
**Теорія та історія держави і права;
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**ROLE OF INTERNATIONAL
NON-GOVERNMENTAL ORGANIZATIONS
IN THE SOLVING GLOBAL PROBLEMS**

The article broadly analyzes issues related to the role of international non-governmental organizations in solving global problems on the basis of the diversity of opinions existing in the legal literature, norms of international law and international practice. It is noted that global problems in general not only require joint efforts, which must be demonstrated by the international community, but also the ways and methods of their solution depend not only on States or their respective bodies, but also on the cooperation of international non-governmental organizations in this area. The article also analyzes in detail various global problems and specifies the role of international non-governmental organizations in their solution. Finally, specific and reasonable conclusions are put forward for solving each global problem.

The following conclusions are reached with the analysis carried out in the article: the role of international non-governmental organizations in solving global problems is quite fundamental; spheres of activity of all international non-governmental organizations in various directions for solving global problems should be expanded and close cooperation relations with states should be established; the role of international non-governmental organizations in the international norm-making process should be treated with particular attention; increasing the activity of international non-governmental organizations in terms of quantity and quality should always be the center of attention of the international community; the process of strengthening the issues of international cooperation between international non-governmental organizations and international intergovernmental organizations should develop further.

Keywords: *global problems, international non-governmental organizations, international organizations, international cooperation, international security, international community.*

Problem statement. Currently, global problems in the world attract attention due to their comprehensiveness and seriousness. Although the main role in solving these problems belongs to international organizations, positive results are not achieved in some important directions. At this time, it is necessary to involve other international mechanisms in the process. Here, the role of international non-governmental organizations should be specially mentioned.

The global problems that have arisen over the past centuries require not only joint efforts, which must be demonstrated by the international community as a whole, but the ways and methods of their solution depend not only on States or their respective authorities, but also on the cooperation of international non-governmental organizations in this field. On the other hand, the emergence of global problems and the assessment of their consequences must be considered in a universal human context. For example, a change in the concept of security in international relations has led not only to its limitation by military-political security, but also to its expansion at the expense of economic and environmental security. So, in the case when international law arises as a result of the activities of the international community and international relations as a system, then international law should objectively reflect new tendencies in the functioning of international relations. In the legal literature, it is fairly noted that the increasing role of international relations and the emergence of new important global problems of vital importance have led to an expansion of the scope of application of the principles of international law [5, p. 56].

The purpose and main directions of the research. The main goal of the study is a detailed analysis of the role of international non-governmental organizations in solving global problems. At this time, comprehensive studies on solving global problems are being conducted in a number of important directions.

Presentation of the main material. With the spread of the coronavirus (COVID-19) pandemic, which is considered the main global problem of the 21st century, which since 2019 has been causing serious challenges at the global level and poses a serious threat to the health of the world's population, as well as declaration of a pandemic by the World Health Organization on March 11, 2020, along with intergovernmental international organizations, States and their respective authorities, international and national non-governmental organizations also began to play a huge role in implementation of humanitarian acts.

First and foremost, as the main goal is to meet the needs of the world's poor population in order to prevent humanitarian crises during the pandemic, international non-governmental organizations have stepped up their response to the current and projected needs of these groups through targeted interventions in food production and consumption. Thus, as noted in the United Nations Global Humanitarian Response Plan, non-governmental organizations and UN agencies have played an important role in implementing the response, both by expanding the scope and by maintaining existing interventions. The role of the humanitarian unit in the distribution of food, agricultural income, remittances, and in the provision of technical

assistance is specifically defined in the UN system, which has played a crucial role in maintaining food production and the purchasing ability of vulnerable populations during the pandemic [7].

One of the important tasks facing humanity in the modern period is the eradication of hunger and ensuring food security, in which the participation of international non-governmental organizations plays a particularly important role. An example is the international organization of Oxfam (Oxfam International). The origin, i.e. the word “Oxfam”, was taken from the Oxford Committee for Famine Relief, formed in Britain in 1942, the group was organized with the aim of a campaign to send food supplies through the Allied naval blockade to starving women and children in enemy-occupied Greece during the Second World War. Oxfam works in 70 countries around the world to save and protect human lives during emergencies, restore life situations, implement sustainable change, protect the rights of women and children, etc., carries out various projects and programs, takes various practical measures.

Another international non-governmental organization acting in this field – Action Aid, founded in 1972 as a charitable campaign, adopted the concept of a rights-based approach to development in the 1990s, and in 2003 was reorganized into the International Federation (Action Aid International Federation). The headquarters is located in Johannesburg, and it has central offices in other regions (Asia, America, Europe). The main driving force behind its strategy is to create an international momentum for social, economic and environmental justice among people living in poverty and isolation. There are four objects of its activity – women’s rights, politics and economics, soil and climate, emergency situations [8]. It acts on these issues in three methods – problem-solving, planning and reporting [4, p. 426–428].

The role of international non-governmental organizations in resolving issues related to food security, their specific powers and areas of direct activity can exist in various forms. The participation of States in the activities of international non-governmental organizations in the relevant field is assessed weakly in comparison with participation in intergovernmental organizations [6, p. 88].

One of the main problems currently facing mankind is the peaceful use and exploration of cosmic space. International non-governmental organizations that contribute to the implementation of current activities in this area can be divided into two types: commercial, whose main goal is to make a profit (for example, “Arianspace”, “Sea Launch”, etc.); organizations pursuing generally non-commercial purposes and carrying out relevant activities (for example, International Committee on Space Research, International Astronautical Federation, etc.) [3, p. 348].

In accordance with paragraph 5 of the “Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space” of the UN General Assembly of 1962, States bear international responsibility for national activities in outer space, whether carried on by governmental agencies or by non-governmental entities, and for assuring that national activities are carried on in conformity with the principles set forth in the present Declaration. The activities of non-governmental organizations in outer space require permission and constant control by relevant State. According to Article I of the Charter of the

Committee on Space Research (COSPAR), founded in 1958 and headquartered in Paris, its purpose is to promote the development of all types of scientific research conducted on an international scale with the help of rockets, self-propelled rocket installations and balloons. Along with fundamental scientific research, COSPAR, which unites academies of sciences, national scientific institutions of more than 40 countries and 13 international scientific unions, pays some attention to the application of space technologies and the creation of equipment for space objects. The task of the 44th meeting of the General Assembly of the Committee, which held July 16–24, 2022 in Athens, was to promote on an international level scientific research in space, with emphasis on the exchange of results, information and opinions and to provide a forum, open to all scientists, for the discussion of problems that may affect scientific space research [9].

International Astronautical Federation, founded in 1950 and headquartered in Paris, consists of eight astronauts and representatives of rocket societies from Germany, Argentina, Australia, Great Britain, Denmark, France, Spain and Switzerland. Its main task is to consider a wide range of specific technical problems related to the exploration and use of outer space, as well as various socio-political and legal issues. Within the framework of the Federation, two scientific institutions were established in 1960 – International Academy of Astronautics and International Institute of Space Law. International Academy of Astronautics was established to promote the development of international cooperation in the implementation of programs that ensure the progress of aerospace science, and to encourage individuals who have special merits in the field of astronautics. International Institute of Space Law was the first international non-governmental organization to discuss legal, political and social issues related to the exploitation of outer space.

However, the fact should be noted that although international non-governmental organizations are active participants in the implementation of international cooperation in the peaceful use of outer space, they do not act as subjects of international space law. The reasons for that are as follows:

– International non-governmental organizations are created not by States on the basis of intergovernmental agreements, but by various scientific societies in accordance with the national legislation of States;

– Existing organizations carry out their activities only with permission, under the constant supervision of the States in which they are created. An example is Article 6 of the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies. Thus, according to this provision, the activities of non-governmental legal entities on the Moon and other celestial bodies, as well as in outer space, must be carried out with the permission and under the constant supervision of the relevant State [10];

– International non-governmental organizations have the status of an observer or consultant;

– Responsibility for the activities of international non-governmental organizations determines the responsibility of States, that is, the respective States bear responsibility for each of their actions and inaction. So that, in Article 6 of the 1967 Treaty on Principles

Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, as an example, includes the provision that the State is responsible for the activities, regardless of whether these activities in outer space, including the Moon and other celestial bodies, are carried out by government agencies or non-governmental legal entities;

– Activities of most of the noted international non-governmental organizations are non-commercial in nature [3, p. 347–348].

The prevention of nuclear war and the use of nuclear energy for peaceful purposes is also one of the most important issues of concern to the international community. In this regard, it is appropriate to mention the International Association of Lawyers Against Nuclear Arms. Created in 1988 to build and strengthen international legal efforts to ban the use and threat of use of nuclear weapons, this Organization is headquartered in Berlin and has consultative status with ECOSOC [1, p. 377]. Presently the Organization also has the following areas of activity: efforts to abolish all types of inhumane weapons and to control the international arms trade; advancing concepts of security based on the application of law and legal mechanisms, development of non-offensive defence and implementation of confidence building measures; encouraging the establishment and use of the International Criminal Court and other legal procedures to address crimes against international humanitarian law.

The activities of other international non-governmental organizations in the relevant field are also noticeable. An example is the International Network of Engineers and Scientists Against Proliferation (INESAP), established in 1993 to promote non-proliferation and disarmament with regards to weapons of mass destruction and the delivery systems associated with them. INESAP promotes critical analyses of technical, scientific and political issues associated with nuclear and other weapons of mass destruction and works to develop disarmament concepts. Its members contribute their scientific expertise to efforts aimed at transforming and strengthening existing arms control and non-proliferation regimes [11].

Unlike other areas, a sufficiently large number of international non-governmental organizations are currently act in the field of resolving the environmental crisis. On the one hand, this is due to the scale and universality of the environmental sphere, on the other hand, the environmental crisis is associated with the violation of human rights and fundamental interests.

The main mission of the Forest Stewardship Council, which brings together social and environmental non-governmental organizations, business corporations, research institutes, religious organizations and individual members in more than 60 countries, is to promote environmentally appropriate, socially beneficial and economically viable management of the world's forests. Within the framework of this international non-governmental organization entire certification schemes for industrial enterprises are being developed, which are entrusted with the responsibility of managing forest resources and their products. As a result, in 1993, certification of the 80 million hectares of forest zone was carried out. The Council has given incentives to a number of private industrial companies that have taken special initiatives on environmental certification standards [12].

One of the international non-governmental organizations that play an important role in solving environmental problems that arise in the world is the Marine Stewardship Council. Founded in 1996 and headquartered in London, the Organization's goal is to adapt consumer purchasing ability to enable positive change and promote the environmentally responsible management of the world's most important renewable food resource [13]. In general, it has structured its activities around five strategic fields: recognizing and encouraging activities to promote sustainable fisheries and improvement; ensuring that the certifications of national marine stewardship councils are credible and reflect the best practices in the world; breeding and expanding sustainable seafood markets; raising awareness and public support, as well as opportunities for the influence of science; building a high-performing global organization and backing up [14].

Currently, there is a need to take a closer look at the activities of international non-governmental organizations in three aspects that are considered an integral part of the environmental crisis and are associated with ever-increasing pollution at the global level: bottom-up assessing promising opportunities, making the role of local non-governmental organizations a priority; consideration of interactions between local and international non-governmental organizations that regularly emphasize the need for alliances or increase pressure; analysis of the influence of international non-governmental organizations on the low-level non-state sector [2, p. 1743–1752].

In order to more fully study the activities of international non-governmental organizations that are building their own capacity to implement strategies related to climate change, which is another environmental problem, it is necessary to adopt legal norms in a number of areas in which both the scope and means of public participation will be explained: development of explanatory norms for climate change that provide favorable opportunities for human activities in various directions; dissemination of knowledge and skills, habits for non-governmental organizations to communicate with the society on factual and practical issues; raising awareness and further developing legal awareness, which includes the simple communication on information so that innovative efforts on values and norms can act as an intermediary between the world of science and the society; increasing the practical capabilities of the world community in relation to climate and the adoption of appropriate measures to ensure both in the context of the activities of international non-governmental organizations on internal organizational issues, and in relation to external partners; building infrastructure, developing support networks, promoting solidarity.

Conclusions. Thus, taking into account the above and the conducted analysis, we can come to the following conclusions: the role of international non-governmental organizations in solving global problems is quite fundamental; spheres of activity of all international non-governmental organizations in various directions for solving global problems should be expanded and close cooperation relations with states should be established; the role of international non-governmental organizations in the international norm-making process should be treated with particular attention; increasing the activity of international non-governmental organizations in terms of quantity and quality should always be the center of attention of the international community; the process of strengthening the issues of

international cooperation between international non-governmental organizations and international intergovernmental organizations should develop further.

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Е. Мірзаєва. Роль міжнародних неурядових організацій у вирішенні глобальних проблем

У статті на основі розмаїття думок юридичної літератури, міжнародно-правових норм та міжнародної практики широко проаналізовано питання, пов'язані з роллю міжнародних неурядових організацій у вирішенні глобальних проблем. Зазначається, що глобальні проблеми вимагають спільних зусиль усього міжнародного співтовариства, а шляхи вирішення та методи залежать не лише від держав чи їх відповідних органів, а й від співпраці міжнародних неурядових організацій у цій сфері. У статті детально аналізуються окремі глобальні проблеми та на конкретних кейсах пояснюється роль міжнародних неурядових організацій у їх вирішенні. Насамкінець подано конкретні та змістовні висновки щодо вирішення кожної глобальної проблеми.

Проведений у статті аналіз робить такі висновки: роль міжнародних неурядових організацій у вирішенні глобальних проблем є досить принциповою; необхідно розширити сфери діяльності всіх міжнародних неурядових організацій у різних напрямках для вирішення глобальних проблем і налагодити відносини тісної співпраці з державами; особливу увагу варто приділити ролі міжнародних неурядових організацій у міжнародному нормотворчому процесі; кількісне та якісне збільшення активності міжнародних неурядових організацій має завжди бути в центрі уваги міжнародної спільноти; повинен набувати подальшого розвитку процес зміцнення питань міжнародного співробітництва між міжнародними неурядовими організаціями та міжнародними міжурядовими організаціями.

Ключові слова: *глобальні проблеми, міжнародні неурядові організації, міжнародні організації, міжнародне співробітництво, міжнародна безпека, міжнародна єдність.*

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