



Polych Valeriia Pavlivna,

*Postgraduate Student of the European Union Law
Department, Yaroslav Mudryi National Law University,
Ukraine, Kharkiv*

e-mail: polich@gmail.com

ORCID 0000-0003-4443-4890

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ENVIRONMENTAL SECURITY IN THE INTERNATIONAL SECURITY SYSTEM: DEFINITION PROBLEMS

The experience of the XX – the beginning of XXI century demonstrates the crucial importance of security for human existence. Safety study is a scientific field which is not developed enough, although its results are already de facto different from what has been studied by other sciences. Innovations in scientific knowledge, taking into account the new problems, risks and security threats identified, confirm this fact.

After the end of the Cold War, a new international legal order was formed, as a result of that, studies in the field of security required its rethinking as a social phenomenon from a broader methodological points of view, not reducing security only to neutralizing military threats. Identification of subtypes of security (political, military, economic, environmental, food, energy, etc.) by field feature, depending on the presence of threats to a particular group of values does not lead to the loss of the international system of its integrity, but only groups similar variables within the system which contributes to their studies and interpretations. Attempts to build a hierarchy of security subtypes within international security are not rational enough, given their interdependence, as well as (interest, knowledge, worldview, etc.), which guide certain authors in building such a hierarchy.

As a result of the variety of approaches to the interpretation of the concept of «environmental security», researches which are conducted in the XXI century are losing elements of simplicity inherent in the developments of the XX century. The use of an interdisciplinary approach complicates the coordination of environmental security research, but at the same time meets modern needs.

The paper proves the inadequacy of the traditional understanding of security and shows that global changes in the environment create new conflicts, threats and challenges, and thus demonstrate the urgent need to look for new forms of cooperation based on international law for humanity survival and ensuring of sustainable development.

The paper does not claim to reveal the full picture of the phenomenon being studied. Therefore, the author is fully aware of all the formal and conceptual shortcomings that the paper may contain, and welcome any comments, remarks on the provisions set out in it.

Keywords: danger; security; challenge to security; environmental conflict; environmental security; environmental rights; international environmental law.

Поліч В. П., аспірантка кафедри права Європейського Союзу, Національний юридичний університет імені Ярослава Мудрого, Україна, м. Харків.
e-mail: polich@gmail.com ; ORCID 0000-0003-4443-4890

Екологічна безпека в системі міжнародної безпеки: проблеми визначення

Досвід ХХ – початку ХХІ століття демонструє вирішальне значення безпеки для існування людства. Дослідження безпеки являють собою недостатньо розвинений науковий напрям, хоча їх результати де-факто вже відрізняються від того, що було досліджено іншими науками. Новації наукового знання, з огляду на виявлені нові проблеми, ризики і загрози безпеці, підтверджують цей факт.

Після завершення «холодної війни» відбулося становлення нового міжнародного правопорядку, внаслідок чого дослідження в сфері безпеки вимагали її переосмислення як соціального явища з більш широких методологічних позицій, не зводячи безпеку лише до нейтралізації воєнних загроз. Ідентифікація підвидів безпеки (політична, воєнна, економічна, екологічна, продовольча, енергетична та ін.) за галузеву ознакою залежно від наявності загроз певній групі цінностей не веде до втрати міжнародною системою своєї цілісності, а лише групує схожі змінні всередині системи, що сприяє їх дослідженню та інтерпретації. Намагання вибудувати певну ієрархію підвидів безпеки всередині міжнародної безпеки є недостатньо раціональними, зважаючи на їхню взаємобумовленість, а також те (інтерес, знання, світоглядний підхід тощо), чим керуються ті чи інші автори при побудові такої ієрархії.

У результаті різноманіття підходів до інтерпретації поняття «екологічна безпека» дослідження, що проводяться в ХХІ ст., втрачають елементи простоти, властиві розробкам ХХ ст. Використання міждисциплінарного підходу ускладнює координацію досліджень екологічної безпеки, але в той же час відповідає сучасним потребам.

У статті доведено неадекватність традиційного розуміння безпеки та показано, що глобальні зміни навколишнього середовища породжують нові конфлікти, загрози і виклики, а відтак демонструють нагальну потребу у пошуку нових форм співпраці держав на основі норм міжнародного права заради виживання людства та забезпечення сталого розвитку.

Стаття не претендує на розкриття повної картини досліджуваного явища. Тож ми цілком усвідомлюємо усі формальні та концептуальні недоліки, які вона може містити, і вітаються будь-які коментарі, зауваження щодо викладених в ній положень.

Ключові слова: небезпека; безпека; виклик безпеці; екологічний конфлікт; екологічна безпека; екологічні права; міжнародне екологічне право.

Problem setting. A relic of the Cold War era is the consideration of international security issues through the prism of military security. Concepts of international security, the core of which is military security, largely exclude the consideration of non-military threats and non-military security provision measures.

Approval of a new international legal order in the XXI century requires a rethinking of international security as social phenomena, as a result of which security research should be conducted from a broader methodological standpoint. A number of reports discussed at international conferences prepared by authoritative specialists in recent decades have raised the level of ecological awareness. The result of extensive discussions was a review of established security paradigms, which now includes an environmental component.

Analysis of recent research and publications. The political problems of global environmental security in recent decades have attracted considerable attention by foreign and domestic scholars, which cannot be said about the international

law provision of environmental security, which was developed today only by some domestic lawyers (A.P. Getman [21], V.L. Kachuriner [28], N.M. Korniiichuk [40], V.V. Kostitsky [21], M.O. Medvedieva [34], N.I. Romaniuk [40], Ye. O. Shevkunova [44]), which indicates the relevance and practical significance of the study.

Statement of the article objective. The article is aimed at further developing new approaches to the formation of a new international security paradigm, an important component of which is environmental security.

Presentation of the main body of the article. For a long time in human history, the term “security” was either not considered a social phenomenon at all (in ancient times, security was not a matter of public concern, as any disaster was seen as inevitable or as the will of the gods [42]), or interpreted as the ability to survive.

In the process of state-legal development, its content gradually changed (“survival” and “security” are not synonymous any more), as it began to get a certain social and political content (an idea of certain values as an object of security was forming). As a result, “security” began to be seen as the opposite of “danger” and accordingly understood and interpreted quite narrowly (survival and freedom from life-threatening dangers, confidence in their future, which meant a certain life choice [54, p. 4–5]), mainly using military terminology, as force, which is an attribute of power, was considered to be the most important condition for achieving security.

After the decline of feudalism and the establishment of national states, the primary responsibility for maintaining security was given to the state, which led to linking the concept of “security” with the territorial integrity and national sovereignty of the state, and thus security was considered to be the main activity (function) of the state.

Danger was interpreted as an event provoked by dangerous factors or a situation in which there is a threat or probable occurrence (development) of something undesirable (natural disaster, catastrophe, etc.) or harm (material, physical, moral) to an individual, community, church, society, state or to certain object of value. Danger, unlike threat, is not characterized by a critical probability of causing harm.

The complication of public and state life has led to the expansion of the concept: danger is also understood as the possibility of adverse (negative) impact of something on an object, which can give it undesirable qualities and/or dynamics of development, worsen its properties, results of functioning.

Sources of danger have historically evolved: if some, such as the wrath of the gods, gradually cease to be perceived as a danger, others are permanent – human, one’s activities, tools, environment, phenomena and processes associated with human interaction with the environment, the third ones arise at a certain stage of development of society and the state.

Gradually, according to the number of subjects, individual, local, national, regional or global dangers began to be distinguished. According to the scale of the negative consequences, as well as depending on who it posed a threat, the danger began to differentiate into small, large, serious, greatest, deadly, extreme, direct, and so on.

The conditionality of the “security” concept in the sense of “danger” largely determined the formation of theoretical approaches to defining the meaning of “security”, highlighting its features, types classification, disclosure of relationships with other concepts, including “challenge”, “risk”, “threat” and “vulnerability”.

“Danger” along with the concepts of “dangerous factor”, “challenge”, “risk” and “threat” in the categorical series takes place between “risk” and “threat”. The concept of “risk”, which consists in the active volitional action of the subject in conditions of uncertainty of the result of the action (probability of failure, which entails a numerically measurable possibility of losses of various kinds) with the hope of luck, arises at the turn of the Middle Ages and New Ages era, when people became aware of the responsibility for decisions made primarily in the economic and political spheres. “Challenge” is a set of phenomena and processes that at a particular time do not affect the level of security, but in the absence of a response to their occurrence, ensuring a high level of security in the future is quite problematic. Accordingly, the term “challenge” could be considered as the initial stage of threat formation. The concept of “threat” is considered synonymous to concept “danger”, but is a more specific, real form of danger of harm. Accordingly, not every danger carries a threat, as it can be potential, real, but ineffective or temporarily inactive. The threat, in turn, is seen as a real danger, but one that has not yet caused harm, although its occurrence is quite probable. The transition from “danger” to “threat” is usually determined by the quantitative and qualitative influence of dangerous factors. If “challenge”, “danger” and “threat” are always related to the action of external factors, then “risk” is related to the possibility of harm causing as a result of the subject’s own actions. The difference between the mentioned concepts could also be revealed through the prism of two components: the subjective intentions and objective capabilities of one of the subjects of the relationship to harm the other [7; 30, p. 371, 1559].

Gradually, there is also an awareness of the fact that the nature of security manifestation, as well as hazards’, which are considered as certain interconnected systems, depends on the intensity of the system as a whole and at all its hierarchical levels, depending on the quantitative and qualitative content of components, subsystems etc., which are part of it and form the system itself (in all its components without any exception); states, both internal relative equilibrium of the system as a whole and external with its environment, as well as the equilibrium states of its components, ie the nature of the interaction of the latter both within themselves and their interaction with the environment [57, p. 69].

If by the time of the Industrial Revolution, the narrow approach to interpreting “security” corresponded in general to the real state of society (although with environmental problems of a natural nature (earthquakes, volcanic eruptions, droughts, floods, tsunamis, forest fires, etc.) humanity periodically encountered always, but human intervention in biological processes was minimal), then after it the restriction of “security” exclusively to the problems of war and peace was artificial.

Although in the Middle Ages the concept of “security” did not cover the environmental component, the need for certain environmental measures still existed. However, the measures taken by the state have traditionally been aimed at ensuring other aspects of security – they were usually of military¹, economic² or resource nature, and were aimed at protecting private property on natural objects³. At the same time, some cases of legal protection of natural objects as such could still be found in this period [46; 8].

It should be noted that the first steps towards the “ecologization” of industry were taken by the legislator in the Middle Ages in accordance with the utilitarian approach. Thus, in 1285, King Edward I of England issued a decree forbidding by death penalty in London burning “soft coal” in brick kilns, which contained a significant proportion of pollutants. In 1388, King Robert II passed an act aimed at protecting the quality of water in the River Thames, which prohibited the dumping of household and industrial waste into the river within London. The transition in England from the use of coal briquettes (production began in the late XV century) to the method of coking coal (XVII century) was made as a result of the discovery of damage to health from the combustion of sulfur contained in coal.

The paradigm shift in economic development that accompanied the transition from an agrarian economy to the industrial revolution (1700s), accordingly the transition of the national economy to a new technological system, and the change in the organization of industrial and agricultural production created the preconditions for exacerbating of old and emerging environmental problems of artificial nature. Thus, the fight against harmful emissions into the air, which began in England in the XIII century, continues to this day [52]. During the XIX century, and in the first half of the twentieth century in England, a number of regulations were adopted to reduce harmful emissions into the air, special control inspections were established, but the effectiveness of the measures remained low, as the state did not have a clear policy in the field of environmental safety.

¹ Thus, the decree by Tsar Ivan IV (Grozny) on barricade lines and barricade backlogs, which set a ban on deforestation on the southern borders of the Moscow Kingdom, provided for the preservation of forests aimed at creating backlogs (barricades) against the Tatar cavalry [43; 56, p. 16–20].

² Thus, such activities as herding, hunting, fishing, farming, on which depended the food security of the individual, their communities and society as a whole (and indirectly the political stability of the state), are directly connected to and dependent on climate and weather conditions.

³ During the Middle Ages, natural objects came under legal protection only if they were in the Grand Ducal, monastic or communal property. Thus, “Ruska Pravda” (spatial version) provided punishment in the form of a fine for such offenses as “theft” of a beaver (Article 69), damage to the duke’s beekeeping tree with bees (Article 76), unintentional felling of a master tree (Article 75), deliberate felling of oak (i.e., the current beekeeping tree) (Article 73), etc. [41]. Chapter IX “On fishing, on forests, on the beekeeping tree” of the Statute of the Grand Duchy of Lithuania (1529) provided for liability for crimes aimed at violating the right of ownership of certain natural objects [47]. Thus, the “environmental legislation” of the Middle Ages developed within the framework of private ownership of natural objects, affecting mainly the areas of hunting, beekeeping, fishing and forest usage. Since the XVI century, legal protection of natural objects begins to be carried out at the local level by issuing royal charters to cities [8].

Within the utilitarian approach to nature, i.e. as to a mean of certain goals achieving, it was more profitable for politicians and industrialists to focus public attention on military danger (real or imagined) than to agree on recognizing the existence (and therefore adequate funding) of environmental security policy, as well as to recognize the need to “ecologyization” of industrial policy¹.

For a long time, “security” remained to be a rather amorphous concept, which was interpreted differently depending on the historical epoch, national cultures, spheres of human activity, academic disciplines in which it was studied [45, p. 4].

Analysis of approaches to the interpretation of the “security” concept, set out in encyclopedic and interpretation dictionaries in the late XIX – early XX century, shows that security as a social and legal phenomenon in this period was not formed. Etymologically, in Ukrainian the term “security” originates from the term “danger” and was derived from it. When disclosing the meaning of the concept of “security”, it was mostly about protected relations, types of dangers and state measures aimed at neutralizing them. At the turn of the XIX and XX centuries, first, there was a realization that “security”, if viewed in isolation from the individual or social system of values, has no independent political significance, and secondly, approaches to identifying such phenomena as “security” and the first steps were taken to distinguish its subtypes, in particular: state, personal and property one [6, p. 304–305].

The formulation of a universal definition of “security” is complicated by the fact that different authors and at different times tried to give a narrow or broad (the more dimensions the security include – the broader the definition is), “hard” or “soft” definition², considered this phenomenon as a global or restricted it by national framework, from the internal or external, traditional or non-traditional treats’ points of view, they tried to give an answer the questions: Whose security is in question (definition of a referent object, which is the core of the mechanism of international security)? What is considered a security problem? How to ensure security?

There is no consensus in international law on the definition of a referent object. We share the definition by B. Buzan, according to which the referent object of international security – are phenomena that are considered to be existentially threatened with extinction and which therefore need proper protection on the basis of international law [9].

In the conditions of bipolar confrontation and until the end of the Cold War, the state³ was considered the main referent object of protection, as international stability

¹ For the first time the term «ecology» was used in work «Man and Nature» by the American ambassador to Italy G. P. Marsh. On the empirical data basis, he proved the negative impact of human activities on forests and waterways in ancient Rome. Although his work was purely scientific, not political-economic in nature, it is believed that it sowed the seeds of political ecology and ecological security [31].

² The «hard» definition is associated with a more traditional, narrow approach, which emphasizes the force, in particular military confrontation [51, p. 38–39]. In turn, a «soft» approach to determining the content of security emerged in the late XX century and provides for the integration of national security with human security [33, p. 63].

³ Beginning in 1947, when the United States passed the National Security Act, security issues began to be determined by the concept of national interests.

depended on the state of its security [11, p. 1]. However, in our opinion, the state (as well as society and individual) is a subject of security, not its object. It is still the sovereignty, territorial integrity and independence of the state that should be considered as a referent object, as the obligation to protect them is perceived as a *ius cogens* rule and, therefore, is recognized as a value by the international community in general [17].

For a long time, human security, or rather ensuring its rights and freedoms and sustainable development, was in fact derived from the security of the state and was considered exclusively from the standpoint of interstate military confrontation [29; 2, p. 68]. The need to ensure the protection of human rights ensuring (both the individual and their communities, including humanity as a whole [3, p. 47]) from other threats, including enlarging of poverty, migration, environmental problems, was ignored in fact, and if certain measures were taken by the state, such as the introduction by Western countries in the XX century of social protection policy within the concept of the welfare state, it was interpreted not as a fact of recognition along with military security of other subtypes of security, but only as tactical measures in the strategy to curb the communism spread in the world [49, p. 3].

The shift of emphasis from the state to the human rights protection as an object of security at the international level was gradual, not always consistent, and before the collapse of the USSR and the Warsaw Pact was often used as a tool in ideological confrontation. However, since the 1990s, the number of studies in security research that substantiates the idea of considering human and society as no less important referent objects, for which no less, if not more important are the dangers of environmental, economic, and social nature, is enlarging.

It should be noted that there was, and in general it still is, the problem of comparing different types of threats to national security, and thus measuring the amount of their funding by governments and the use of available resources. It is no coincidence that in the conditions of fierce military-political confrontation until the second half of the XX century even the world's leading powers did not have detailed concepts of security (the concept of "national security" was firstly used by T. Roosevelt in 1904, it was enshrined in the United States only in 1947 in the law "On National Security"), which would take into account the dangers of non-military character. This situation has allowed governments and the military-industrial complex of the world's leading nations to focus their efforts and resources on countering military threats and ignoring other, perhaps even more harmful security challenges.

Although environmental security was perceived as a futuristic concern, its identification as a relatively independent subspecies of security began in the 1960s and 1980s against the background of the transition from the previous paradigm of environmental policy, which was anthropocentric because it sought to preserve nature mainly for aesthetic or economic reasons (for example, to protect birds that have been useful for pest control in agriculture), to a new ecocentric (Eurocentric in

its origin) paradigm [25; 21], the core of which was the idea of ensuring human and their communities environmental rights [27]. This paradigm shift was determined by the fact that climate change is an important factor threatening human security through (1) undermining livelihoods; (2) compromising culture and identity; (3) increasing migration that people would rather have avoided; (4) challenging the ability of states to provide the conditions necessary for human security [15, p. 758].

The separation of non-military subtypes of security in the composition of national security, primarily environmental security, required a revision of previously formed styles and ways of thinking, which in turn required a critical understanding of security issues from the standpoint of universal experience of society's interaction with nature: the question whether ecological problems could be defined by the politically significant label "security" required a positive solution. It should be noted that it is specialists in the field of international relations who have made significant efforts to "securitize" the environmental policy, providing such life-threatening problems as ozone depletion, melting glaciers, etc., the same level of priority which is traditionally recognized for military security [25].

Rapid and uneven growth of the world's population¹ against the background of unequal access to natural resources, their rapid decline and deterioration, as well as degradation of basic ecosystems (this causes the problem of extremely complex and financially burdensome for the budget measures to preserve and restore), exacerbating food problems security² turned in the late XX – early XXI century to (directly related to the environment) the main drivers of increasing risks to not only national, but also regional and international security. Establishing the impact of the deficit of renewable resources (arable land, water, forests, fish, etc.); impoverishment of the population of certain regions as a result of environmental degradation, which provoke both intra-state and inter-state migration of the population³; settlements pollution, violence outbreaks, widening economic gaps between states and financial instability have prompted international law scholars to recognize the fact that environmental security is becoming an important stage of the evolution of both

¹ If in 2000 the population of the Earth was 6.1 billion people, in 2015 – 7.2 billion. Climate change will have significant impacts on forms of migration that compromise human security.

² It is well established that such factors as poverty, water availability, food policy agreements and regulations, and the demand for productive land for alternative uses sensitive to climate variability and climate change [4]. The 2010–2011 food price spike resulted in more than 44 million people below the basic needs poverty line across 28 countries. Thus, food security affects the basic-needs elements of human security [26].

³ Changes in climatic conditions, both natural and as a result of human activities, are the factors that further motivate the population to significant temporary displacement (the phenomenon of "climate refugee" ("environmental displacees", "environmentally-induced displaced persons", "environmentally-displaced populations", and "ecorefugees") originated about 30 years ago [36], "climate refugee" means people who have temporarily or permanently left their traditional habitat due to a marked environmental disruption (natural and/or triggered by people) that jeopardized their existence or seriously affected the quality of their life [50; 13]), which carries additional challenges and risks for national security and human security. The United Nations forecast that as early as in the first half of the 21st century there will be millions of environmental migrants in the world.

national and international political, legal and economic systems¹. That in its turn gave additional relevance and practical significance to the implementation of theoretical developments, which ultimately led, firstly, to realizing that ensuring a safe environment is in fact one of the greatest transnational problems of mankind, an important dimension of international and national security, human rights, secondly, the need to substantiate the category of “environmental security” and its discussion in the context of developing the concept of international security policy [59, p. 1350–1351; 1].

That attention which is paid in international law to the regulation of environmental safety issues is caused by the fact that the direct borrowing of the environmental risk assessment and management frameworks, as well as approaches to legal regulation of ecological security, developed even by the most advanced states (e.g., USA, Japan, EU Member States and the European Union as a whole) may not cope with (not causing a positive effect) in countries whose socio-economic and political-legal features do not allow them to be effectively perceived, adapted and implemented. This encourages the development of universal international legal approaches to solving ecological problems.

From the middle of the XX century humanity has become aware of the possibility and potential danger of regional² and, in the future, of global³ environmental disasters of natural and human-made nature, which has put on the agenda of international and national legal regulation the task of finding a reasonable balance between human and nature. Revolutionary changes in approaches to security thinking occurred after the end of the Cold War due to the destruction of the bipolar model of the world order, based on the concept of nuclear deterrence and mutual guaranteed destruction [53]. Mankind has begun to realize that the state of environmental security, in contrast to military one, is achieved not by asserting its military dominance in confrontation with other states or their blocs, but as a result of cooperation between them for common survival (cooperation does not require agreement on ideological issues, but only compliance with instrumental obligations for specific projects, accordingly, it provides for the establishment of at least working contacts, and ideally – cooperation of various formats on a regular basis, even with their opponents to prevent conflicts

¹ After the end of the Cold War, there is a process of worldview changing, which may be manifested in the integration of ecological and trade considerations in the framework of the World Trade Organization functioning, the introduction of Design for Environment methodologies within firms, consideration of «industrial ecology» as an important factor of sustainable development in the XXI century.

² For example, the Canadian Environmental Catastrophe (1970), the loss of the Aral Sea, the Bhopal Catastrophe (1984), the Chernobyl accident (1986), the accident at the AZF chemical plant in Toulouse (2001), the Prestige oil tanker crash near the Spanish coast (2002), the accident at the Fukushima-1 nuclear power plant (2011), the explosion of ammonium nitrate in Beirut (2020).

³ For example, the increase in the concentration of greenhouse gases in the air, which later led to global warming, which in turn provoked the melting of glaciers and rising ocean levels, as well as the melting of permafrost in Russia, which will not only intensify global warming, but can also provoke outbreaks of unknown diseases; pollution of the world's oceans by plastic.

and/or to resolve them¹) on the basis of international law [10, p. 35–36; 37, p. ix]. This encouraged reviewing of the established vision of the content and structure of international security, the scope of which now covered intra-state and ethnic-religious conflicts, terrorism, cross-border crime, migration, human rights, poverty, hunger, inequality, diseases and other health threats, economic security, energy, ecological problems, etc. At the same time, the new concept of the international security system was required to be open, functional and ready to respond to new challenges, risks and security threats.

The paradigm shift in international security was embodied in the reconceptualization of security, which provided for the expansion and deepening (sectorization) of security. Accordingly, there is a desire of states to cooperate, the establishment of international legal order in a particular area for the implementation of projects in which most or all are interested [10, p. 35]. Identification of security subtypes (military, economic, environmental, food, energy one etc.) by industry feature, depending on the presence of threats to a particular group of values does not lead to loss by system (international or national security) of its integrity², but only groups similar variables within the system, which contributes to their study and interpretation. At the same time, the attempt to build a certain hierarchy of security subtypes within international or national security is not rational enough, taking into account their interdependence (thus, quite often in the background of political, ethnic, religious and military conflicts, migration crises are economic and/or environmental factors³; in their turn high economic and social vulnerability of individual countries or regions may be caused by insufficient environmental and food security) [19, p. 36–37], as well as such factors (interest, information, knowledge, worldview approach, etc.), which certain authors are guided by in constructing such a hierarchy.

Manifestation of deepening security was the movement, on the one hand, from national to international security, and on the other – from national and international security to human security, which provides four main pillars: freedom from fear;

¹ Thus, despite the confrontation between the Warsaw Pact Organization and NATO, in 1962 the United States and the Soviet Union were able to resolve the Caribbean crisis, in 1968 a multilateral treaty on nuclear weapon non-proliferation was signed, in 1972 the United States and the Soviet Union signed an Anti-Ballistic Missile Treaty.

² However, some authors note that the rapid differentiation of both international and national security into numerous subtypes creates a situation where, in the case of uncoordinated development of autonomous security conceptions according to their subtypes, it is difficult for specialists to understand the general state of security (for certain subtypes of security (especially for economic and ecological), it is also not an easy task), but also how they are interconnected, what hierarchy they form and in what sequence they should be implemented if the implementation of one conception is in conflict with the achievement of the goals of another [48, p. 3-4].

³ Thus, as early as 1798, T. Malthus in his work "An Essay on the Principle of Population" warned that the imbalance between the needs of mankind and the availability of food over time will inevitably lead to famine, poverty, disease and war. Careful analysis between environmental problems and the growing conflict between states was confirmed in a number of studies in the late 1980s [32, p. 11-12; 16].

freedom from poverty; freedom to live with dignity (democratic governance and human rights); freedom from the dangers' impact (natural disasters). As a result, security is interpreted as a way of existence of the system, but, in contrast to the danger, it provides its own equilibrium state both within itself in general and in its structural components (subsystems, elements, "units", etc. and their structures) as well as in the interaction of the system itself and its structures, with its environment [58, p. 368].

In establishing international cooperation between governments, national and international organizations, as well as individuals on the protection of environmental human rights¹, nature and natural resources protection, environmental monitoring, examination of environmental legislation, development of environmental programs, etc. in the second half of the XX century specialized agencies and bodies of the United Nations², intergovernmental³ and non-governmental⁴ international organizations, European regional intergovernmental and non-governmental organizations⁵ played an important role. Through their activities modern progressive approaches to the vision of environmental security in the framework of international law⁶ have been established.

¹ At the turn of the XX–XXI centuries it became obvious that: «Public participation in environmental decision-making relates to the notion of participatory democracy and environmental justice and often comes to the fore in academic analyzes of environmental rights» [38, p. 171].

² For example, Food and Agriculture Organization (1945), UNESCO (1945), International Union for Conservation of Nature and Natural Resources (1948), World Health Organization (1948), World Meteorological Organization, (1950), International Atomic Energy Agency (1957), United Nations Environment Program (1972). The activity by the UN and its bodies in ensuring environmental security and environmental human rights is extremely important, as indicated by the documents which they have developed, for example: The United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-Making Access to Justice in Environmental Matters (1998).

³ For example, Global Environment Monitoring System (1974), Arctic Monitoring and Assessment Programme (1991), Conservation of Arctic Flora and Fauna (1992), Arctic Council (1996) etc.

⁴ For example, World Wide Fund for Nature (1961), Greenpeace (1971), World Conservation Monitoring Centre (1981), Global Resource Information Database UNEP (1985) etc.

⁵ For example, European Council on Environment Low (1974), European Environment Bureau (1974), European Environment Foundation (1977), European Environment Research Organization (1990 p.), European Environment Information and Observation Network (1990), European Federation for Nature and Animals (1990) та ін. For more information on European Council activity aimed at protecting human environmental rights see [18].

⁶ During the Cold War, the focus and content of international environmental law was primarily determined by the nuclear confrontation between the United States and the Soviet Union, and thus to prevent the consequences of the use of nuclear and other weapons of mass destruction. Such a conclusion follows from a far from complete list of international agreements (Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water (1963), Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil thereof (1971), Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (1972), Declaration of the United Nations Conference on the Human Environment (1972), Convention on the Prohibition of the Military or Any Other Hostile Use of Environmental Modification Techniques (1976), United Nations Convention on the Law of the Sea (1982) etc.

However, these organizations, unfortunately, did not pay enough attention to conducting comprehensive researches in the field of environmental security, which would systematically contain the official position by these institutions in this regard [45, p. 7]. The exception is the European Union, in which there is a process of convergence of national security systems and the formation of European security policy based on allocation of established and developed system of common values, in particular ecological, the existence of a supranational legal system and the gradual formation of general-European identity [24; 20; 10, p. 36]. The EU pays significant attention to the formation of a conceptual vision of environmental human rights (human rights to life, health, shelter, and food are fundamentally breached by the impacts of climate change) [12], defining their role and importance for the formation and development of ecological law¹. However, today we believe it is appropriate to talk about the formation not so much of a common general-European security policy as an “umbrella” concept, but about the process of forming sectoral security subsystems, in particular the Common Security and Defense Policy (CSDP), policy in the sphere of ecological security and others.

“Ecological safety” is a term that, after extensive discussions on the whole range of issues related to security (mostly they are connected with such legal issues: Safety for whom? Regulation by what rules of law?; while no less important question: What kind of security? What is the meaning of security? Is it possible to define a common set of properties for all types of security?²? Could the concept of “security” be used as an analytical tool of international security theory? - much less attention has been paid) which has been lasted for more than two last decades and hasn't got any certain and unambiguous answers [35, p. 1]. First of all, the question remains whether environmental security is an independent subtype of international security, or whether it should be considered as a component of human security (in the latter case, it is necessary to establish its connections with political and social security) [55; 59, p. 1351].

Against the background of the destruction of the USSR and the Warsaw Pact Organization, which marked the end of the bloc confrontation, the focus of international law in the field of environmental security is moving away from the military aspect, increasingly focusing on environmental activities (for example, The Vienna Convention for the Protection of the Ozone Layer (1985), Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency (1986); acts by UN General Assembly: «World Charter for Nature» (1982), Report of the World Commission on Environment and Development : «Our common future» (1987), «Environmental Perspective to the Year 2000 and Beyond» (1987); «Agenda for the XXI Century» Outcome document of the UN Conference on development and environment (Rio de Janeiro,1992), «Future We Want» Outcome document of the UN Conference on Sustainable Development (Rio de Janeiro, 2012), Transforming our world: the 2030 Agenda for Sustainable Development etc.), aimed at facilitating agreements between the USSR and the United States, as well as at the level of relevant international organizations on the elimination and complete destruction of such weapon types.

¹ Fundamental EU environmental rights include those in the EU Charter of Fundamental Rights and also those found in, or derived from, the ECHR. EU environmental rights divided into legislative and fundamental, and both of these may be substantive or procedural in nature [24; 39; 22; 23].

² Each subtype of security (military, political, economical, ecological, informational one, etc.) could have its own specifics.

Environmental security has diverse meanings; variably invoked to refer to how national or human security¹ can be threatened by environmental change or how the environment itself can be rendered insecure. State-centric understanding of the term views it as an: «intersection of environmental and national security considerations at a national policy level» [25; 1, p. 5]. When discussing ecological security in the context of human security, the emphasis is on dangerous living conditions in which “people do not have enough options to avoid or adapt to environmental change such that their needs, rights and values are likely to be undermined” [25; 32, p. 18].

There is a widespread approach according to which ecological security could be considered in the objective and subjective sense: in the objective sense it is interpreted as the absence of threats to protected values, and in the subjective sense – as the absence of fear that such values would be attacked, i.e. security in the double sense means the absence of objective dangers (threats, challenges, vulnerabilities and risks), as well as subjective fears) [7]. Other authors consider ecological security as the ability of the state and society to withstand environmental risks, adverse changes, and environmental conflicts (Chalecki E. L.); or as policies and measures to ensure safety from environmental hazards arising naturally or as a result of human activity (through error, negligence, accident or deliberate action) either inside or outside the country (Cheremisinoff N.P.); or as a state of the target group (individual, group of persons or society), which is systematically protected from environmental risks caused by inappropriate ecological process that accidentally aroused, due to ignorance or negligence [5, p. 4–5].

The analysis of the definitions of ecological security given in the literature allows to allocate its traditional elements [5, p. 4]: social value of the environment itself; the need to prevent damage to the environment caused by human; the need to compensate for damage to the environment of human life.

Conclusions. Although military security in the modern world still remains to be the dominant subtype in both national and international security framework, other subtypes (sectors), in particular ecological, will in future compete with it in terms of significance for human survival. Global warming, droughts and sea levels rising are likely to have catastrophic consequences for citizens’ lives and states’ functioning, forcing researchers to reconsider security priorities.

Environmental rights were relatively invisible not only during the XX, but also at the beginning of the XXI century. The situation began to change after the Aarhus package reforms had bedded. This is especially related to the European Union. Once constitutionalized, environmental rights are positively correlated with environmental and human rights outcomes. Of the EU Charter of Fundamental Rights, the environmental Article, 37, states: “A high level of environmental protection and the improvement of the quality of the environment must be integrated into the

¹ There are many definitions of human security, which vary according to discipline. In the context of that paper we define human security as a condition that exists when the vital core of human lives is protected, and when people have the freedom and capacity to live with dignity [15, p. 759].

policies of the Union and ensured in accordance with the principle of sustainable development” [14]. The EU is making significant efforts to ecological human rights issues legal regulation and to protect the environment at the level of directives. An important role in this activity is assigned to the Court of Justice.

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Поліч В. П., аспірантка кафедри права Європейського Союзу, Національний юридический університет імені Ярослава Мудрого, Україна, г. Харків.
e-mail: polich@gmail.com ; ORCID 0000-0003-4443-4890

Экологическая безопасность в системе международной безопасности: проблемы определения

Опыт XX – начала XXI века демонстрирует решающее значение безопасности для существования человечества. Исследования безопасности представляют собой все еще недостаточно развитое научное направление, хотя их результаты де-факто уже отличаются от того, что было исследовано другими науками. Новации научного знания, учитывая обнаруженные новые проблемы, риски и угрозы безопасности, подтверждают этот факт.

После завершения «холодной войны» произошло становление нового международного правопорядка, в результате чего исследования в сфере безопасности обусловили ее переосмысление как

социального явления с более широких методологических позиций, не сводя безопасность только к нейтрализации военных угроз. Идентификация подвидов безопасности по отраслевому признаку в зависимости от наличия угроз определенной группе ценностей (политическая, военная, экономическая, экологическая, продовольственная, энергетическая и др.) не ведет к потере международной системой своей целостности, а только группирует схожие переменные внутри системы, что способствует их исследованию и интерпретации. Попытки выстроить определенную иерархию подвидов безопасности внутри международной безопасности недостаточно рациональны, учитывая их взаимообусловленность, а также то (интерес, знания, мировоззренческий подход и т.д.), чем руководствуются те или иные авторы при построении такой иерархии.

В результате многообразия подходов к интерпретации понятия «экологическая безопасность» исследования, проводимые в XXI в., теряют элементы простоты, присущие разработкам XX в. Использование междисциплинарного подхода затрудняет координацию исследований экологической безопасности, но вместе с тем отвечает современным потребностям.

В статье доказано неадекватность традиционного понимания безопасности и показано, что глобальные изменения окружающей среды порождают новые конфликты, угрозы и вызовы, а следовательно демонстрируют насущную необходимость в поиске новых форм сотрудничества государств на основе норм международного права ради выживания человечества и обеспечения устойчивого развития.

Статья не претендует на раскрытие полной картины исследуемого явления. Поэтому очевидно, что все формальные и концептуальные недостатки, которые она может содержать, и приветствуются любые комментарии, замечания относительно изложенных в ней положений.

Ключевые слова: опасность; безопасность; экологическая безопасность; вызов безопасности; экологический конфликт; экологические права; международное экологическое право.

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