

**THE FOUNDATIONS OF THE POLISH STUDY OF LAW ON  
SUSTAINABLE DEVELOPMENT IN ENVIRONMENTAL  
PROTECTION AND FOR KEEPING INTERNATIONAL AND  
DOMESTIC PEACE AND SECURITY  
(THOUGHTS ON THE 100TH ANNIVERSARY OF THE BIRTH  
OF PROFESSOR KAROL WOLFKE)**

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At the call of the United Nations at the end of the 1960s, Professor Karol Wolfke and several other Polish scholars (not only lawyers) became involved in the international environmental protection (EP) movement and participated extensively in work in this area through the following decade of the 1970s. During that time, Polish scholars took part in work on preventing degradation of the environment in line with initiatives by the UN General Assembly (1968) and the famous Report of its then-Secretary General, U Thant (1969).

It should be noted that even the Polish authorities of the time undertook significant efforts concerning the protection of the surroundings in which mankind exists, both internationally and internally. One can therefore hope that the beginnings of the study of EP law in our country, which we recall here on the 100<sup>th</sup> anniversary of Professor Wolfke's birthday, will also remind us of the intuitive prediction of further developments in the UN system made by Polish scholars, which led to the acceptance of the principle of sustainable development (SD) – that is, preventing the degradation of the environment “at the source of economic and social affairs”.

In the four decades that have passed since that time, the international community has first established the concept of sustainable development, and then transformed it into a legal principle, that of day-to-day prevention of environmental degradation and of solving other threats posed by the modern world through integrating social and economic activities with environmental protection<sup>1</sup>. The efforts of the scholars and lawyers of the time indicate even

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today how innovative progress should be achieved in the name of the health and life of current and future generations of humankind.

Therefore, for a quarter of a century comprehensive environmental protection has been expressed in short by the principle of sustainable development, stimulated by periodic interventions frequently “at the highest level” of the UN community of international legal entities, now reaching maturity (despite not being fully adopted in Poland). This principle was initially a recommendation, a concept constituting soft law, but it was transformed extraordinarily quickly (in terms of international relations) into a legal principle<sup>2</sup>.

## I.

Publications from the aforementioned decade led to research in this area being encouraged by the Polish Academy of Sciences, which developed an initiative of integrated research, as well as the government of the People’s Republic of Poland, which formed a new institution called the Polish Committee For the Protection of the Environment comprised of representatives of different branches of state and local government administration to “represent Poland at the level of UN initiatives”<sup>3</sup>. It should be noted that also the then-ruling Polish United Worker’s Party (Polska Zjednoczona Partia Robotnicza) established guidelines for state activities in this area in the 6<sup>th</sup> Convention resolution, which stated *inter alia*

“Given the comprehensive, rational and dynamic development of our country in the coming decade, within 2-3 years a concept for a comprehensive program regarding protection of the natural environment, water management, regulation of the Vistula river and the construction of a network of motorways shall be developed. These concepts will be presented for broad public discussion.”<sup>4</sup>

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<sup>1</sup> For more see: K Równy, *Cele ONZetowskiego Szczytu Zrównoważonego Rozwoju – reformy życia społeczno-gospodarczego – dla zapobiegania degradacji środowiska i zmiany klimatu*, (2015) Prawo i Środowisko 4.

<sup>2</sup> While some elements of its foundation were known before, it is widely accepted that the concept of sustainable development was accepted by the global community of international law entities at the Rio de Janeiro Earth Summit in 1992. In terms of international relations, it was introduced very quickly into many international agreements and the laws of states and other international law entities as a legal principle (including constitutional law).

<sup>3</sup> See W Michajłow, ‘Wpływ zmian środowiska na zdrowie człowieka’, in L Łustacz, (ed), *Prawo a ochrona środowiska* (1975) 77. Now that the world lives in the “anthropocene age” and the “age of sustainable development” – given the neglect in implementing SD in Poland – one committee could be useful now, under a new name of “Committee for the Implementation of Sustainable Development” (if this name were to be too vague, the phrase “in environmental protection” could be added).

<sup>4</sup> Quoted from: W Michajłow (n 3) 83. Given that the conference took place in December 1971, it should be noted that the aforementioned Program was not only announced but also presented a year later – in a very short time given its complexity (specifically on December 27, 1972). For the relevant electoral programs of various political parties in democratic Poland see footnote 24 below.

Within PAN the interdisciplinary “Human and the Environment” Committee was formed (headed by ecologist prof. Włodzimierz Michajłow). This committee initiated and coordinated interdisciplinary domestic research for EP. Appreciating the agential role of the law in this interdisciplinary area, on March 15, 1971 the Committee, together with the PAN Legal Sciences Committee (representing the entire multidisciplinary area of legal studies) and the Committee for the Protection of Nature and its Resources organized a symposium dedicated to the legal protection of the environment. Subsequently the discussion was further extended by the “First<sup>t</sup> scientific conference on international environmental protection”, organized in December of that year by the international law specialist professor Marian Iwanejko, in conjunction with the Kraków academic community<sup>5</sup>. Even today the message of these conferences holds true, that we should work collectively and in a cohesive manner on clearly and practically determined issues in order for Polish research to keep up with the leading countries in this area. Both conferences resulted in publications that have served as the basis for the remarks presented here<sup>6</sup>. Choosing the path shown to us by the forefathers of environmental protection law in the 1970s would also come in useful when considering how since that time, with more people living in prosperity, paradoxically, degradation of the environment is progressing more quickly than it did then, and more quickly than we are able to prevent it now. Thus the situation today all the more demands wide-ranging and urgent preventive measures.

In their initial decade of work on protecting the environment, the forefathers of Polish scholarship of EP law rightly noted that it is but a part of international activities in this regard. Therefore, they tapped into the work of international organizations coordinating these activities, especially the UN system and the research of leading countries in the field. Additionally, given the nature of ecological systems and their mutual dependence throughout the ages, as well as that law is the primary - but not sole - factor in achieving the necessary changes in human activity for prevention of the growing degradation of the environment, researchers from a broad range scientific disciplines became involved. As a result, conferences organized at the time, aside from many areas of law, included experts in biological sciences (medicine, agriculture, forestry), as well as chemistry, technology, etc.

In the efforts to create a cohesive system of Polish EP law, many legal disciplines were being integrated. Aside from many international law scholars, conferences also included specialists in administrative law (in significant numbers, and rightly so considering the role played by this area of law in EP),

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<sup>5</sup> See M Iwanejko (ed), *I Konferencja naukowa w sprawie międzynarodowej ochrony środowiska*, (Kraków, 13-15 December 1971) (1972) 439.

<sup>6</sup> See M Iwanejko (n 5) 439 and L Łustacz (ed) *Prawo a ochrona środowiska* (1975) 265.

theory of state and law, civil law (including patent law), and others. The involvement of practitioners of law was also important, including from central and regional offices<sup>7</sup>. Despite this, the organizer of the Kraków conference bemoaned the fact that “A certain shortcoming was – as a result of inefficient efforts to recruit as wide a range of scholars as possible – the lack of representatives of sociology and economics.”<sup>8</sup> And rightly so, as the most effective environmental protection efforts prevent its degradation “at the source”, that is in connection with economic and social activity. Specialists in these disciplines could therefore significantly improve efforts on behalf of SD.

When observing the current state of implementation of the SD principle, to the aforementioned shortcomings one should add the lack of not only sociologists and economists in studies that were undertaken at that time, but also those from other areas of study such as psychology, political science, ethics, pedagogy (at all levels of education) to name a few. Integrating specialists from all fields of study would allow for the development of holistic ecological human activities in industry, agriculture and services, and at all levels of education. When reviewing particular statements made at the conference we observe that awareness of integrated multidisciplinary activities was prevalent during that decade. For example, prof. M. Klimaszewski, a geographer and the rector of the Jagiellonian University, opened the Kraków conference by greeting “scholars and students of various disciplines, as well as practitioners: engineers and technicians”, and later noted that “in the study of environmental protection lawyers are playing an increasingly larger role, and this conference is an incentive for others to engage the topic. It is high time for conscious, interdisciplinary integration of this research and to solve the emerging problems of environmental protection together, by putting ideas into practice”<sup>9</sup>.

As has already been mentioned, such an approach to integrated efforts at simultaneously solving both economic and social issues, as well as at preventing degradation of the environment and its effects (mainly in the form of climate change), was developed in international relations only two decades later in the form of the sustainable development principle and the introduction of the institution of legal environmental impact assessment (EIA) of economic and social activities as a method of implementing the principle in practice.

Examining the approach to EP in the initial decade of scholarship in this area we may also observe the involvement of state institutions. Here we should note the now often defective integration of state activities into international relations and domestic activities. Representatives of the Polish state actively participated at the time in international relations during the creation of relevant materials for planned international conferences regarding EP. For example, beginning in 1965, as part of a UNESCO initiative partly involving the participation of representatives of Poland, an international and interdisciplinary program of scientific activities was prepared under the title “Man and the

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<sup>7</sup> See M Iwanejko (n 5), 421ff - index of persons and list of papers.

<sup>8</sup> See M Iwanejko (n 5) 3.

<sup>9</sup> See M Iwanejko (n 5) 9-10.

Biosphere”. The program was proclaimed in 1970 at the 16<sup>th</sup> UNESCO General Conference<sup>10</sup>. Poland was then (in 1972) chosen for the Coordinating Council of the “Man and the Biosphere” program, which included 25 countries<sup>11</sup>. Poles made an important contribution to the world’s effort for EP.

Currently a holistic approach to environmental protection in the activities of many economic and social actors giving consideration to EP is known around the world, and in many countries scrupulously practiced, as “sustainable development”. It makes it possible to achieve - with reduced expenditure - the four direct benefits presented in a report for the Club of Rome<sup>12</sup>. It also clears a path for the propagation of the ethics and philosophy of an environmentally-friendly lifestyle and coexistence of humans and the environment among the citizens and societies of countries around the world.

The primary and direct reason for the acceptance of the SD principle by the international community – with the inclusion of previously-formed principles and achievements of international law – is to prevent further degradation of the natural environment leading to dangerous climate changes. The rapid transformation of the SD concept into a legal principle was possible because it protects a common and vital interest of all members of the human race. And because it concerns all legal entities and many of their activities, and demands the integration of all their efforts, it is necessary to accept and implement it through education at all levels for stakeholders and legal entities. Of course, the causative factor in this area should be holistic thinking in the creation of law and its implementation by central and local governmental administration, as well as all stakeholder entities. The principle thus operates in a comprehensive manner.

The difficulty in its implementation results from the fact that it is the essence of all the attainments of international law (from the time of the most cruel of all wars known to Earth), legal achievements in the area of civil and social rights, and their consequences. The focus on environmental protection allows us to achieve other goals as well, including the implementation of various human rights principles, along with one of importance since the dawn of history, the keeping of the peace combined with international and domestic security in particular countries.

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<sup>10</sup> See W Michajłow (n 3) 77.

<sup>11</sup> See W Michajłow (n 3) 78.

<sup>12</sup> See EU von Weizsäcker, AB Lovins, LH. Lovins, *Mnożnik Cztery, podwojony dobrobyt – dwukrotnie mniejsze zużycie zasobów naturalnych*, Nowy Raport dla Klubu Rzymskiego (1999).

## II.

Soon after the Stockholm “Human Environment” conference (1972) – a “great call” was made to counter the threats to health and life from the growing degradation of the environment, and for the “acceptance of responsibility by citizens and communities, and by enterprises and institutions at every level, all sharing equitably in common efforts. **Individuals in all walks of life as well as organizations in many fields, by their values and the sum of their actions, will shape the world environment of the future. Local and national governments will bear the greatest burden of large-scale environmental policy and action within their jurisdictions**” (emphasis by the author)<sup>13</sup>. Professor Karol Wolfke wrote on several occasions about legal protection of the environment<sup>14</sup>, concluding his major contribution to this work with the publication of a book in 1979<sup>15</sup>.

In this work – which was a sort of summary of his previous thoughts on the matter – professor Wolfke expressed the magnitude of the challenge posed to humanity by the threats of worsening degradation of the environment and the state of international law in this area at the time. Simultaneously he noted the “especially strong connection between international regulations and domestic law”<sup>16</sup>. In the introduction to his book he emphasized the urgency of EP, saying that: “the necessity of quick and effective action for the protection of the environment does not require justification any longer...”, and further that “nobody doubts any more that the life of future generations is endangered, and that the only way of ensuring tolerable conditions for life on earth is (aside from vigorous action within various states) effective international cooperation at all levels”<sup>17</sup>. Later he says:

“Environmental protection is becoming a more and more complex and multilayered task. As research progresses, the co-dependence of various phenomena and the complexity of elementary human needs comes to light, which means that the very concept of an environment needing

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<sup>13</sup> See: Stockholm Declaration on the Human Environment in: Lakshaman D Guruswamy et al (eds) *Supplement of the Basic Documents to International Environmental Law and Order, A Problem-Oriented Coursebook* (1994) 107; see also K Kocot, K Wolfke (eds.) *Wybór dokumentów do nauki prawa międzynarodowego* (3<sup>rd</sup> ed 1976) 581.

<sup>14</sup> Karol Wolfke presented a report titled: *Effective legal instruments of international environmental protection* at the previously-mentioned first Kraków conference (n 5 229 – 237); together with his colleague from the same department, professor Kazimierz Kocot, he included *Declaration on the environment and development* from the Stockholm conference in the next edition of *Wybór dokumentów* (n 13) that they edited. He also published an article - K Wolfke, ‘Some reflections on International Environmental Law Making and Enforcement’ VIII Polish Yearbook on International Law 33-53, and referenced the issue problem in several other publications.

<sup>15</sup> K Wolfke, *Międzynarodowe prawo środowiska (tworzenie i egzekwowanie)* (1979). It should be noted that also the aforementioned prof. Kocot published a book during the decade in question titled *Prawnomiędzynarodowe zasady zoologii* (1977).

<sup>16</sup> See Wolfke (n 15) 106.

<sup>17</sup> See Wolfke (n 15) 5.

protection widens. It encompasses not just the air, water and soil, but also housing conditions, protection from noise and the cultural environment. It is therefore not an exaggeration to understand by the term “human environment” simply the entirety of conditions necessary for the normal life of an individual and society<sup>18</sup>.

The idea of preventing the degradation of the environment (the leading method of EP in SD) is often discussed by professor Wolfke. For example, when writing about the bilateral agreement of May 23, 1972 on cooperation in the area of EP between the USSR and the USA, he emphasizes one part of it by stating “among other things, it anticipates the development of measures for the prevention of pollution, the study of their influence on the environment and developing the basis for the control of human influence over nature. Particularly strong efforts are to be made towards improving current technologies and developing new ones”<sup>19</sup>.

When invoking Hargrove, professor Wolfke also noted another very important aspect of the broad and integrated approach of EP law. He noted that it can encompass “not only norms for the regulation of pollution and other harmful influences on the environment but also all regulations that could be made in order to prevent, mitigate or find remedial measures against threats to its existence”<sup>20</sup>. Taking such a perspective of EP, he predicted to some extent the institutionalization of this term in further UN activities, such as in one recent document called *Transforming our World – The 2030 Agenda for Sustainable Development*. In this document the most representative organ of the UN, gathered at the highest level of heads of state and governments, since September 25-27, 2015 has summoned governments and local authorities as well as all humans and legal persons to take action in order to reverse the continuing degradation of the environment and climate change.

It is known that what contributes widely to this growth are “successes” (calculated with the hitherto prevailing means of measuring GDP growth without considering its influence on the growing degradation of the environment) in almost every area of the economy and social life. They are all striving for a commendable goal: to satisfy basic human needs. However, this is done with great waste of energy and inefficiency in all forms, as well as through pollution of the air and water, degradation of soil and the production of huge amounts of liquid waste, mountains of solid waste and clouds of vaporous waste<sup>21</sup>. All of

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<sup>18</sup> Wolfke (n 15) 6., and in a footnote he adds: “The necessity of a wide understanding of environmental protection was already the central issue at the initial conference in Founex (Switzerland) in the June of 1971”

<sup>19</sup> Wolfke (n 15) 13.

<sup>20</sup> Wolfke (n 15) 7.

<sup>21</sup> See Równy (n 1).

this, from the satisfaction of human needs by habitual and destructive means, is today causing an apocalypse of droughts and floods, hurricanes and hunger, as well as many other calamities sure to multiply in the years to come.

### III.

International EP law in the 1970s was in an embryonic state. However, already at that time many of its elements were in place, expressed in court verdicts and arbitration rulings (e.g. the famous 1941 Trail Smelter arbitration, which ended a long-running dispute between the US and Canada). This example as well as many other later rulings confirm the basic elements of international EP law that remain relevant even today<sup>22</sup>.

As for contractual law, after Professor Wolfke's monograph was completed and sent to be printed (a process which took roughly 2 years), at the end of the decade the first European multilateral international agreement was published concerning an important aspect of comprehensive protection of one of the main components of the environment – the air (it was signed by the end of 1979). This agreement was inspired by the UN European Economic Commission. It was given the name of the Convention on Long-range Transboundary Air Pollution, signed in Geneva on November 13, 1979 (as of December 29, 2015 it has been ratified by 51 parties). The extent to which it was needed can be demonstrated by the fact that in the years 1984-2012 as many as 12 protocols and schedules were added to it regarding reductions of emissions of sulfur, nitrogen and other substances.

Next, in the mid-80s another convention was signed, this time a global agreement on protection of the ozone layer. It was agreed upon in Vienna on March 22, 1985 (as of December 29, 2015 it has been ratified by 197 parties – 4 more than there are members of the UN General Assembly), later supplemented with the Protocol on Substances that Deplete the Ozone Layer, agreed upon in Montreal on September 16, 1987 and 4 more supplementary agreements.

The next important agreement from the late 1980s is concerned with protection against dangerous waste. It was the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (opened for signature on March 22, 1989 in Basel – as of December 29, 2015 it has been ratified by 183 parties), which was supplemented with two additional protocols (of 1995 and 1999).

A virtual flood of multilateral agreements in which the signers clearly or presumptively commit to implementing the SD principle began in the 1990s, especially since the 1992 Earth Summit in Rio de Janeiro. One of the first two agreements in which the SD principle was clearly articulated was the Convention on Biological Diversity, agreed on June 5, 1992 (as of December 29, 2015 it has

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<sup>22</sup> See CAR Robb (ed), *Environmental Law Reports, Early Decisions*, Vol. 1(1999) 231ff.. The growing jurisdiction in EP cases has allowed the publisher to publish 3 additional volumes, totaling 5000 pages in print.



been ratified by 196 parties). It was supplemented with 3 additional protocols (Cartagena Protocol on Biosafety to the Convention..., Montreal, January 29, 2000, Nagoya... October 29, 2010 and Nagoya-Kuala Lumpur... 2010).

The second agreement prepared for the Rio Earth Summit was the United Nations Framework Convention on Climate Change, drafted on May 9, 1992 in New York (as of December 29, 2015 it has been ratified by 197 parties). It was supplemented with 4 additional acts, first the Kyoto Protocol, signed on December 11, 1997, then the Nairobi (November 17, 2006) and Doha (December 8, 2012) protocols; and finally the long-negotiated Paris Agreement to the Convention on Climate Change of 12 December 2015.

Among multilateral international agreements concerning sustainable development there are also agreements on the protection of sensitive areas connected with e.g. water resources or their lack, as well as mountainous areas (desertification, droughts and floods). Among the most serious is the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, signed on October 14, 1994 in Paris (as of December 29, 2015 it has been ratified by 195 parties). This sphere is also subject to “localized” agreements regarding mountainous areas: the Framework Convention on the Protection and Sustainable Development of the Carpathians (Carpathian Convention), signed in Kiev on May 22, 2003 and the earlier Alpine Convention, signed in Salzburg on November 7, 1991. Like the worldwide agreements, these “localized” ones are extremely important for natural balance to be maintained not only in the areas they are concerned with, but also in nearby and more distant ecosystems, as well as for the prevention of climate change around the Earth.

Agreements regulating the protection of the environment through the SD method also include covenants that directly concern water resources. One should note the regional Convention on the Protection and Use of Transboundary Watercourses and International Lakes, signed several months between the Rio Earth Summit in Helsinki on March 7, 1992 (as of December 29, 2015 it has been ratified by 51 parties). The convention was supplemented by two amendments (Protocol on Water and Health, signed in London on June 17, 1999 and the Amendment to Articles 25 and 26 signed in Madrid on November 28, 2003, which allowed non-European countries to enter the agreement).

Such agreements include the Convention on the Law of the Non-Navigational Uses of International Watercourses, long negotiated by the UN International Law Commission and signed on May 21, 1997, which came into effect on August 17, 2014, and by the end of 2015 had been ratified by only 36 parties; for unclear reasons it has not yet been ratified by Poland. The sustainable protection of water ecosystems should also include rules of customary law regarding underground watercourses codified by the International Law

Commission and accepted by the UN General Assembly for use and as a contribution to a future convention in this matter<sup>23</sup>.

Finally, a list of agreements guided by the sustainable development principle should also include the European Convention on the Transboundary Effects of Industrial Accidents signed (even before the World Summit) in Helsinki, on March 18, 1992 (as of December 29, 2015 it has been ratified by 41 parties).

This incomplete list of international agreements regarding environmental protection shows how global and European sustainable development law has been enriched. According to the list of agreements registered at the UN Secretariat, the number of basic (framework) multilateral conventions concerned directly with the protection of the environment (Chapter XXVII: Environment) of which the UN Secretariat is the depositor is as high as 17. It should be noted that these agreements have been universally or nearly universally accepted. Together with Protocols supplementing the agreements, this number (including the Paris Agreement to the Convention on Climate Change, signed on December 12, 2015), includes as many as 53 documents. It should be noted, though, that it does not list the Convention on the Law of the Sea (1980, created in the period after the 1974 Stockholm Conference) containing modern regulations regarding preventive protection of the world's oceans, as well as many other agreements that include environmental provisions (e.g. regarding EP during armed conflicts).

For some time now, the SD principle, integrating economic and social activities, is reflected directly or indirectly in laws regarding economic and social transactions as well as international agreements and trade conventions regarding this area<sup>24</sup>. If we add bilateral agreements (the depositors of which are the signatory states) the number goes up into the thousands. From the content of these agreements, which concern integrating economic and social activities with EP, one can conclude that their provisions should be "written out" as specific tasks of various governmental departments and local governments, as well as all other stakeholder entities for them to realize within their respective competences.

Taking into consideration the large number of agreements regarding environmental protection in connection with economic and social activity, and the fact that the SD method has been implemented in the laws of the entire

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<sup>23</sup> See K Równy, 'Międzypaństwowe kodyfikowanie prawa transgranicznych zasobów wodnych (powierzchniowych cieków wodnych i wód podziemnych)', in B. Mikołajczyk, J. Nowakowska-Małusecka (eds), *Prawo międzynarodowe, europejskie i krajowe – granice i wspólne obszary* (2009) 465ff. Before they were included in the International Law Commission project, they were reflected in the private codification of the International Law Association. See K Równy, 'Międzynarodowe prawo zasobów wodnych – Berlińskie Reguły Stowarzyszenia Prawa Międzynarodowego (ILA 2004)' (2005) *Zeszyty Naukowe Wyższej Szkoły Menedżerskiej w Warszawie* 68.

<sup>24</sup> See J. Ciechanowicz-McLean, M. Nyka, 'Aksjologia umów w międzynarodowym prawie ochrony środowiska' in Z. Galicki, T. Kamiński, K. Myszone-Kostrzewa (eds), *40 lat minęło – praktyka i perspektywy Konwencji wiedeńskiej o prawie traktatów* (2009) 227, and especially 230.

community of international law entities (and in many countries – including Poland – it has been included in the constitutional law), one can conclude that they have established the most effective legal principle of EP, initiated in Polish scholarship in the 1970s. It is at the same time the quickest and least costly (achievable through intellectual effort, with minimal changes to the physical environment at most) method that allows us to optimally achieve economic and social goals. The sustainable achievement of such goals also allows for the realization of a “bloodless mental revolution of the age of sustainable development and the anthropocene age” that would ensure tolerable life for all, as well as international and domestic peace and security.

Unfortunately, this qualitative “shift from the concept of healing the symptoms of the environmental disease and not curing its causes” through the integrated knowledge of many scientific disciplines and the experience of integrated management in many areas of study – for now, despite its excellent beginnings from the 1970s – has not been worked out theoretically in Poland nor propagated for the systemic implementation by all stakeholders<sup>25</sup>.

Therefore, the problem that remains is to elaborate theoretically on this new principle and consolidate it in the minds of government and local administration, as well as of society, for given the current threats “all hands and minds on deck” are needed. The necessity of implementing this new way of satisfying human needs is expressed by various voices from around the world (concurrently with UN recommendations) on the exigency of the necessary changes, both inside particular countries and in the arena of international relations<sup>26</sup>.

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<sup>25</sup> For the past quarter of a century we have proven unable to learn this lesson. From some actions by the successive national and local governments of various political parties in this period (which undertook or confirmed international obligations), one can even conclude that the very concept of SD has not been fully understood. Calls at many national and international conferences, including ones by the author of this article, for SD-guided reform remain unanswered (See K Równy, *Ku międzynarodowemu i porównawczemu prawu zrównoważonego rozwoju (w ochronie środowiska)* (2010); See also K Równy, *Rio+20 dla wdrażania zrównoważonego rozwoju a prawo ochrony środowiska i jego nauka w Polsce* (2013). Also recently, a loud voice for reforms (unfortunately not for sustainable development) was heard across our country, as in the parliamentary election on October 25, 2015 the previous government lost power. At the same time, the electoral campaign showed – with many ostensible calls for reforms and projects of changes in law that were supposed to bring us various benefits – that none of the electoral committees presented long-term, urgent and necessary reforms connected with entering the path of sustainable development for the improvement of the conditions of economic and social life and for preventing the degradation of the natural environment and climate changes. The promises of some of the committees even promoted actions ostensibly contrary to the SD principle, such as continued coal mining (even with state subsidies), ergo, continuing mass waste and pollution of air, water and soil, resulting in climate change and the deterioration of the health of Poles.

<sup>26</sup> A very important document in this matter is Pope Francis’s encyclical titled. *Laudato si*, (2015). Additionally, it is worth listing some recently published books that approach the problems that were at the heart of the 2015 Summit synthetically. e.g.: JE Stiglitz, M Kaldor (eds) *Quest for*

The magnitude and extent of the changes needed in economic and social activity can be illustrated by the aforementioned UN program, recently accepted at the highest level by heads of state and government leaders on September 27, 2015, titled *Transforming our World...* and calling for rational reforms and economic and social campaigns in connection with EP for the urgent accomplishment of the following 17 goals for sustainable development in all countries of the world:

- Goal 1. End poverty in all its forms everywhere
- Goal 2. End hunger, achieve food security and improved nutrition and promote sustainable agriculture
- Goal 3. Ensure healthy lives and promote well-being for all at all ages
- Goal 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all
- Goal 5. Achieve gender equality and empower all women and girls
- Goal 6. Ensure availability and sustainable management of water and sanitation for all
- Goal 7. Ensure access to affordable, reliable, sustainable and modern energy for all
- Goal 8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all
- Goal 9. Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation
- Goal 10. Reduce inequality within and among countries
- Goal 11. Make cities and human settlements inclusive, safe, resilient and sustainable
- Goal 12. Ensure sustainable consumption and production patterns
- Goal 13. Take urgent action to combat climate change and its impacts\*
- Goal 14. Conserve and sustainably use the oceans, seas and marine resources for sustainable development
- Goal 15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss
- Goal 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

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*security, protection without protectionism and the challenge of global governance* (2013). In this book, 18 eminent experts, including the Nobel Prize winner Joseph E. Stiglitz, present a large number of issues (first and foremost of a social nature) relevant to modern peace and security. General challenges of the modern world are described in a book by the director of New York's Earth Institute at Columbia University, Jeffrey D. Sachs: *The Age of Sustainable Development* (2015). If we take into consideration scientific publications and mass protests in many countries, including the unprecedented scale of mass migrations, we may conclude that there is a tsunami wave approaching, forcing a change in the current state of affairs in various countries and between them. The world is now in a state of major economic and social crisis that makes it difficult to combat the dangerous results of environmental degradation in the form of climate change.

Goal 17. Strengthen the means of implementation and revitalize the global partnership for sustainable development

As we can see, the listed Goals indicate the necessity of making substantial changes in the previous (traditional) style of political, economic and social activities in order to prevent modern threats to peace and safety, health and life, and for the survival of the human species on Earth. These goals have additionally been detailed in 169 points, which indicate the deadlines for their implementation in various areas. They are doubtlessly the key challenges of modern times, which clearly show that in order to uphold the basic goal of the UN – i.e. to maintain international and domestic peace and safety - as well as in order to prevent the “slow” erosion of health and life of the human species resulting from the growing degradation of the environment and climate change, urgent changes are needed in social and economic life<sup>27</sup>.

When analyzing the goals of the 2015 Summit for the implementation of SD, one can conclude that the means of achieving the fundamental goal of maintaining peace and security (for which the UN was founded after the most cruel war in the history of humanity) over the last 70 years has clearly shifted from military strategy to respect for the civic and social human rights of all people, including access to education and lifelong learning, fair work and pay, respect for gender equality and the satisfaction of basic human needs (access to healthy food and water, healthy living conditions), reducing inequalities within a given country and between countries, introducing sustainable patterns of consumption and production, urgent prevention of climate change and its effects, promoting peaceful and integrated societies for sustainable development: in short, it has shifted to the broadly-understood category of social and economic activities. In summary, international norms in the SD age which used to refer to government activities in a stricter sense now refer to the entirety of government and local administration, as well as all other entities, and to our behavior in our homes (including our kitchens and bathrooms), which require us to act in accordance with the maxim *si vis pacem para pacem*.

For this way of preventing new and “traditional” threats to the human race we need not only military officers (keeping the peace as it was understood before), but an “army” of graduates of all kinds of studies (including military ones), educated in the interdisciplinary maintenance of sustainable development, led by scholars from all areas of science. In Poland, because the pioneers of international environmental protection law of the 1970s are no longer with us and the good foundations laid for the study of EP law regarding sustainable development have not been built on, the need for more work in this area is especially urgent.

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<sup>27</sup> For more, see Równy (n 1).

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