

On the Essence of the Concept of Sustainable Development of Territories: Socio-Economic, Political and Legal Aspect

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ABSTRACT

The study summarizes theoretical approaches to the definition of the essence of sustainable development; an expanded definition of the concept of "sustainable development" is given and it is proved that it is determined by the positive development of a number of factors (economic, social, political) and is aimed at creating decent living conditions for many generations; its main goal is to create resource reserves to maintain a decent existence of the population of these territories, without causing irreparable harm to the environment; the legal consequences of legislative acts adopted in the field of sustainable development of territories are determined, their impact on legal relations arising in the state is assessed, since sustainable development reflects the desire to protect and improve the human environment, and is also designed to unite such diverse and clearly contradictory issues as free trade, economic development of territories and protection of natural resources.

Keywords: sustainable development of territories, economic development, social sphere, ecological balance.

1. INTRODUCTION

The problem of attaining sustainable development of the state and its regions is of special relevance in the context of increasing globalization difficulties, among which it is worth emphasizing global economic instability. Society must constantly assess: to what extent expenditures ensure the achievement of economic results, to what extent they are expedient, how it affects the state of the environment. After all, economic growth is not an end in itself, it serves as the basis for improving the level and quality of life of the population, provided that the environment is preserved.

The authors proceed from the hypothesis of the relationship between the socio-economic, political and legal aspects within the framework of the concept of sustainable development of territories.

The study resulted in recommendations for improving the legal framework within the framework of the concept of sustainable development. The conclusions have been tested in the activities of a number of territorial municipalities. The work used the approaches of the scientific school on the problems of organization and implementation of municipal power, the creator of which is Professor R.B. Bulatov.

2. MATERIALS AND METHODS

The analysis of sources points to the methodological problems of studying the concept of sustainable development of territories, in particular, as an object of economic theory. For example, one of the problems is the definition of the essence of the concepts of "growth" and "development". The study showed that the sustainable development of territories is unthinkable if all the factors of their development are not taken into account and not purposefully influenced. It is necessary to adapt the existing scientific positions of scientists and research methods in order to analyze the state of sustainable development of territories of various sizes.

The existing problems are solved using the concept and methodology of sustainable development of territories considered in the study. The research materials can be used in the development of socio-economic programs for the development of territories (regions, large municipalities) in order to improve the quality of life of the population living there and achieve their successful economic development.

The study used statistical data from the federal and regional levels (Rosstat), conducted focus interviews

with government officials. The advantage of this method is getting the positions of the expert community in the context of a particular region (St. Petersburg), as well as at the federal level.

3. RESULTS AND DISCUSSION

Sustainable development should be aimed at solving the main tasks necessary for the development of human society.

In the context of the formation of a new way of production and global integration, attempts to limit the global concept of sustainable development by its nature to the narrow framework of a region, region and even a single national economy seem unjustified. However, according to many scientists, it is the regions that should become the main research platform for introducing the theory of sustainable development into the practice of life [3].

The lack of traditional methods in the framework of the concept of sustainable development of the territory is revealed. It should be noted that there is a clear lack of specific activities related to the concept under study. Existing projects are often unfinished and of a general theoretical nature.

It is proposed to develop indicators of sustainable development of territories, which must be enshrined in legal acts of the corresponding level (federal, regional, municipal). Such indicators should include appropriate scientific evidence.

Within the framework of the socio-economic aspect, it is necessary to pay attention to both quantitative and qualitative changes. At the same time, qualitative changes should presuppose a complex nature of development. This concerns the sphere of the budget process, the development of economic potential and others.

Speaking about the political and legal component, attention should be paid to both the preparation of the legal framework and the presence of such factors as effective civil control, turnover of power, effective separation of powers. Particular attention should be paid to building a unified system of public authority in the country, which includes state and municipal authorities.

The essence of sustainable development of territories is analyzed in various fields of science, which is reflected in the sources on the research topic [10-12]. The modern concept of sustainable development was formed in the late 1970s, and since then many different definitions have appeared, including economic, social, political and environmental components. All these definitions reflect the same concern for the harmonious integration of the goals of economic development with the protection of natural resources in order to preserve the ability of future generations to achieve or maintain

the well-being already existing in the state. Sustainable development is based on the assumption that underdevelopment and poverty lead to rapid environmental degradation (unplanned urbanization, desertification, irrational industrialization programs that spoil the land, sea and atmosphere), which, in turn, can become a serious obstacle to future development itself. Industrialization and economic growth can also generate consumption patterns that deplete natural resources and change the climate, hampering the basic availability of natural resources and the long-term ability of humankind to sustain itself. Consequently, economic development and growth must be achieved in accordance with the rational use of natural resources. The balance between the two is clearly reflected in the definition of sustainable development, which ultimately served as the inspiration for several legal instruments.

"Sustainable development is a development that meets the needs of the present, but does not jeopardize the ability of future generations to meet their own needs" - this is the most important priority of the right to development or equality between generations. Preserving the ability of future generations to meet their own needs implies the necessary protection of natural resources in order to provide forever "the conditions on Earth that are necessary to improve the quality of life." All environmental legislation is based on this principle. We also call it intergenerational equality, which obliges each generation to maintain the quality of the planet so that future generations will not inherit it in a worse state. Obviously, as a legal institution, sustainable development is a source of commitment for both developed and developing countries. [1]

This definition later became the most cited, but not the only one. The development of approaches to substantiating the concept of sustainable development took place by highlighting its three components: the economy, the social sphere and the environment, the balance of which will ensure, as a result, the satisfaction of the vital needs of people of the current generation without threatening the ability of future generations to satisfy their own needs.

Thus, sustainable development is a social development in which its natural basis is not destroyed, the created living conditions do not lead to human degradation and socially destructive processes do not develop to a scale that threatens the security of society. [2].

Despite the many conceptual approaches in science, until now there has not been a single idea of what should be understood by "sustainable development of the region" (R. Schniper [4] V. Leksin and A. Shvetsov [5]).

Sustainable development has become an inevitable paradigm that, according to conventional wisdom,

should underpin most, if not all, human action. It permeates environmental, social, political, economic and cultural discourses from the local to the "global" public and private sectors.

Sustainable development has also penetrated the legal field widely. This symbolic "concept" is reflected in an increasing number of international legal instruments. Supported by the United Nations, it occupies a central place in a huge number of resolutions, declarations, conventions and international judicial decisions. It is not surprising that international lawyers are interested in sustainable development, but the uncertainty associated with its nature also causes them perplexity.

For some, the answer to the question about the relationship of sustainable development to the law is simple: sustainable development does not belong to the law. This may be an important philosophical or political goal, but not a legal one. The link between sustainable development and law is limited by the fact that it can contribute to the formation of law. As a political goal, it will have an impact on international negotiations, for example, and, as such, can affect the content of the law while remaining separate from it. The question of establishing the legal nature of sustainable development is omitted due to irrelevance. It is argued that a more relevant and fruitful approach is to focus not on the legal nature of sustainable development itself, but on the various principles required to implement it.

One of the variants of this approach is to view sustainable development not as a legal principle, but as a new branch of law in general. The latest trend, which has received significant support, is the analysis of sustainable development as an intermediate rule, according to which the legal significance of this concept is determined by the impact it has on the process of judicial reasoning.

Sustainable development is not a static concept and what needs to be done to achieve it depends on the circumstances and, in particular, on the time, location or subject matter in question. The range of standards and principles that must be followed to achieve sustainable development depends on these changes and needs to be adapted accordingly. Such temporary variability of the content of sustainable development is also an implicit requirement of the principle of equality between generations, which by its nature requires the adoption of a long-term perspective. Consequently, the very definition of sustainable development is inherently variable.

Thus, the standards that need to be met to achieve sustainable development will vary depending on who they apply to, and, for example, a developing nation will not be required to have the same level of commitment as a developed nation. Accordingly, some of the principles

that define the content of sustainable development may only be applicable in certain contexts and to certain subjects. For example, it is inappropriate to expect a developing country to comply with the precautionary principle to the same extent as a developed country, or to commit itself to the transfer of funds and technology.

Thus, depending on the field or type of activity, some standards that are considered necessary for achieving sustainable development will be applied first, while others will have only a minor impact. This variability in the standards that make up sustainable development means that variability is inherent in the concept, because it is inherently evolving.

The vagueness of the concept and the impossibility of its precise definition or a clear definition of its components have led some researchers to the conclusion that sustainable development does not contain anything significant and cannot relate to any branch of law.

Despite this, over the past 30 years, sustainable development has gained widespread support in a large number of non-binding international legal instruments.

But sustainable development also finds expression in a significant number of international treaties, as it is included in more than 300 conventions. This indicates a certain level of consensus among the international community on the importance of sustainable development for international law. But what is particularly important in the inclusion of sustainable development in customary law is the location of this "inclusion". The general impression among international lawyers is that while sustainability is gaining recognition in a large number of treaties, this recognition has little legal implications as such references are mostly limited to the non-binding preamble. However, empirical analysis shows that 207 of these references can be found in the operative part of the conventions, which is technically binding on the parties.

4. CONCLUSIONS

Obviously, sustainable development has penetrated widely into contract law. However, unlike non-binding documents, the wording of provisions related to sustainable development in formally binding international treaties can be quite flexible. The wording can be vague and imprecise, characterized by the use of a conditional expression, and the position is often closer to the establishment of the stimulus than to the strict restriction.

Following this thought, the leniency of the provisions relating to sustainable development does not prevent them from being valid regulations; rather, it simply increases the discretion of the contracting parties in fulfilling their obligations. Of course, in most cases,

traditional provisions for sustainable development are too lenient to impose sustainable development obligations on states.

Such conditional provisions can clearly give sustainable development its normality. However, the relative effect of the treaties means that any convention provision relating to sustainable development, in principle, will be binding only on the parties to this agreement. Sustainable development must be incorporated in customary law to guarantee that it has a broad normative scope.

In general, the stability of territorial systems is defined as the relative immutability of the main parameters of the territorial socio-economic system, its ability to maintain them within specified limits under external and internal influences [6].

In the context of the globalization of the economy, the methods of environmental protection activities that States applied unilaterally within their territory turned out to be insufficiently productive in relation to the global natural and economic system [8].

With the increasing complexity of socio-economic relationships in society, an interest arose in the problems of stability in the development of economic systems, its optima and functional parameters. All these aspects were concentrated in the term "sustainable development" [9].

The inextricable link between the socio-economic and political-legal aspects in the sustainable development of territories has been revealed. Based on focus interviews of experts, we can talk about the need to introduce clear criteria for sustainable development into regulatory legal acts. This is proposed to be carried out at the federal, regional and local levels, which requires additional research.

The key criteria, in particular, should be:

- informational development;
- assessment by civil society institutions;
- digitalization;
- progressive nature of transformations;
- correspondence between predicted and actually achieved indicators;
- delineation of levels (federal, regional, local);
- correlation with the goals of ensuring and protecting human rights;
- independent monitoring.

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