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HUMAN SECURITY AS AN ELEMENT OF THE CONCEPT OF SUSTAINABLE DEVELOPMENT IN INTERNATIONAL LAW

ABSTRACT

The most popular definition of sustainable development is contained in the Report of the Brundtland Commission of 1987, according to which *sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs*. Although this definition is widely accepted, it still requires further discussion, which is the subject of the present study. This is partly due to the fact that understanding of the term *sustainable development* is not uniform in the literature, which some even consider a premise to reject the term. The concept of sustainable development goes back to the 1970. However, its beginnings

may be seen even in earlier publications from 1950 and 1960. Some even think that this concept accompanies mankind from times immemorial – such a statement may be found in the reasons for the judgment in the case Gabčíkovo-Nagymaros Project (Hungary/Slovakia) of 1997. In the separate vote it was stated that *sustainable development not only is a principle of modern international law; it is one of the oldest concepts in the history of mankind*. The face of the principle of sustainable development is different, depending on the place, in which it is carried out. Its constituents, that is social and economic development with concurrent preserving of the environment, are differently treated in developed countries and in developing ones. This variety of approaches affects the range of the understanding of the principle. It seems that this aspect of the principle should prevail that decides about the environmental protection – as the principle of sustainable development allows ensuring intergenerational equity in access to natural environment resources. An important role in developing the concept of sustainable development and in implementing sustainability in various aspects of people's lives is played by the 17 Sustainable Development Goals, which were defined in 2015. The aim of the article is, among other things, to verify whether the concept of sustainable development developed in the second half of the 1980s is still valid and whether it takes into account all dimensions and needs of the digital society. Moreover, the aim of the article is to show that the concept of sustainable development is a research problem that can be analyzed on a multidisciplinary basis, especially in the field of law and sociological sciences, because sustainable development concerns many aspects of social life in a collectivist culture. The authors draw attention to the importance of the idea of the so-called social sozo-ecology, developed by Z. Wierzbicki in the 1980s, focused on the connections between them and a specific entity. These connections concern the common influence between them and nature, the influence of financial ideologies, legal norms, environmental protection and social activity, as well as the preservation of the value of space. The nature of the study dictated the method. It is an analytical and synthetic method.

KEYWORDS: *human security, environmental security, sustainable development, international law, sustainability, environmental policy, Sustainable Development Goals*

INTRODUCTION

The authors will attempt to explain the concept of sustainable development with respect to problems of international law, taking into account aspects of human security as part of the environmental policy. Before doing so, however, the authors will briefly present a common definition of sustainable development. The authors will then move on to consider the ways in which the concept of sustainable development can be understood and the different approaches to defining it. These issues will represent the basic subject of our deliberations. This begs the question: is sustainable development a concept that is relevant to science, especially the science of law and sociology? A further question arises: is the concept of sustainable development a condition for its further development? Furthermore, a question should be raised concerning the issue of human security, as it is a rather important element of ecological policy. Taking this into account, in attempting to answer the questions posed, it seems reasonable that a detailed analysis of the concept of sustainable development in international law should be performed, and above all that it should be appropriately understood (Sands, 1994, p. 256).

It is worth referring here to the idea presented by Ł. Marczak. The mutual conditioning and complementation of the social and cultural system significantly affects other systems: economic and environmental, providing them with patterns that determine the conditions for comprehensive human development in all its dimensions. The complexity of the ecological issue requires an interdisciplinary approach. In the ecological issue, there is also a need to formulate practical guidelines allowing man to maintain his due status in relation to non-personal beings. The idea of including ecology in socio-economic life must lead to an integral, human-friendly ecology. Thanks to the rationality of action, man, as the only creature, can take responsible action, plan it and implement it so as to create just conditions for development. Evidence of the implementation of the principle of sustainable development are innovative ideas used in socio-economic life, which enable people to develop more fully, while taking actions that take into account the dynamics of ecosystems (Marczak, 2021, p. 245) and their protection.

SCOPE OF THE PRINCIPLE OF SUSTAINABLE DEVELOPMENT

The concept of sustainable development has had an enormous impact on the development of law. It may even be considered as a guiding principle in international law. However, as it is a new field of science, it still requires theoretical elaboration by lawyers and specialists from various scientific fields (Równy, 2000, p. 71). Therefore, when considering the issue of the concept of sustainability, it would be worthwhile to present the Brundtland Report of 1987 (WCED. *Our common future*, 1987), which contains an explanation that: *sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs* (WCED. *Our common future*, 1987). It should also be made clear that a special United Nations Commission on Environment and Development was established in December 1983 under the chairmanship of the Norwegian Prime Minister Gro Harlem Brundtland.

In the past, economic and financial crises determined changes in economic and social systems and inspired and activated the search for solutions to emerging crises. In recent years, more and more attention in debates and public discussions has been paid not only to the economic (Golczak, Golinowski, Kamycki, Lewandowski, Pająk, Płaczek, Prokopowicz, Wesołowski, 2021, pp. 93-94), financial, social, political, migration, food crises that appear from time to time, but also to the climate and environmental crises. Ongoing research shows that many of these crises are interconnected by various factors and determinants. Also, the global financial crisis of 2007-2008 (Prokopowicz, 2019, pp. 14-15) caused a significant increase in interest in key issues concerning global economic, social, political, migration, environmental, climate problems, i.e. related to the ongoing climate change, the progressive process of global warming (Gołębiowska, Prokopowicz, 2021, pp. 183-184).

The result of the increased interest in the problems of the increasingly frequent occurrence of the aforementioned various crises was the development of an international sustainable development strategy, coordinated mainly by the United Nations. The developed sustainable development strategy for the world is intended to counteract and prevent economic, financial, social,

political, migration, food and other crises, including climate and environmental crises, which are appearing with increasing frequency and scale. In this regard, in 2012, during the conference in Rio de Janeiro (Rio+20), the document *The future we want* was presented, which contained the strategic framework of the key Sustainable Development Goals planned at the time. During the aforementioned conference, the key strategic assumptions of the goals were defined, the implementation of which was to lead to a pro-social, pro-democratic, pro-environmental and reducing economic disparities occurring between rich and poor countries of the world transformation of social and economic processes in order to, among other things, democratize political systems and public institutions, respect human rights, eradicate poverty, improve the health care system, education and the rule of law in low-income countries, and strengthen systems of nature and climate protection. One of the important undertakings accomplished during the Rio de Janeiro Conference (Rio+20) was the establishment of an open group tasked with developing and refining future goals for sustainable, long-term development for the 68th UN General Assembly scheduled for 2013.

It is worth referring here to the 27 principles formulated in the Rio Declaration on Environment and Development, according to which the aim is to establish a new and just global partnership by creating new forms of cooperation between states, basic social groups and nations, working to achieve international agreements, beneficial to all and protecting the integrity of the world system of environment and development, recognizing the indivisible and interconnected essence of the Earth (...) and people (according to principle number 1) have the right to a healthy and creative life in harmony with nature. Therefore, we have three pillars of security here – human rights, economic rights and environmental rights.

In parallel with the development of the Sustainable Development Goals at the Rio de Janeiro Conference (Rio+20), the UN Global Compact, which functions within the UN structure, began to develop new programs for the commercially operating business sector, which were submitted to the UN Secretary-General and which were then presented at the UN General Assembly in August 2013 (Gołębiowska, Jakubczak, Prokopowicz, Jakubczak, 2021, pp. 261-262).

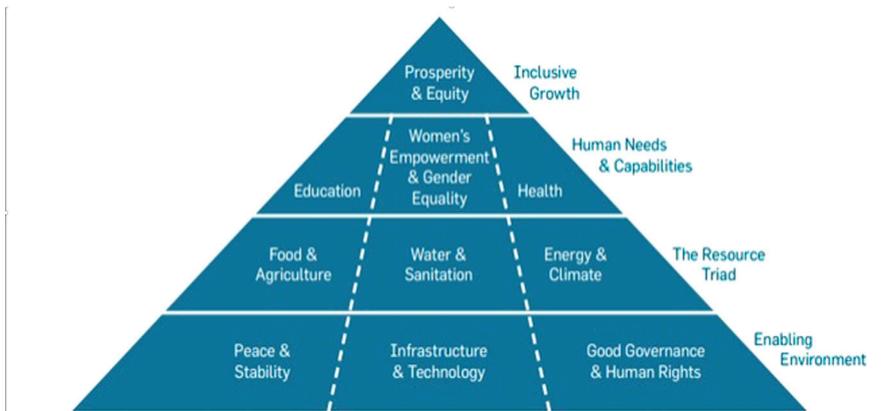
The new recommendations for private sector actors defined at the time were based on surveys that the UN Global Compact conducted with its local, national partners. The surveys provided essential information that

proved to be of great help in developing and refining the new sustainability plan (Pinter, Hardi, Martinuzzi, Hall, Stamp, 2011, p. 26). The resulting new sustainability plan should be implemented more smoothly, as with the involvement of sustainable business entities. The following graphic shows the key recommendations for sustainable operating private sector business entities with the applied division into four main blocks: Development, Human Needs and Capabilities, Raw Material Triad, and Environment for Human Development (*Sustainable Development Goals*, 2020). The definition of the key recommendations was based on ten points showing how sustainable business, including sustainable business entities, can and should influence the implementation of new solutions in priority economic, social, normative, environmental and other areas (Prokopowicz, Gołębiowska, 2021, pp. 326-327). An important factor in the smooth implementation of the Sustainable Development Goals (SDGs) is the development of international cooperation in this regard. A key role in this regard is therefore played by the United Nations. The aforementioned recommendations, defined at that time, emphasize the particularly important role of commercially operating and increasingly sustainable economic actors, through which the process of implementing the Sustainable Development Goals (SDGs) should be carried out more efficiently in the framework of mutual international cooperation and cooperation between different types of organizations, public institutions and economic actors (Gołębiowska, 2015, pp. 17-18).

For the definition of the main goals of global sustainability, the goals of sustainable development implemented on a global scale, September 2015 turned out to be a special date. Well, from September 25-27, 2015, the 2030 Agenda for Sustainable Development summit was held at the United Nations headquarters in New York. This was a special conference for the development and implementation of global sustainability and the setting of directions for the pursuit of sustainable development of the world. Representatives of the governments of more than 100 countries and also representatives of religious groups, large corporations, commercially operating business entities, non-governmental organizations and other civil society types participated in the said 2030 Agenda for Sustainable Development summit. During the aforementioned summit, a document called *Transforming Our World: Agenda*

for Sustainable Development – 2030 was adopted. This very document, signed by representatives of more than 100 countries and many different organizations, contains definitions and characteristics of the 17 UN Sustainable Development Goals (SDGs).

Figure 1. Recommendations for the private sector to support the achievement of SDG goals. (divided into four main blocks: Development, Human needs and abilities, Raw material triad and Environment conducive to human development).



Source: Sustainable Development Goals, (in:) United Nations Global Compact website, United Nations Global Compact. Network Poland, 2015-2020, (<https://ungc.org.pl/sdg/sustainable-development-goals/>), for: Report Global Compact LEAD consultations, access: 15.01.2023.

Thus, the concept of a global system of major sustainable development goals was created, through which the level of global sustainability should grow in the future (Lindsey, 2011, p. 562). The UN SDG Sustainable Development Goals, defined at that time, can and should be fully effectively and efficiently implemented if the process of their implementation is in the nature of mutual international cooperation. Therefore, the implementation of the 17 Sustainable Development Goals defined in September 2025 for the world should take place under conditions of international cooperation, should have a global character and dimension and not only regional and limited only to certain countries. Economically richer countries should support countries with lower levels

of economic development in terms of implementing the 17 UN Sustainable Development Goals (SDGs). In addition to this, the process of implementing the SDGs should be monitored so that the progress of the UN Sustainable Development Goals can be analyzed and verified within certain time ranges, and also to improve the methods and ways of the process of achieving the goals. Considering the objectively conducted monitoring and analysis of the process of achieving the SDG goals, the mentioned issue of achieving these goals should be monitored using a generally accepted set of indicators for evaluating social, economic, health, normative, environmental, educational and other changes, i.e. within the framework of the developed international standard for monitoring and evaluation (Birnie, Boyle, 2002, p. 109). A significant change that also emerged in September 2015 was the use of the aforementioned system for monitoring the progress of the SDGs, which was a significant improvement over the limited evaluation tools of the earlier Millennium Goals (*Sustainable Development Goals*, 2020). The aforementioned system of the 17 UN Sustainable Development Goals (SDGs) defined in September 2015 is shown in the figure below.

Figure 2. *The 17 Global Goals for Sustainable Development.*



Source: The 17 Global Goals for Sustainable Development, (in:) *Global Goals.org* website, 2015-2020, (<https://www.globalgoals.org>; <https://worldslargestlesson.globalgoals.org>), access: 17.01.2023.

The issues of the 17 UN Sustainable Development Goals (SDGs) defined in September 2015 have been substantively defined much more broadly vis-à-vis the issues of pro-environmental reforms, implementation of eco-innovation in specific sectors and industries of the economy. The issues of the 17 UN Sustainable Development Goals (SDGs) go well beyond the sphere of climate and environmental issues. According to the adopted UN goals, sustainable development, in addition to environmental, ecological and climate policies, also includes economic, social, cultural, educational, gender equality, human rights, peace, international cooperation, etc., i.e. basically all key aspects of the development of global civilization and human existence in the modern world. According to the UN Sustainable Development Goals, social responsibility does not only include ecology, environment and climate, and sustainable business, but also concerns such important aspects of people's lives in many countries as the issue of reducing the scale of income stratification, providing people in the poorest countries with low levels of economic development with basic living conditions, i.e. providing food, water, medical care, education system, peace, social justice. It is therefore necessary to develop international cooperation on this issue.

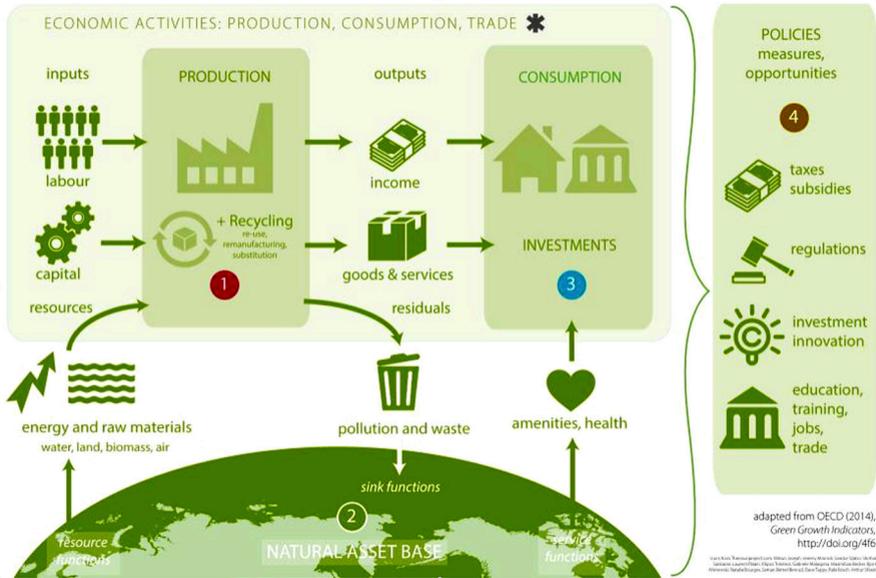
According to the above, the prevailing opinion is that the implementation of the 17 UN Sustainable Development Goals (SDGs) should contribute to solving many problems and crises, to creating a better world by 2030. The basis for this thesis is the assumption that by that time the said goals, in accordance with the adopted declarations, should be fully or largely realized. In the context of the current energy crisis, on the one hand, particularly important are the issues of increasing energy security by increasing the scale of diversification of energy sources and the smooth implementation of the process of green energy transition involving the development of renewable and emission-free energy sources. On the other hand, the process of creating a zero-carbon economy is being implemented in this way, which is expected to reduce the scale of greenhouse gas emissions into the atmosphere, counteract the ongoing process of global warming and reduce the future negative effects of the climate crisis. Therefore, in addition to the green transformation in the energy sector, increasing the scale of zero-carbon economy, protecting the environment, building a sustainable closed-loop economy, the group of key and most important UN Sustainable Development Goals (SDGs) also includes eradicating

poverty, reducing the scale of inequality nationally and internationally, ensuring decent living conditions for people around the world, providing basic goods for all people on the planet, ensuring equality, reducing intolerance, reducing various types of prejudice against people of other nations and social groups, ensuring respect for human rights and peace, national and international reduction of various types of social inequality (Papuziński, ed., 2005, p. 115). Therefore, in order for it to be fully feasible to realize the aforementioned goals by 2030, the governments of all countries, international organizations, public institutions, commercially operating economic entities, civil society, non-governmental organizations, the media and institutions influencing public opinion should be involved in their implementation. The effective implementation of these ambitious goals requires the involvement of innovation, creativity, know-how, new technologies, financial resources and many other pro-social and pro-environmental categories of capital. All national and international institutions and decision-makers should work together with a view to the forward-looking realization of the 17 UN Sustainable Development Goals (SDGs) (*The 17 Global Goals for Sustainable Development*, 2020).

The task of the United Nations Commission for Environment and Development was to review the environmental problems generally regarded as critical and to formulate proposals for their solution. The report of the UN Commission on Environment and Development used the term sustainable development for the first time. It is also worth noting that the term covers such economic and social development which guarantees satisfaction of the needs of the present and future generations. Since then, the term has been repeated without major changes in all international and national documents. The quoted passage clearly proves that the definition of sustainable development requires further analysis. Consequently, the discussion concerning the concept of sustainable development should begin with an explanation that two related concepts are known in international law, but the terms should not be used interchangeably, and namely (Prokopowicz, 2020, pp. 423–424):

- the concept of *sustainability*;
- the concept of *sustainable development*.

Figure 3. Green Growth Indicators Framework.



Source: Green Growth Indicators 2014 (in:) OECD iLibrary website, OECD Green Growth Studies, ISSN: 22229523 online, (<http://www.oecd.org/greengrowth/greengrowth-indicators>; https://www.oecd-ilibrary.org/environment/greengrowth-indicators-2013_9789264202030-en, <https://doi.org/10.1787/22229523>), access: 12.01.2023.

A distinction should be made between the principle of *sustainability* and the principle of *sustainable development*. Although these terms are not synonymous, a certain correlation does exist between them. According to some authors, the term ‘sustainability’ implies respecting the processes in our ecosystem to ensure or at least prolong our survival as a species (Stalloworthy, 2002, p. 1). They also emphasise that this applies to the level of relations with future generations (Stalloworthy, 2002, p. 1). According to other authors, the term ‘sustainability’ includes the end product of sustainable development (Bossel, 2000, pp. 291 – 308; Becker, 2010, pp. 189 – 197). It should be borne in mind that J. Becker argues that *sustainability itself is the end product of sustainable development* and adds that *such sustainability represents the outcome or system conditions rather than the transition represented by sustainable development*. We can therefore say that the term ‘sustainability’ means the goal or end result

of the process of sustainable development. Furthermore, it should also be noted that there are opinions according to which 'sustainability' is first and foremost a result or a state of affairs, in other words, other than the concept of 'sustainable development', indicating its transitional character, the effect of which is to change (Jakubczak, Gołębiowska, Prokopowicz, Jakubczak, 2021, pp. 227–228).

According to the prevailing views, the concept of 'sustainability' is compared to issues such as (Bosselman, 2008, p. 11):

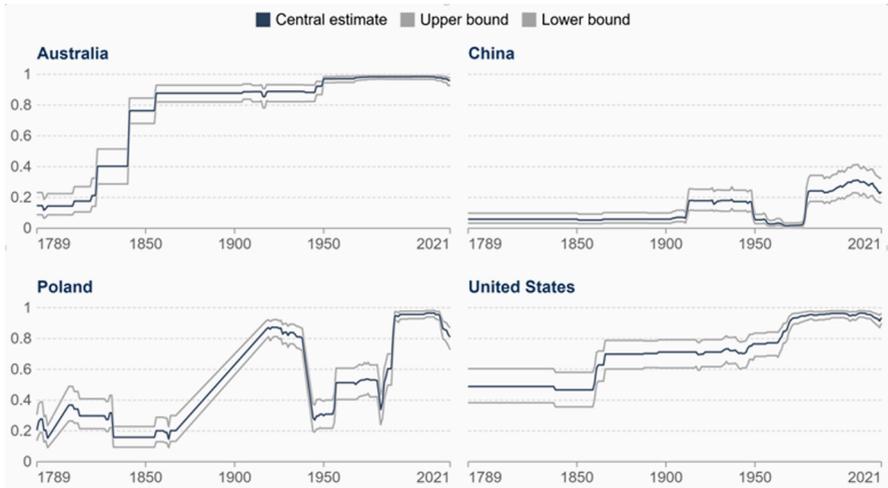
- democracy,
- freedom,
- justice.

And although the concept of 'sustainability' is rather difficult to define, it is certainly widely accepted by countries that declare its more or less 'sustainable' nature (Voight, 2003, p. 29). It seems that this form of principle of 'sustainability' may not be feasible to achieve, but that does not mean that it should not be pursued. Although the concept of 'sustainability' may be difficult to understand due to its complex nature, according to some authors the 'principle of justice' is complex in nature, which does not prevent it from being universal and implemented by almost all societies in the area of conflict-free dispute resolution (Bosselman, 2008, pp. 11-12). It should be noted, however, that the concept of *sustainability* does not have such a broad scope of presence, and it is therefore difficult to assess that a community has a sustainable character, which can undoubtedly be said in relation to the principle of justice (Voight, 2003, p. 30). For this reason, the doctrine points out that a degree of tolerance for damage caused by human activity to the environment, i.e. behaviour contrary to principle, is regarded as more acceptable than unjust behaviour, even on the part of political regimes (Bosselman, 2008, p. 12).

It is worth mentioning that ecological justice in its current, expanded meaning (refers not only to environmental protection and repair of damage caused, but also to the human right to use environmental resources, including for each subsequent generation and regardless of the socio-demographic characteristics of the world population), not only fits into the idea of sustainable development, but is even its component element (com. Karpus 2021, p.142; Marczak, 2021, p. 245).

The level of democracy, respect for civil liberties, respect for human rights has changed over time and continues to vary to a large extent when comparative studies are made on these issues occurring in different countries.

Chart 1. Change in the level of civil liberties in selected countries between 1789 and 2021.

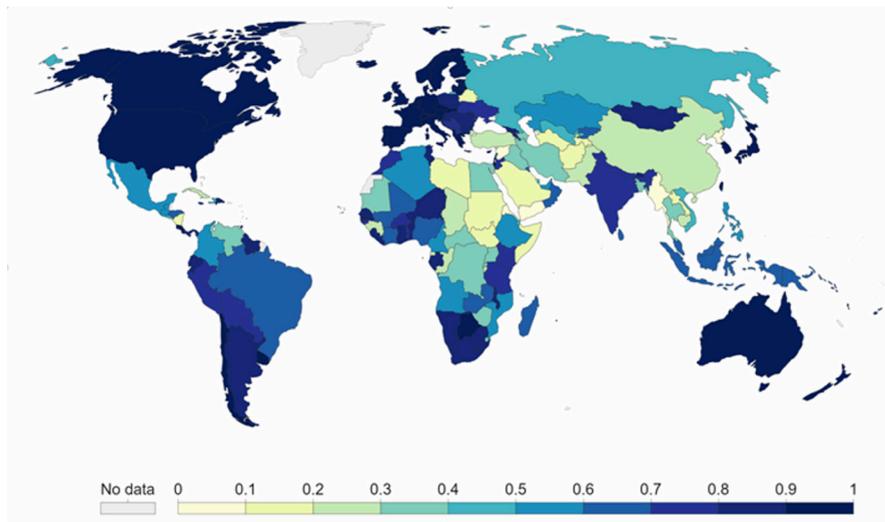


Based on the export assessments and index by V-Dem. It captures the extent to which laws are transparent and predictably enforced, public administration is impartial, and citizens enjoy access to justice, secure property rights, freedom from forced labor, freedom of movement, physical integrity rights, and freedom of religion.

Source: *Civil liberties, 1789 to 2021* (in:) Internet portal *Our World In Data*, Democracy, based on V-Dem. (www.ourworldindata.org/democracy). Access: 19.12.2022.

The map below shows the variation in the level of civil liberties in each country according to data for 2021.

Map 1. *Variation in the level of civil liberties by country as of 2021.*



Based on the expert assessments and index by V-Dem. It captures the extent to which laws are transparent and predictably enforced, public administration is impartial, and citizens enjoy access to justice, secure property rights, freedom from forced labor, freedom of movement, physical integrity rights, and freedom of religion.

Source: *Civil liberties, 2021* (in:) Internet portal *Our World In Data*, Democracy, based on V-Dem. (www.ourworldindata.org/democracy). Access: 19.12.2022.

COMPREHENSION OF THE CONCEPTS OF SUSTAINABILITY AND LASTING SUSTAINABLE DEVELOPMENT – THEORETICAL AND DEFINITIONAL CONTEXT

According to some authors, the concept of ‘sustainability’ and sustainable development emerged as an alternative, which was aimed at helping to reduce both current and potential future inequalities in economic development, environmental degradation and social problems (Lozano 2003, p. 29). For the individual aspects of the concept to interact with each other in space, it is certainly necessary to be aware that every human action or decision exerts an impact on the environment. It can therefore be assumed that the concept can also have a social and economic dimension – both in the present and in the future (Lozano – Ros, 2008, p. 1845).

The Brundtland Report shows that every type of social and economic development is sustainable, but only if it ensures and increases:

- social equality;
- scope of environment protection (Diesendorf, 2000, p. 23).

In this case, growth is understood not merely as economic growth, but also as an improvement of people’s quality of life, i.e. their well-being (*International Court of Justice – ICJ Reports*, 1997, p. 110). According to some authors, the concept of sustainable development is likely to have a chance to be implemented if it is better known and understood among the societies (Lozano – Ros, 2008, p. 1845).

Furthermore, it seems pertinent that attention be drawn to the understanding of the concept of ‘sustainable development’ as set out in the explanatory memorandum to the judgment on Gabčíkovo-Nagymaros Project between Hungary and Slovakia (Hungary/Slovakia) from 1997 (*International Court of Justice – ICJ Reports*, 1997, p. 110). The judgment notes that: *Sustainable development is one of the most ancient ideas in the human heritage. Fortified by the rich insights that can be gained from millennia of human experience, it has an important part to play in the services of international law.* The judgment explains that: *sustainable development is not just a principle of modern international law, it is one of the oldest concepts in the history of mankind.* Furthermore, it has been pointed out that the idea suggesting that the problem of development

should be reconciled with the problem of environmental protection is not really new, since thousands of years ago the problem of the coexistence of these two issues was already noticeable and significant to the extent that it has persisted to the present day (*International Court of Justice – ICJ Reports*, 1997, p. 110). It is worth noting that the judgment explains that: *Millennia ago these concerns were noted and their twin demands well reconciled in a manner so meaningful as to carry a message to our age*. Such a statement implies that the concept of ‘sustainable development’ actually refers to the beginnings of humankind (Kronenberg, ed., 2010, p. 14).

It is worth noting that in the 1997 Gabčíkovo-Nagymaros case, the International Court of Justice did not indicate whether or not the principle of sustainable development has the character of a legally binding norm. However, it did use the word *concept* in relation to the term, which certainly indicates the impossibility of pronouncing on its legally binding character. One of the judges pointed out that speaking about the legally binding character of the principle of sustainable development leads to widespread recognition by international opinion and, in turn, on this basis, the possibility of granting rights and imposing obligations on the states. Taking this into consideration, it can be said that publications that have contributed to the development of this concept are of great importance for the principle of sustainable development (Kappa, 1950; Carson, 1962; Erlich, 1968; Meadows, 1973).

It is also worth clarifying that the definition of *sustainable development* formulated by R. Prescott Allen – the author of the Word Conservation Strategy of 1980 – included a reference to ethics (Information available on the website: <http://data.iucn.org/dbtw-wpd/edocs/WCS-004.pdf>). It makes clear that it is necessary to change the behaviour of all communities towards the biosphere if the aim is to preserve the environment (Prescott, *Word Conservation Strategy of 1980*). *Ultimately the behaviour of entire societies towards the biosphere must be transformed if the achievement of conservation objectives is to be assured. (...) A new ethic, embracing plants and animals as well as people, which will enable human societies to live in harmony with the natural World on which they depend for survival and well – being*. It is therefore worth clarifying that the basic concepts in the 1980 World Conservation Strategy are ‘new ethics’ and ‘transformation’, i.e. we can say that the term transformation. The Brundtland

Commission, on the other hand, in presenting its definition of ‘sustainable development’, stated that changes needed to be made and referred to a new ethic, but made no reference to this term in the Final Report, which certainly contributed to coining a much more moderate concept of *sustainable development*: *Sustainable development is development that meets the need of the present without compromising the ability of future generations to meet their own needs* (Prescott, *Word Conservation Strategy of 1980*). And since this definition omitted the ethical aspect, the principle of sustainable development does not refer to this element in the common understanding. It can be argued that sustainable development offers the possibility of preserving the environment for future generations, with simultaneous economic growth and social development. Since then, the term has been repeated without major changes in international and national documents (Dernbach, 1998, p. 49).

Consideration of the concept of sustainable development gives rise to the question: what is actually the legal force behind the principle of sustainable development in international law? In answering the question posed, it should be explained that: firstly – there is a considerable divergence of views on this issue in literature, and secondly – it should be noted that the document drawn up during the deliberations of the International Law Association, which took place from 2 to 6 April 2002 in New Delhi, is of fundamental importance.

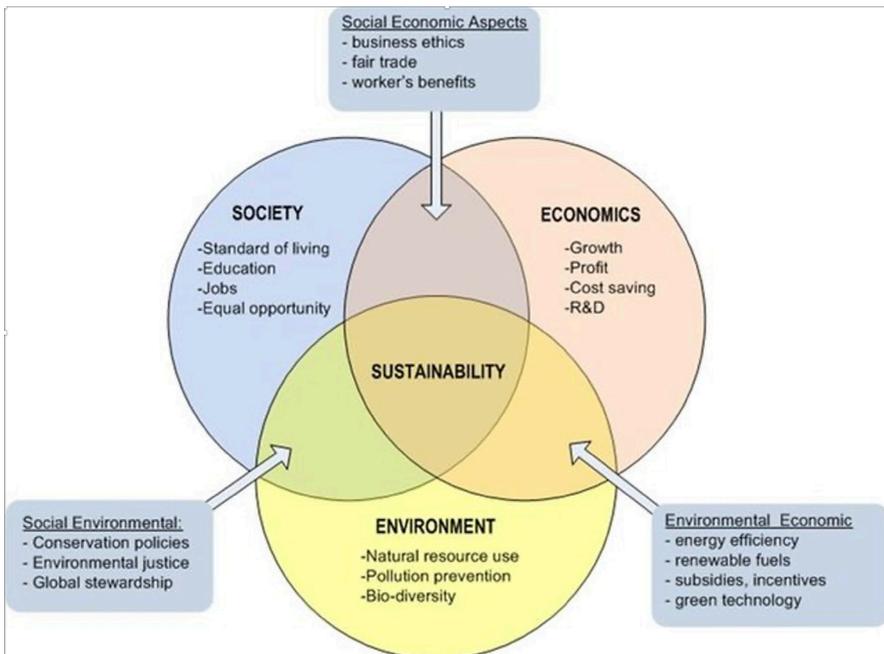
It is significant that during the deliberations of the International Law Association, findings were made and the principle of sustainable development was introduced into the following documents (*Report of the Seventieth Conference the International Law Association held in New Delhi, 2 – 6 April 2002*, pp. 380 – 411; Boyle, 2002, p. 8; Wojtaszek – Mik, Mik, ed., 2000, p. 41):

- Climate Protection Convention;
- Convention on Biological Diversity;
- preamble from 1995;
- *Agreement on the Establishment of the World Trade Organization*;
- Article 2 of the Amsterdam Treaty (com. Treaty of Lisbon).

Furthermore, it is worth explaining that Article 2 of the Treaty of Amsterdam and also Treaty of Lisbon states that the task of the Community shall be to promote throughout its territory a harmonious, balanced and sustainable

development of economic life and a high level of protection of the environment, and the improvement of the quality of the environment. In European Community law, sustainable development is understood more broadly and includes any policy (Daly, 2002, p. 3).

Figure 4. *Interplay of the environmental, economic, and social aspects of sustainable development.* Mark Fedkin. Adopted from the *University of Michigan Sustainability Assessment*, Rodriguez et al., 2002.



Source: Utama I, Utama M. (2019). *The Political Law on Coal Mining in the Fulfilment of People's Welfare in Indonesia*, (in:) *Sriwijaya Law Review*, Vol. 3 Issue 1, January 2019, pp. 11-25, (<http://journal.fh.unsri.ac.id/index.php/sriwijayalawreview>; https://www.researchgate.net/publication/330762891_The_Political_Law_on_Coal_Mining_in_the_Fulfilment_of_People%27s_Welfare_in_Indonesia).

CONCLUSIONS

When reflecting on ways of understanding and defining the principle of sustainable development, the question arises: is sustainable development a scientifically relevant concept and is it a condition for further development? The answer to this question should take into account the opinion of some authors, according to whom the concept of sustainable development emerged in order to better understand and maintain the balance between:

- social elements,
- economic elements,
- environmental elements.

It follows that in the sources of international law, the principle of sustainable development is not to seek a guarantee for continuous development of individual policies, i.e.:

- economic policy;
- environment protection policy;
- social policy.

This shows that the idea is primarily to have them harmonised, i.e. balance them one against each other. As an effect, the essence of the concept of sustainable development is to treat equally the following:

- social issues;
- economic issues;
- ecological issues.

This leads to the conclusion that achieving sustainable development depends on a number of interacting factors, but on condition that the socio-ecological system is considered as a whole. Nevertheless, the problems that stand in the way of achieving sustainable development are sometimes quite impossible to overcome. Furthermore, the factors that affect the possibility of achieving sustainable development form a certain kind of network of interdependencies. Therefore, in order to overcome any obstacle, it is necessary to take into account the fact that it is in a certain

network of connections and interactions. Therefore, within the framework of linkages, the solution of one problem may combine the existence of further problems (Pinter, Hardi, Martinuzzi, Hall, Stamp, 2011, p. 26).

Therefore, this article demonstrates that the issue of sustainability is an important determinant of carrying out a green transformation of the economy and that the multifaceted implementation of sustainability goals is one of the main methods of building a sustainable, green, zero-emission closed loop economy. Within the framework of the considerations undertaken in this article, the links between social, economic and environmental aspects of the process of increasing the scale of sustainability of human civilisation have been pointed out. The theses suggesting the multifaceted nature of sustainability issues, including the importance of aspects of democracy, freedom, justice and the creation of good legal regulations in the process of building a sustainable civilisation, i.e. one that functions in harmony with the surrounding biosphere and the planet's climate, were also confirmed.

Therefore, finally, it is worth pointing out once again the importance of the issue of social justice, because the process of sustainable development will not have a chance to be properly implemented if the diverse needs and opportunities of social groups when using the environment are ignored. Therefore, the socio-economic (wealth/poverty), political (having the means to achieve one's goals) and historical (taking into account different levels of development of groups/society/states) context is important. This thread is present in the principle of sustainable development, which is confirmed, among others, by: the principle of common but differentiated responsibility included in the Rio Declaration (com. Karpus 2021, p.140-143).

In relation to the principles of social coexistence, it is about searching for a harmonious balance, a long-term balance between interdependent social, economic and ecological systems so as to create optimal development conditions for every person in all dimensions of his existence, taking into account future generations (com. Karpus 2021, p.142 ; Marczak, 2021, p. 245).

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