «Agenda for the XXI Century» adopted by 179 countries at the UN Conference on Environment and Development in Rio de Janeiro in June 1992 includes multifaceted ways to prevent the deterioration of land, air and water, and to preserve forests and various forms of life. A number of relevant provisions enshrined in the Declaration on Environmental Protection and Development, adopted at the conference, reflect not only the relationship between the environment and human criteria, but also the obligations of states in this area. For example, people are the main guide and the main subject of sustainable development (principle 1); the right to development must be exercised in such a way that the needs of present and future generations in the field of development and the environment can be met fairly (principle 3); In order to achieve a higher standard of living and sustainable development for all people, states must reduce and eliminate irrational models of production and consumption, as well as implement the necessary demographic policies (principle 8); environmental issues are better addressed with the participation of all interested citizens at the appropriate level (principle 10); women play an important role in mastering the environment and development (principle 20); it is necessary to mobilize the creative potential, ideals and courage of the world's youth to define a global partnership to achieve sustainable development and a better future for all (principle 21); indigenous peoples and their communities, as well as other local communities, play a vital role in mastering the environment and development through their knowledge and traditional practices (principle 22); the environment of the people living in slavery, dependence and occupation and their natural resources must be protected (principle 23); and so on.

The Preamble of the New Delhi Declaration emphasizes that sustainable development is a common issue and that policy must therefore be integrated into all areas related to adaptation. The Preamble emphasizes the importance of accepting a balance between environmental and development issues, given that the development of international law in the field of sustainable development and the goal of sustainable development include an integrated approach to political, social and economic processes. According to the first principle, states must ensure the sustainable use of natural resources and are obliged to protect and enhance the natural environment and properly manage the climate system, biodiversity and fauna in relation to areas outside their national jurisdiction. The second principle, the principle of equality and the eradication of poverty, more specifically emphasizes the need for cooperation to eradicate poverty, and requires consideration of the rights of both present and future generations. The third principle, which defines the responsibility of developed and developing countries for different capabilities and financial conditions, implies more obligations for developed countries in international cooperation: to reduce the impact on the global environment by changing the rules of unsustainable production and consumption, as well as in developing countries. contribute to capacity development.

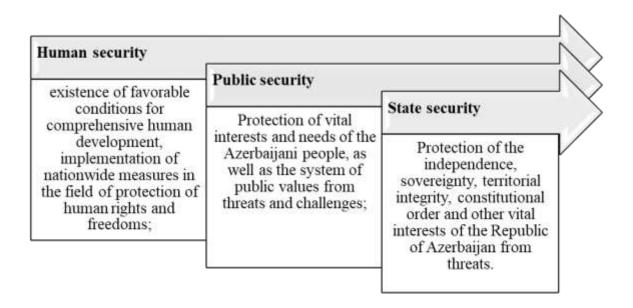
The principle of collective security. Etymologically, «security» has different values and characteristics. The term «security» means «national security», «international security», «human security», «global security» and so on, depending on the object of the threat. manifests itself in categories such as.

Modern national security is formed mainly by the combination of three interrelated elements: the security of the individual, society and the state. The level of security of society and the state

depends on the level of security of the individual and the expectation of his legal values. Human security is his well-being and a dignified way of life for his family.

Relevant documents define the state of international relations arising from the concept of indivisibility of international peace, ensured by the UN system and the rule of law in the name of collective security. Only in conditions of peace and security can we talk about the protection of human rights at an ideal level and sustainable development.

According to Article 8 of the Law of the Republic of Azerbaijan «On National Security» dated June 29, 2004, the objectives of ensuring national security are as follows:



**Table 3. Forming components of national security.** 

Sourse: complied by the author according to (Milli təhlükəsizlik, 2004).

A concept put forward in the field of international security is called the concept of security based on cooperation. The concept of security on the basis of cooperation is used to express a new approach to international relations. The use of this term in modern times is the result of a new approach to security in the unstable present and unpredictable future. In addition to collective security and collective defense, the partnership-based security model includes elements of enhancing individual security and stability. This model consists of the following four links: individual security, collective security, collective protection and stability. According to the concept of human security, which is another concept in the field of international security, interference in the internal affairs of states, including sanctions and military intervention, can be used to protect human security, and security policy should be closely linked to human rights, democracy and development strategies (Aliyev, 2019, p. 180-184).

Conclusion. One of the key issues in the study is the definition of goals for monitoring the implementation of sustainable development goals by states. In this changing context, it is especially important to define the principles of international law related to sustainable development. The possibility that a violation of such principles could create an international legal obligation should also be discussed. To answer this question, it is necessary to determine the material principles of international law related to sustainable development, to consider whether they have «a character that creates an acceptable basic norm that forms the basis of the rule of law». The principles help resolve disputes over sustainable development and guide policies for sustainable development. In addition, it is necessary to set the goals of sustainable development in all international treaties, and then to link some specific principles in each area of international law to sustainable development.

Sustainable development is also closely linked to global challenges. The emergence of global problems requires a wide range of steps, which are manifested in the social, economic, political and military aspects. Global problems have different aspects. For example, they can cover the field of migration, international security, international fight against crime, environment, etc. Therefore, one of the important tasks facing the international community is to identify and implement a new approach to global problems. It was noted at the 41st session of the UN General Assembly that today's demand should not only require all states to adhere to international legal principles and norms, but also reflect the creation of a new legal idea for the development of international law (Aliyev, 2019, p. 18-20).

Based on the analysis, it should be noted that the specific principles of sustainable development are closely linked to and formed on the basis of international law and human rights. Some of them are: equality and poverty reduction; the principle of responsibility of states; the principle of careful approach to human health, natural resources and ecosystems; the principle of public participation and access to information and justice; good governance principle; principle of integration and interaction, etc. (Cordonier Segger & Khalfan, 2011).

Sustainable development is particularly relevant to human rights and social, economic and environmental goals. The concept of sustainable development combines economic, environmental and social priorities and can be implemented in the context of national law enforcement, reflecting international legal regulation. This requires an approach to the problem from the point of view of a single international law, and the success of national legal regulation depends on the effective implementation of these norms.

#### **REFERENCES:**

- 1. Aliyev, A. (2019). *Human Rights*. Textbook. Baku: Nurlar. [in Azerbaijani].
- 2. Barral, V. (2012). Sustainable Development in International Law: Nature and Operation of an Evolutive Legal Norm. *European Journal of International* Law, *Volume 23, Issue 2.* 377-400.
  - 3. Ciampi, A. (2011). Reference Materials on International Law. Giuffrè Editore.
- 4. Charter of the United Nations and Statute of the International Court of Justice (1945). https://treaties.un.org/doc/publication/ctc/uncharter.pdf
- 5. Cordonier Segger, M.-C., Khalfan, A. (2011). *Principles of International Law Relating to Sustainable Development. Sustainable Development Law.* Oxford University Press.
- 6. Declaration on the Right to Development. Adopted by General Assembly on 4 December 1986. (1986). https://www.ohchr.org/en/professionalinterest/pages/righttodevelopment.aspx
- 7. Fievet, G. (2001). Réflexions sur le concept de développement durable: prétentions économiques, principes stratégiques et protection des droits fondamentaux. *RBDI*, 59 [in French].
- 8. Grishkevich, O. at al. (2016). *International legal mechanisms to ensure sustainable development and security of the Republic of Belarus*. Minsk: StroyMediaProject. [in Russian].
- 9. Hamati-Ataya, I.. (2010). Knowing and judging in International Relations theory: realism and the reflexive challenge. *Review of International Studies, Volume 36 (04)*. 1079-1101.
  - 10. Lukashuk, I. (1996). International Law. General Part. Moscow. [in Russian].
- 11. Milli təhlükəsizlik haqqında. (2004). [On National Security]. http://www.e-qanun.az/framework/5455 [in Azerbaijani].
- 12. Ngang, C., Kamga, S. & Gumede, V. (2018). *Perspectives on the Right to Development*. South Africa, University of Pretoria Press. [in English].
- 13. Rio Declaration on Environment and Development (1992). https://undocs.org/en/A/CONF.151/26/Rev.1(vol.I)
  - 14. Sadıgov, A (2008). International Economic Law. Textbook. Baku. [in Azerbaijani].
- 15. Schrijver, N. (2008). *The Evolution of Sustainable Development in International Law: Inception, Meaning and Status.* Leiden, Netherlands/Boston, USA: Martinus Nijhoff.
- 16. Xigen, W. (2019). The Right to Development: Analysis of Sustainable Development and the Practice of Good Governance. Leiden: Koninlijke Brill.

Айтек Бабаєва,

аспірантка Академії державного управління при Президентові Азербайджанської Республіки

# Роль принципів міжнародного права у формуванні специфічних принципів сталого розвитку

У статті аналізується роль принципів міжнародного права у формуванні специфічних принципів сталого розвитку. Наголошується на загальній значущості основних принципів міжнародного права, низки принципів (повага прав людини і основних свобод, принцип співробітництва держав, принцип сумлінного виконання міжнародних зобов'язань, принцип суверенної рівності держав), а також нові принципи міжнародного права (принцип міжнародно-правового захисту навколишнього середовища, принцип колективної безпеки). Сталий розвиток тісно пов'язаний із правами людини і соціальними, економічними та екологічними цілями. Концепція сталого розвитку поєднує економічні, екологічні та соціальні пріоритети і може бути реалізована в контексті національно-правового застосування, що відображає міжнародно-правове регулювання. Це вимагає єдиного підходу до проблеми з міжнародно-правової точки зору, оскільки національно-правове регулювання залежить від ефективного виконання міжнародних норм.

Міжнародні суди вже посилаються на документи про сталий розвиток. Сталий розвиток був предметом обговорення національних судів, а низку положень в цих галузях було включено до конституцій держав. Окрім цього, зазначаються такі процеси як глобалізація, акцент на фактор прав людини, залежність безпеки кожної держави від системи міжнародної безпеки, швидко зростаюча роль міжнародних відносин і міжнародного права у внутрішніх справах і т. д., що представляють нові тенденції. Нарешті, специфічні принципи сталого розвитку (рівність і скорочення бідності; принцип відповідальності держав; принцип обережного ставлення до здоров'я людини, природних ресурсів й екосистем; принцип участі громадськості й доступу до інформації та правосуддя; принцип належного врядування; принцип інтеграції та взаємодії та ін.) тісно пов'язані та формуються на основі міжнародного права і прав людини.

**Ключові слова:** сталий розвиток, права людини, суверенна рівність, співробітництво держав, міжнародні зобов'язання, специфічні принципи, міжнародні угоди, економічне співробітництво, охорона навколишнього середовища, відповідальність держав, міжнародне право.

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### Вознюк Євгенія Василівна,

кандидат політичних наук, доцент, кафедра міжнародних відносин і регіональних студій Волинського національного університету імені Лесі Українки vozniukjane.vippo@gmail.com; ORCID: 0000-0002-7828-7430

### SWOT-АНАЛІЗ СТАНУ ІНФОРМАЦІЙНОЇ БЕЗПЕКИ УКРАЇНИ

Стан інформаційної безпеки держави є надзвичайно актуальним питанням як для інформаційного простору України, так і для усього світу, з огляду на постійне розширення спектру гібридних загроз. Метою статті є визначити сильні, слабкі сторони інформаційної безпеки України, дослідити наявні загрози та виокремити можливості подальшого їх усунення. У ході дослідження використано SWOT-аналіз - сукупно розглянуто сильні та слабкі сторони інформаційної війни і безпеки нашої держави (strengths and weaknesses), а також висвітлено усі існуючі її можливості та загрози (opportunities and threats). Детально розглянуто теоретико-методологічні основи дослідження питання інформаційної безпеки України. Виокремлено ключові поняття інформаційної безпеки, інформаційної війни, інформаційного тероризму. Висвітлено основні напрями діяльності в галузі інформаційної