

Publication Date: 31 July 2024

Archs Sci. (2024) Volume 74, Issue 4 Pages 178-184, Paper ID 2024423.
<https://doi.org/10.62227/as/74423>

The Human Right to Peace: The Evolution of Content and Prospects for Ensurement

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Abstract The article is devoted to defining the features of the meaningful evolution of the human right to peace, as well as the prospects for its provision in the context of today's crisis realities. It is emphasized that modern international legal institutions have demonstrated their inability to adequately guarantee interstate peace and security, and the existing sanctions policy has not justified itself, because, as the example of the Russian-Ukrainian war shows, the aggressor has found ways to circumvent it. In this regard, attention is focused on the importance of developing the International Sanctions Code in order to establish such "rules of the game" that the aggressor will not have the opportunity to use military means to resolve relevant international and other conflicts. The opinion is substantiated that one of the most important prerequisites for ensuring the effective practical implementation of the right to peace is a "healthy" moral environment of human life and society, which can be achieved under the condition of appropriate "normotactics" or an appropriate level of coherence and interconnection between social regulators, primarily law, morality and religion. It is concluded that ensuring and protecting the human right to peace requires the creation of appropriate conditions in society aimed at establishing a state of harmony, coherence, accord, unity, and consensus among legal entities at all levels.

Index Terms human right to peace, international law, human rights and freedoms, morality, social rights, state

I. Introduction

The current state of relations in the international community is characterized by a high degree of aggravation, which is especially clearly visible in the geopolitical triangle "Ukraine – Russian Federation – Western countries". As a result of such aggravation, the level of threats to international and national security, as well as the observance of fundamental human rights and freedoms, is rapidly increasing.

Today, the modern world is undergoing radical changes in the political and social system. The beginning of the 21st century marked a significant revision of the hierarchy of values and the dominance of the informational component in the structure of civilization, including the communicative factor. The speed and globality of modern transformations affect the traditional human existence and life world through corresponding changes not only in the production spheres, but also in social and household, socio-political and moral-ethical relations. It is necessary to state that along with the characteristics of modern society on a level with scientific and

technical progress, development of international law, democratization of social relations, etc., there are such associations as revolutions, wars, nuclear danger, etc. There is a breakdown of old forms of life, a reevaluation of values and ideals, habitual beliefs, a search for new life guidelines and behavior patterns. All this prompts the search for ways of peace, which in the conditions of global challenges acquired a new "sound" and value, a peace that should be based, first of all, on the moral and intellectual solidarity of humanity, because it is quite clear that to stop military conflicts today is not enough only governmental political agreements. The current situation actualizes the study of many issues related to the human right to peace, in particular, its meaningful saturation and effective provision in modern conditions.

The purpose of the article is to investigate the peculiarities of the historical genesis of the substantive characteristics of the human right to peace and to formulate the prospects for its provision in the context of today's crisis realities.

A. Literature review

Issues related to peace have been and remain a topical subject of research by scientists around the world. This problem was taken care of as representatives of philosophical thought and scientists who represent the modern segment of legal science. At the same time, the peculiarities of the modern stage of development of humanity in general and Ukrainian society in particular, which are characterized by globalization changes, require a rethinking of the value aspect of the human right to peace, in particular as its fundamental right, which is a necessary prerequisite for the realization of any other collective and individual rights.

II. Methodology

As you know, the right to peace is traditionally considered in the context of third-generation human rights, that is, so-called collective rights. However, recently, other points of view of representatives of the scientific community on the issue of the right to peace have become more and more widespread. Thus, according to I. Ivankiv, the right to peace should be considered as a separate type of rights, namely: the rights of humanity. The scientist notes that the right of humanity to peace, although it may have a lot in common with third-generation human rights, but due to the special subject, it cannot be considered a human right and deserves a separate study [1]. A different opinion is held by , who notes that the right to peace evolved from the right of nations to peace to the right of man to peace [2].

In our opinion, the right to peace can and should be explored simultaneously as having a collective and an individual character. Its basis should be recognized as the desire to achieve agreement both between states and their peoples, as well as between individual citizens and their associations within a certain society, and the desire for a peaceful settlement of any conflict situations at the macro and micro levels. It follows that not only peoples, nations or societies, but also individual individuals and their associations should be recognized as subjects of the right to peace. After all, the peaceful coexistence of citizens in the state is a necessary prerequisite for the development of appropriate mechanisms for ensuring and protecting any other human rights and freedoms [3].

We share this point of view, since peace is the basis for the realization of all other human rights, including civil, political, economic, social, cultural, etc. After all, in the context of the Russian-Ukrainian war, as we have been able to see for ourselves, almost any rights and freedoms are not realistic or such that can be properly implemented and protected.

Anthropologist D. Fry proves in his writings that peace is an immanent property of human society, and war is not common in all societies [4]. As I. Ivankiv notes, an attempt to talk about the right to peace usually leads to criticism regarding the unreality of ensuring this right. It is also often argued that war is a normal (albeit undesirable) process that is regulated by international humanitarian law. Waging war, provided that mandatory norms are observed, cannot be considered a violation of human rights. But it is advisable to pay attention to

Art. 20 of the International Covenant on Civil and Political Rights, according to which the propaganda of war should be prohibited by law. Also, in this context, it is worth mentioning that aggression is recognized as an international crime under the Rome Statute. Since July 17, 2018, this crime has been brought under the jurisdiction of the International Criminal Court. Researchers call this step one of humanity's main contributions to peacekeeping. Therefore, it is not necessary to unequivocally state that war is a normal state of affairs and an objective reality that must be put up with [1]. Already in view of the full-scale war unleashed by the Russian Federation, we can state without exaggeration that the Geneva and Hague Conventions, which form the basis of modern international humanitarian law, are ineffective, and there is nothing normal about war, because in any case it is primarily human losses that are getting bigger every day of the war.

In fact, the entire history of our civilization can be called the history of wars – only in the last century, humanity had to survive two world wars, and local armed conflicts in different parts of the planet occur constantly. According to the sources, from 3500 BC. humanity lived on Earth for only 292 years without wars, and 15,513 large and small wars took approximately 3 billion 640 million human lives [5]. Modern war is distinguished by the fact that it is waged in the conditions of a globalized world, when the world space is narrowed by intensive communications, and the denser nature of the interaction of nations simultaneously contributes to the growth of contradictions between them. Currently, Ukraine is experiencing another national renaissance, which consists in the struggle for its independence, and in this war it gives its most valuable resource – human. For Ukrainian society, the phrase “peaceful sky” has long ceased to be a metaphor, but has become the most cherished desire and the greatest value.

It should be noted that in all historical eras, the value of peace was distinguished by its unique relevance and was one of the central categories of research in the philosophical and political treatises of the most prominent representatives of humanity, who understood its complexity and multidimensionality since ancient times. Thus, Aristotle substantiated the view that not only war, but also peace is a necessary condition for the life of a slave-owning state: it is necessary for citizens to have the opportunity (if necessary) to wage war, but, what is most acceptable, to enjoy peace [6].

For the Middle Ages, along with the existence of the ideology of “just” and holy war, in particular religious (crusades), there was a situation when the sprouts of a new view on the problems of peace, the right of peoples to peace appeared. It was originally the concept of the Peace of God, to which the representatives of the church called, offering a truce between the warring parties during certain periods associated with certain religious holidays. Although some authors have argued that peace, especially in its hypostasis as eternal peace, is possible only in the High City. Later, the opinion of theologians tried to form a doctrine of peace aimed at its establishment among Christian states and peoples [2]. It should be added that in the already mentioned teaching “On the City of God”

it is emphasized that, despite the corruption of human nature by the fall, peace is the most valuable thing for people. The Blessed emphasized that, taking part in war, any side has in mind the future peace and strives for it, but no one, making peace, aspires to war.

In the period of the New Age, the ideas of peace acquired a new development. Thus, according to T. Hobbes, peace is of great value to human as a universal potential or “gift of God”, in connection with which peace is “the first and basic natural law”. This law is a command of reason and higher justice. He is unchanging, eternal. All other laws derive from this law, are determined by it, and point the way to the attainment of peace or protection. In order to properly ensure peace, according to T. Hobbes, it is necessary to conclude a social agreement on the creation of a “general power – the state” [7].

A wide range of measures to preserve peace was developed and proposed by William Penn, named after one of the US states – Pennsylvania. In 1693, he published a work whose title reflects his view of the peaceful future of Europe through the creation of appropriate institutions. Thus, the work is entitled “Experience about the present and future world in Europe through the creation of a European Congress, Parliament or House of States”. He saw the task of these bodies as maintaining the conditions of peace among the states of the European continent and actively preventing threats of war [2]. His own project of European unity was proposed by the English philosopher and jurist in the work “On General and Eternal Peace”, which saw the light of day in 1789.

Also, the concept of peacebuilding is presented in the work of I. Kant, in particular in his work “To Eternal Peace”, which at the time of publication had a reformist character. Kant considered the main means of overcoming war and establishing eternal peace to be the enlightenment and moral improvement of people, the implementation of reforms, and the establishment of relations between states in accordance with the laws. The scientist wrote: “The idea of eternal peace, if only it is tested and implemented not by a revolutionary way, by a leap, that is, by the violent overthrow of the existing wrong order, but by means of gradual reforms in accordance with reliable principles – can lead to a higher political triumph with continuous approach – to eternal peace” [8].

Today, the right to peace is regulated by international law. We are talking about a number of documents adopted under the auspices of the UN, in particular the Declaration on the spread among young people of the ideals of peace, mutual respect and understanding between peoples from 1965, the Declaration on the preparation of societies for living in peace in 1978, the Declaration on the right of peoples to peace in 1984, Declaration on the Culture of Peace 1999, Declaration on the Right to Peace 2016. However, despite the importance of these documents, the nature of their legal regulation is declarative, and the existing system of international law and international relations is currently not optimal. Leading states can influence the processes of formation and functioning of international institutions, directing their activities in accordance with their own interests, or using international institutions to

influence the policy of less developed states.

It is noted in the scientific literature that “The UN General Assembly first recognized the right to peace in 1978 in the Declaration on the Preparation of Societies to Live in Peace. The declaration defines that peace between peoples is the main good of humanity and a necessary condition for its development. The declaration appeals to all states and international organizations to promote the realization of this right in every possible way. At the same time, the preamble to this Declaration asserts the right of individuals, states and humanity to live in peace, which is inalienable and must be realized without any restrictions. Respect for this right is described as a necessary condition for the progress of all peoples in all spheres of life” [9].

In the context of the above, it should be emphasized that the right to peace can and should be considered at the same time as having a collective and individual character. Its basis should be recognized as the desire to achieve agreement both between states and their peoples, as well as between individual citizens and their associations within a certain society, and the desire for a peaceful settlement of any conflict situations at the macro and micro levels. It follows that not only peoples, nations or societies, but also individual individuals and their associations should be recognized as subjects of the right to peace. After all, the peaceful coexistence of citizens in the state is a necessary prerequisite for the development of appropriate mechanisms for ensuring and protecting any other human rights and freedoms.

Thus, the concept of “peace”, which is the basis of this right, should be understood as the absence of military confrontation between two or more states, organized violence within the country, as well as a means of ensuring comprehensive and effective protection and defense of human rights, social justice, economic well-being etc. At the same time, the right to peace can be considered as the most important legal institution around which all other human rights and freedoms, including the right to life, are united. The content of the right to peace consists of the possibilities of relevant subjects to live and carry out certain activities in a state of agreement with other collective and individual subjects of law.

It is safe to say that the peace policy is determined at the international level by diplomatic relations, consistency of demands and positions based on the formation of a reasonable balance of interests, mutually beneficial agreements. In fact, the Russian-Ukrainian war was only the result of the inability of the world elites to prevent this crisis, as well as a tool that “frees the hands” for actions that would have been impossible in the inter-crisis period. Therefore, this war is not defined exclusively by the national dimension, but has a much deeper, essentially civilizational character.

Today we see the division of states into several clusters. The Russian-Ukrainian war divided the world according to the attitude towards the actions of the Russian Federation. But this is only the first manifestation of the restructuring of international relations into a multipolar system, which will be based on a new balance of interests and resources of states.

It is difficult to determine exactly how many clusters will be formed as a result of the crisis processes, but already some scientists assume that the following clusters will be: the Russian Federation with its surroundings in the composition of the post-Soviet states; a group of Western states together with Japan united by common civilizational values; China; India. There will be a separate group of neutral states that will not want to join any of the clusters, or their behavior will be situational [10].

The presumption against the use of force, as well as the established “rules of the game” that were the basis of the world order after World War II, no longer apply. According to the analysis of world experts, the world is on the threshold of the Third World War, which may be more destructive than the First and Second World War due to the availability and potential use of nuclear weapons and other means of mass destruction. And in the context of such threats, questions arise regarding the activities of world security organizations. First of all, we are talking about the UN, which was not able to show proper effectiveness. Indicative in this context is the main document on which the activities of the UN are based – the Charter, Article 1 of which declares the purpose of the Organization – to maintain international peace and security and to this end take effective collective measures to prevent and eliminate threats to peace and suppress acts of aggression or other violations peace; to carry out by peaceful means, in accordance with the principles of justice and international law, the settlement or resolution of international conflicts or situations that may lead to a breach of peace [11]. Therefore, despite the limitations of the mechanisms that the UN can apply to countries that violate its Charter (it is about the right of veto of the members of the Security Council), it is time to move from states of “deep concern” and sanctions that are limited in nature to effective solutions. Otherwise, there is every reason to believe that the UN may repeat the fate of the League of Nations.

At the same time, in the context of effectiveness, there are now a lot of questions not only for the UN, but also for other international and intergovernmental organizations. On the one hand, there are clearly established norms and principles of international law, and on the other hand, their complete ineffectiveness. One of the reasons for this situation is insufficient sanctions pressure, because, as we can see on the example of the Russian-Ukrainian war, the aggressor found ways to bypass them and has all the necessary resources to continue the war. Therefore, it is considered important to develop the International Sanctions Code, which would establish a clear and strict system of punishments for violations of the imperative norms of international law. Such a step would contribute to the establishment of a more stable peace, because the more powerful the response of the international community to armed aggression, the greater the chances for a lasting peace, the fuller embodiment of the ideals of good and wider opportunities for the realization of the rights, freedoms, expression of will, aspirations, desires and duties of citizens.

Vitaly necessary is also the tendency to consider and apply

the principle of peaceful coexistence as a minimum level of relations that opens up prospects for progressive development, as well as a regulatory principle of the entire system of external and internal relations, consolidation, life activity and life creativity. The effectiveness of this principle determines the strategy and tactics, forms and methods of conducting the internal and external policy of states.

It is important to note that the plane of international law is not the only legal field for establishing and realizing the human right to peace. The invasion, first in the east of Ukraine, and later a full-scale one, lead to the need to consolidate this right at the highest national level of democratic states – the constitutional one. It should be added that in case of such consolidation, Ukraine will not be an innovator on this path, since in some countries of the world (Turkey, Japan, Colombia) this right is part of national legal regulation through its implementation in constitutional norms. At the same time, the human right to peace in the general system of his rights and freedoms should be considered as a fundamental complex right, which, in fact, should be recognized as primary in the hierarchical structure of the human rights system.

Speaking about the very concept of “peace”, it should be noted that the world-famous Norwegian scientist and researcher defined two types of peace. “Negative peace” means the absence of war, the absence of armed conflicts between states or within states. “Positive peace” means not only the absence of war or armed conflicts, but also the creation of conditions for equality, justice and development [12]. Analyzing the complexity of modern social and political existence, the concept of “peace” should be considered as a basis for stable life, mutual understanding, commonwealth, cooperation between people, communities, associations, peoples, nations, states, and also as a necessary level that guarantees compliance with fundamental human rights and freedoms. In this sense, peace means the absence of armed aggression and the presence of an agreement to minimize conflicts by means of an established normative order, rules of interaction, as well as a consensus on the need to ensure effective prevention and resolution of conflicts without the use of violence that leads to war. The higher the level of such interaction, the more developed are the regulatory rules and the regulation of the behavior of the subjects. After all, peace is not just the absence of war, it is also the result of conventions or a peace treaty, which will really ensure the balance of interests and non-confrontational development of countries different in terms of civilization, politics, economy, etc.

Studying the general theoretical context of the essence and nature of the human right to peace, it is necessary to pay attention to the problem of the systemic nature of its normative support, which, as evidenced by the realities of today, cannot be effectively solved only with the help of appropriate legal means, in particular international ones. As already mentioned earlier, the international legal sources of the formation of the concept of the right to peace, unfortunately, turned out to be unable to practically ensure this right in the life of modern societies, the violation of which in the current realities of the

Ukrainian-Russian war has an unprecedented character since the Second World War.

In this regard, we believe that one of the most important prerequisites for ensuring the effective practical implementation of the right to peace is a “healthy” moral environment of human life and society, which can be achieved under the condition of appropriate “normotactics” or an appropriate level of coherence and interrelation between social regulators, primarily law, morality and religion. The last one is connected, among other things, with the fact that any social conflicts have a corresponding moral justification at their core. In addition, relevant religious norms or, to be more precise, subjective interpretations of their content by certain persons, often act as factors determining violence, including at the international level. It follows that effective practical enforcement of the right to peace is impossible without taking into account the relevant moral and religious context of social life.

In this context, it should be noted that the moral progress of society involves a change in the state of consciousness and will of the subjects that make it up, and its direction towards the achievement of the ideals of goodness in all their multifaceted manifestations, as well as their concrete, relative embodiment in social life. It is the moral progress of society that is the basis of any other form of social progress, including the progressive development of the legal system, as well as the source of minimizing the negative consequences or so-called “side effects” of social development, which will always take place to one degree or another in any society in connection with the objective impossibility of achieving the absolute fullness of moral being in social life [13].

It should also be emphasized that the formation and development of a mature, responsible personality in any society always occurs not so much through the proper level of legal education and legal awareness, familiarization of children and youth with the best achievements of legal culture and doctrine in the process of legal education, but through their assimilation basic moral imperatives, many of which also have a corresponding religious justification. Exercising an educational and regulatory influence on the will and consciousness of individuals through the prism of the dichotomy of good and evil and the phenomena and processes derived from them, morality not only affects their actions, behavior, activities and their corresponding results or consequences, but also constructs exemplary, ideal models of certain social relations and social institutions to which it is necessary to strive in social life. At the same time, the sources of morality have an objective-subjective dimension, since, on the one hand, they have a certain religious background and historical experience of spiritual and practical mastering of reality, are based on certain socio-cultural practices and traditions, and on the other hand, are related to individual a person’s consciousness, his internal abilities and other possibilities, with the help of which he is able to understand and evaluate the surrounding reality.

It follows from this that various issues related to ensuring peace in the relevant social environment, including between states, are not limited, in fact, to the legal context of their

solution, as they are, among other things, within the limits of such moral concepts as kindness, mutual respect, good faith, mutual understanding, decency, justice, honesty, devotion, mutual support, etc., which are phenomena of a primarily moral nature. Law as a normative system objectively cannot grasp the deep meaning of the mentioned moral phenomena, which, among other things, is connected with the later historical period of its formation and development compared to morality. It is important to note that a person’s moral obligations are not limited by any statuses or formal signs such as belonging to a certain faith, nation, family, any social group, but are firmly connected only by a sense of universal human solidarity based on kindness, compassion and mercy. In contrast to morality, law, on the contrary, operates primarily with the formally defined statuses of certain subjects and social groups and, depending on these statuses, forms the appropriate system of rights and responsibilities of individuals.

Therefore, the fact of the absence of peace in international relations or, accordingly, the state of war between certain states is determined not only by the imperfection of the legal mechanisms for ensuring it, both international and national, but also to a large extent by the moral “climate” of modern societies, within which morality increasingly loses its transcendent, absolute origins, thus becoming more democratic, individualistic, capable of endless meaningful experiments and the perception of many alternatives. It is the disagreements in the moral prerequisites or principles of solving relevant international legal problems, life situations or circumstances that are the basis of legal disputes, lead to multiple meaningful interpretations of legal provisions, including norms of international law, the implementation of which in this case will be based on certain subjective prerequisites (for example, the social status and financial capabilities of a certain person). Therefore, the fulfillment by national and international law of its important mission of ensuring peace, including the peaceful resolution of any legal disputes and social conflicts, directly depends on the state of moral consciousness of the subjects of its implementation, which, in the case of its low level, are capable of distorting the content of any legal norms [14].

Therefore, we have a situation where modern democratic states are forced to actually “stand on the same rake”, trying to tie the solution of many issues of proper provision of international and domestic peace and security only to the adoption of the appropriate resolution, memorandum, declaration, law, instruction, giving bureaucratic instructions from above, etc.

In addition, it is also necessary to take into account that ensuring or guaranteeing the human right to peace in the context of modern realities is also interconnected with security and social issues of the development of modern democratic states.

In particular, the security block of legal guarantees of the human right to peace, in our opinion, should be reproduced taking into account the normative legal array created in the European Union. For example, Article 2 of the Treaty on European Union establishes that the Union is based on the values

of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, in particular the rights of persons belonging to minorities. These values are common to all member states in a society where pluralism, non-discrimination, tolerance, justice, solidarity and equality of women and men prevail.

Article 3 of the aforementioned Treaty defines the purpose of the Union – to maintain peace, its values and the well-being of its peoples. The Union offers its citizens an area of freedom, security and justice without internal borders, where the free movement of persons is ensured and, at the same time, appropriate measures for external border control, asylum, immigration, crime prevention and combating it. The Union promotes peace, security and long-term development of the Earth, solidarity and mutual respect of peoples, free and fair trade, eradication of poverty and protection of human rights, in particular the rights of the child, as well as strict observance and development of international law, including respect for the principles of the Charter of the United Nations.

In our opinion, the provisions of Article 42 of the Treaty on the European Union relating to common security and defense policy are of incomparable value for ensuring the right of every citizen of Ukraine to peace in today's realities. In accordance with the provisions of the specified article, the common security and defense policy of the European Union is an integral part of its common foreign and security policy, which ensures operational capability based on civilian and military means. The Union can use these means in missions outside the Union to maintain peace, prevent conflicts and strengthen international security in accordance with the principles of the UN Charter [15]. We believe that these provisions should become the basis of Ukraine's security and defense policy at the stage of modern peacebuilding.

In addition, an extremely important aspect in guaranteeing the human right to peace in today's conditions is the "cut" of social human rights that must be ensured by the legal system, guaranteed by the state, and defended by the judiciary: those that will be built up for decades now according to the residual principle, or those that will help in modern Ukrainian realities to live not only with "single bread", but also to have sufficient conditions for self-realization of a person, protection of his honor and dignity.

Thus, in European countries in today's conditions, the right to a sufficient standard of living is one of the most important social rights of an individual. Despite the fact that each person should personally take care of his well-being, he should, however, be provided with the opportunity to provide himself with a minimum standard of living. Especially when it comes to an elderly, disabled person. This is the duty of the state, according to which it recognizes the right of everyone to a sufficient standard of living for himself and his family.

It should be noted that the concept of "adequate standard of living" is, at least to a certain extent, evaluative, that is, each person determines for himself the level that corresponds to his ideas about an adequate standard of living. However, the position formulated by the lawyers of Ancient Rome, accord-

ing to which "the law can and must be defined" (Digestes of Justinian), is relevant for any legal system. The principle of certainty, precision, and unequivocal legal norm is considered a guarantee of a strong legal order, because provided that each member of society understands his rights and obligations, he receives a certain freedom of action and decisions within the legal space. It is up to the state to define and establish minimum standards below which the standard of living of citizens cannot exist.

Of course, ensuring a sufficient standard of living is a difficult problem even for wealthy countries. The implementation of the right to a sufficient standard of living certainly affects the internal resources and capabilities of the state. The right to an adequate standard of living includes, as already discussed, such opportunities as the right to adequate food, the right to adequate clothing, the right to housing, to the improvement of living conditions, etc.

Guaranteeing a sufficient standard of living for citizens is a component of the social policy implemented in the state, the purpose of which is to ensure the material and spiritual welfare of citizens, to achieve stability and safety of life in society, integrity and dynamism of its development. That is why it is extremely important to ensure social human rights, as noted by leading legal practitioners and representatives of the scientific center, to develop the following areas, namely:

- 1) Redistribution of material goods between regions and strata of the population, directing them to ensure the average standard of living achieved by this country throughout the country, preventing poverty, changes in the quality of life indicators towards deterioration (including for internally displaced persons).
- 2) Creation of state, primarily legal, guarantees for the prevention of natural disasters, epidemics, epizootics, man-made disasters, for the immediate elimination of their consequences, assistance to the affected population.
- 3) Creation of systems of education, health care, pension provision, solutions of other social issues, taking into account the issue of safety of citizens, population groups, etc., accessible to broad strata of the population.

In addition, we must take into account that conducting a "good" social policy is impossible today without the following statements: it is important to emphasize that in order to ensure in practice social human rights, it is necessary to doctrinally develop and implement the category of "social responsibility" of the state, business and other institutions of civil society. Without proper, rights-corresponding responsibilities, as well as an appropriate level of social responsibility of the relevant institutions, it is impossible to raise questions about the effectiveness of the realization of socio-economic rights, neither in the theoretical sense, nor in the practical plane.

Therefore, an essential component that plays a priority role in modern state-building processes is the provision and protection of the human right to peace. At the same time, today we should talk not only and not so much about the potentially granted human right to peace, but about the reality of its practical implementation in life. In this regard, in today's

conditions, it is no longer enough to declare the human right to peace, which requires the creation of effective mechanisms for its practical support and protection, including in the context of the activities of certain international judicial and human rights organizations.

III. Conclusions

Taking into account all of the above, we can draw the following conclusions.

- 1) The formation of the human right to peace went through a long historical period of its development, since the value of peace has always been one of the central categories of research in the philosophical-legal and other works of the most outstanding scientists, who have understood its complexity and multidimensionality since ancient times. The modern stage of the evolution of the right to peace is characterized by a gradual shift in emphasis in its understanding, which is manifested in the study of it primarily as an individual and most important good for every person, which is a necessary prerequisite for ensuring the effectiveness of not only any social interaction, but also the reality, the reality of all others human rights as a matter of fact, including the so-called rights of the third (for example, the right to solidarity, the right to international communication, etc.) and the fourth generation (for example, the right to the Internet, the right to transplant organs, etc.).
- 2) The right to peace includes both negative (the right to the absence of organized violence, in particular, the right to the physical absence of war, physical aggression, etc.) and positive aspects (the right to create moral, social, economic, political and other conditions, a set of which is provided by the absence of social demand and the need for the use of violence). The right to peace is a global natural right of peoples and other subjects of law, including an individual, which is the basis and necessary prerequisite for the realization of any other collective and individual rights.
- 3) In the conditions of increasing military and terrorist threats, the right to peace increasingly acquires an individual meaning, in connection with which it must be studied and ensured as an inalienable, fundamental right of every person to peace, which acts as a necessary prerequisite for the realization of any other human rights and freedoms. After all, the highest social values in the state, such as the life and health of a person, his honor and dignity, inviolability and security, etc., can be properly ensured and protected only in conditions of peaceful coexistence of people, social groups, societies and states.
- 4) Ensuring and protecting the human right to peace involves the creation of appropriate conditions in society aimed at establishing a state of harmony, coherence, accord, unity, and consensus among legal subjects at all levels. At the same time, the effectiveness of legal guarantees of the human right to peace directly depends

on the correct consideration by the legislator in the process of their establishment of a number of objective and subjective factors and conditions (economic, cultural, political, etc.) that take place in public life.

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