International Security: Current Situation and Ways of Improvement Legal Regulation*

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Abstract
The issue of security is a fundamental aspect in the maintenance of international relations, and such relations cannot be upheld without concrete laws and credible policies underlying the international scene. It is really essential and appropriate in setting strong international security on the international level. With all these in place, ensuring this international security has been a difficult task by actors on the international scene due to the multifacet of the various legal regimes with the diversified policy set up making the objective of international security a laughable phenomenon. The purpose of the article is to determine the characteristic features of the current state of the international security system, based on current situations in a particular region of the world, as well as to establish the relationship between various elements of international security. This great plague attacking international security has been of great questioning too many of the international scene as to what importance will security be necessary when it cannot be respected by those who claim in ensuring international peace and security? In answering this question, it will be appropriate for us in adopting empirical research to examine the various hurdles which can jeopardise international security. From the above outcome experience, one can say with any fear of contraction that the notion of international security is more of procrastination than a plausible redress. It is against this backdrop that we think much still need to be done in ensuring a place occupied by concrete international security, respected by all without violations.
Keywords: international security, ways of improvement, international cooperation, effective interaction, sturdy policy.

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Keamanan Internasional: Situasi Saat Ini dan Cara Perbaikan Regulasi Hukum

Abstrak

Isu keamanan merupakan aspek fundamental dalam pemeliharaan hubungan internasional, dan hubungan semacam itu tidak dapat ditegakkan tanpa undang-undang yang konkrit dan kebijakan yang kredibel yang mendasari kancah internasional. Hal ini sangat penting dan tepat dalam menetapkan keamanan internasional yang kuat di tingkat internasional. Dengan semua ini, memastikan keamanan internasional ini telah menjadi tugas yang sulit oleh para aktor di kancah internasional karena multifaset dari berbagai rezim hukum dengan kebijakan yang beragam membuat tujuan keamanan internasional menjadi fenomena yang menggelikan. Tujuan artikel ini adalah untuk menentukan fitur karakteristik dari keadaan sistem keamanan internasional saat ini, berdasarkan situasi saat ini di wilayah tertentu di dunia, serta untuk menetapkan hubungan antara berbagai elemen keamanan internasional. Wabah besar yang menyerang keamanan internasional ini telah menjadi pertanyaan besar bagi banyak orang di kancah internasional tentang pentingnya keamanan apa yang diperlukan ketika keamanan tidak dapat dihormati oleh mereka yang mengklaim dalam menjamin perdamaian dan keamanan internasional? Dalam menjawab pertanyaan ini, sudah sepantasnya kita mengadopsi penelitian empiris untuk mengkaji berbagai rintangan yang dapat membahayakan keamanan internasional. Dari pengalaman hasil di atas, orang dapat mengatakan dengan ketakutan akan kontraksi bahwa gagasan keamanan internasional lebih merupakan penundaan daripada ganti rugi yang masuk akal. Dengan latar belakang inilah kami pikir masih banyak yang perlu dilakukan untuk memastikan tempat yang ditempati oleh keamanan internasional yang nyata, dihormati oleh semua tanpa pelanggaran.

Kata Kunci: keamanan internasional, cara peningkatan, kerjasama internasional, interaksi efektif, kebijakan kokoh

Международная безопасность: текущее состояние и пути совершенствования правового регулирования

Аннотация

Целью статьи является определение характерных черт современного состояния системы международной безопасности с учетом текущей ситуации в конкретном регионе мира, а также установление взаимосвязи между различными элементами международной безопасности. Государства выдвигают разные, иногда противоречивые предложения по совершенствованию системы международной безопасности, поскольку страны имеют разные возможности для реализации реальных мер по реформированию международной безопасности. Считается, что несколько самых влиятельных стран мира играют основную роль в формировании так называемой «повестки дня» в международной политике, в том числе в сфере безопасности. Их влияние основано на различных сферах общественной жизни. Развитые демократии Западной Европы и Северной Америки оказывают значительное влияние на международно-правовые отношения благодаря своему экономическому, культурному и политическому влиянию. В свою очередь, Россия и Китай в значительной степени повлияли на международную политику через ультиматумы и угрозы из-за своих собственных вооруженных сил, которые по-прежнему остаются если не лучшими, то одними из крупнейших в мире. Особое внимание обращается на тот факт, что Украина в связи с вышеуказанными обстоятельствами должна следовать курсу сближения с развитыми демократиями, чтобы добиться успеха. С учетом проведенного исследования авторами представлены предложения по совершенствованию правового регулирования международной безопасности.

Ключевые слова: международная безопасность, защита интересов, международное сотрудничество, противодействие угрозам.

A. INTRODUCTION

The implementation of state policy in the field of security of the country requires systematic monitoring and adjustment, taking into account the rapid changes in the global world and space. This monitoring of the state of security of the country should be carried out by obtaining and studying certain factual data that allows making a conclusion about the effectiveness of joint efforts of the authorized state agencies in the direction of national security (Koshikov, 2020).

Crime is currently one of the most real threats to the security of citizens, society and the state. The scale of crime has risen rapidly to unprecedented levels, there is an increase in the degree of aggression, cruelty, audacity, danger of crime actions, professionalism and organization of crime is being increased (Mozol, 2018, p. 118). More than half of the committed socially dangerous acts are grave and extremely grievous crimes. The problems and current issues that are somehow related to the field of international security are different. First of all, it comes from a fairly wide range of social legal relations covered by this sphere of life.

First of all, the essence of international security is to ensure an appropriate level of stability in the world in the whole, as well as in a particular country. However, numerous studies conducted by scholars from around the world state that the subject matter and scope of international security interests are much broader. Thus, authoritarian regimes mostly tend to understand international security as the absence of threats to their own existence and the ability to pursue their repressive policies without negative consequences for them. In other words, they consider the main task and content of international security to reach agreements between the leaders of key world powers on the mutually beneficial distribution of so-called "spheres of influence". Instead, with regard to politically developed, liberal democracies, it is stated that they understand the sphere of international security in a fundamentally different way. In particular, they believe that the above branch of public life is much more complex and multilevel than imagined by authoritarian regimes. International security from the point of view of researchers representing the position of Western democracies should be recognized not only as a set of mutual agreements between states, but also as the protection of all elements of society in each state.

B. METHODS

The methodological basis of the study is determined by the subject of the study and is explained by the use of general scientific system method and

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special legal methods: analysis, synthesis, system, library, formal-legal. The systematic approach made it possible to characterize international security as the most important guarantee of ensuring human rights, as well as the development of any country, in particular the economic, political, and other spheres.

Through the use of methods of analysis and synthesis, real information was obtained regarding the current state of the international security system, based on current situations in a particular region of the world, as well as to establish the relationship between various elements of international security. In particular, developed democracies of Western Europe and North America have a significant influence on international legal relations due to their economic, cultural, and political influence. In turn, Russia and China have largely influenced international politics through ultimatums and threats due to their own armed forces, which still remain if not the best, but one of the largest in the world.

The necessary data and information have been collected in a library method using books, articles, and websites related to the research topic. The research was conducted by referring to the scientific works and existing documents related to discourse, and reviewing and studying legal sources. The use of the formal legal method allowed us to characterize the existing situation associated with a number of problems that arise when improving legal regulation of international security, as well as to analyze the identified problems and suggest the best ways to resolve them.

C. RESULTS AND DISCUSSION

The prohibiting torture, cruel, inhumane, and degrading treatment of persons is an important aspect of human right specificities articulated in relevant human rights dispositions especially the main Universal Declaration of Human Rights 1948, and has given responsibilities to States in ensuring the effective protection of this right by preventing their violations. Though this right has occupied an international recognition to States who are parties to the available relevant dispositions, violating its provision will constitute grave injury and arbitrary treatment on the dignity and integrity of the human race (Minang & Nguindip, 2020). One of the most important discussions in modern science is the issue of a complete, comprehensive definition of the essence and content of such an important social phenomenon as international security.

The main topic of recent research on international security and international relations was about the criteria and features of public life that are

able to set the direction of the entire field of international security (The DCDC Global Strategic Trends Programme 2007-2036). This situation is due to the fact that a significant shortcoming of current international security standards is the fact that they were introduced in the middle of the last century and most of them do not meet the requirements and challenges of the present day. In this context, the countries of the world can be clearly divided into those who understand the importance of timely adaptation of their own and international security standards to modern realities and successfully do it, as well as those who are "stuck" in the past and do not demonstrate interest in adjusting international security standards in accordance with today's challenges (Burrows & Manning, 2021).

The countries of the first group include the developed democracies of the Western world, which at the same time are the most powerful economic leaders. Their democratic model of political governance – is a developed political and social culture, as well as a globalized market economy that greatly assists them to quickly and efficiently adapt to the key conditions and realities of the present day. In particular, it is applied to the sphere of international security, where those states always occupy leading positions. The liberal-democratic political system also guarantees that the state leadership will not be able to hide the true information from its own citizens (Wright, 2021). This, in turn, significantly contributes to the refusal of politicians to manipulate their own population and their rapid transition to real action to successfully solve existing problems. According to the observations of researchers, timely response to a problem in the field of international security can minimize its negative consequences.

The above democracies are unable to ensure a high level of international security by acting independently. In order to make effective progress in improving the international security system, they somehow have to cooperate with countries that do not have a high level of political culture, or even authoritarian regimes (Wright, 2017). Moreover, there are those states among authoritarian ones that have significant economic or military potential, thus exerting a significant influence on international politics and world society in the whole. It has been noted that authoritarian regimes understand the essence of such a phenomenon as international security in a very specific form.

The best result in the field of international security for such regimes is the state of affairs, when due to certain "agreements" with key world powers, they can continue to oppress their own population with impunity receiving financial benefits and not suffering negative consequences for their actions. According to some scholars, the existence of the above-mentioned authoritarian

regimes can already be defined as one of the direct threats to international security. Those authoritarian regimes by oppressing and exploiting the population of their own state demonstrate the same attitude towards the citizens of other states. It is especially true to citizens of those countries that are militarily or economically weaker than the authoritarian regime of a particular country. Examples are primarily autocracies with nuclear weapons (Wright & Kahl, 2021).

Thus, we can state that nowadays it is not possible to establish a consensus between different countries of the world regarding the nature and priorities of the development of international security. However, the vast majority of experts believe that developed democracies should still continue to work systematically to force authoritarian regimes to adopt a human-centered model of international security (Top global security, 2020). We emphasize that anthropocentrism in this context, according to the views adopted by most scholars, is understood as an unconditional priority of life and well-being of each person while implementing any state or international policy. It is this principle that has been taken into account by the United States, Canada and the European Union as the key one to policy-making in international cooperation and security sector. Numerous situations and life circumstances that have occurred over the last and current centuries are direct evidence of this (Wintrobe, 2003). For example, when deciding whether to use or not using force in an international or regional conflict, Western countries always consider the scope of suffering that people overcome or may overcome while choosing a specific solution to the conflict by Western countries.

One of the "classic" situations in this context is the events that took place in the countries of the former Yugoslavia in the 90s of the previous century. We mean the mass killings, the so-called "ethnic cleansing" that took place in Serbia, Bosnia, Croatia and other Balkan countries during the collapse of Yugoslavia into these separate independent states. Given that those atrocities were mainly committed by the Serbian soldiers under the leadership of the former Yugoslavia, NATO Member States unanimously decided to put an end to those crimes against humanity that took place on European territory (Braithwaite, 2019). Thus, they decided to restore the level of international security damaged by those atrocities in Europe and in the world in the whole. The military operation was launched almost immediately after the above decision destroyed the aggressors' military capabilities and made it impossible for them to commit mass killings and other international crimes in the future.

Subsequently, international criminal tribunals, in particular the International Criminal Court in Hague, have been able to administer justice to many middle-level and senior criminal group commanders through close cooperation between leading Western countries. Based on this fact, we note that this example is an illustration of how the views within the international security sector differ between liberal democracies on the one hand, and authoritarian regimes on the other (Bardall, 2016).

Leading democracies, getting acquainted to the numerous crimes committed by the regime of Slobodan Milosevic, did not recognize him as a legitimate leader of the state and, accordingly, as a negotiating partner in the field of international relations and international security. Instead, Milosevic himself, his supporters, and all those who committed the above-mentioned crimes against humanity were recognized as a threat to the proper functioning of international security and stability at the level of the Southern European region and at the level of the whole world.

According to researchers who studied those processes, it once again confirms the thesis and assertion that there is a kind of common understanding among the vast majority of politicians and statesmen of the United States and Western European countries of how the international security sector should function around the world and about the standards that should operate in this area. According to this understanding, every case of oppression of its own citizens by the authoritarian regime is a matter of consideration and concern by the world community (Dzehtsiarou, 2021). Moreover, such cases are described as a direct threat to international security and international standards, and therefore, they are given extremely serious attention. It is believed that any authoritarian regime, which escapes punishment for the commission of crimes against its own citizens, will eventually start committing crimes against other states and foreign citizens.

One of the recent example, which is certainly a real confirmation of all the above, is the case of the forced landing of a civilian plane flying between the two EU countries on May 23, 2021 by the self-proclaimed "President" of Belarus Aleksandr Lukashenko (Boute, 2019). Considering thoroughly this case, it should be noted that a civilian passenger flight en route from Greece to Lithuania was intercepted by military aircraft subordinated to the authoritarian regime of Lukashenko and was forcibly landed in Minsk. The reason for this act of air terrorism on the part of the regime was the fact that a Belarusian opposition figure, a critic of the Belarusian Regime Roman Protasevich was on the board of the plane. As a result, he was captured by the regime's law

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enforcement agencies and illegally imprisoned as a regime hostage (Szakonyi, 2020).

The developed democracies of Western and Central Europe, as well as Canada and the United States, along with other democracies around the world, unanimously recognized the case as an act of international air terrorism committed by a particular state (Belarusian authoritarian regime) and strongly condemned it. Western states took serious actions in response to that criminal act almost immediately after the incident. In particular, a total ban on the entry into the airspace of all EU countries for aircrafts from Belarus was introduced. In addition, planes from the EU and the US were ordered to bypass airspace over Belarus, avoiding its entering. Thus, we can state the seriousness of the intentions of Western politicians to demonstrate how strongly they oppose the commission of such anti-civilized acts in Europe and around the world. The indicated case has become a significant challenge and a serious threat to international security. Such an audacious terrorist act, committed by the order of usurper Lukashenko, has been condemned even by many authoritarian regimes and some terrorist organizations as a dangerous illegal encroachment on public relations between people.

There have been recently significantly more cases in the world involving forced landings or excessive detention of civilian aircrafts for political or personal purposes (Savage, 2020). It is also well-known case of the neutralization of a civilian passenger plane MN 17, which was en route from the Netherlands to Malaysia in July 2014, by members of the LDNR terrorist group. That case became especially famous in Ukraine, over the territory of which the plane was shot down. Numerous governmental and independent groups of researchers and experts have established, sometimes in details that the aircraft was deliberately shot down by the BUK anti-aircraft military system, which is in service with the Russian Federation and assigned to a Russian military base. All passengers and crew members were killed as a result of that terrorist act committed by the Russian military and terrorist groups completely subordinated to it (D'Anieri, 2019).

The process of resolving the military conflict in Ukraine in the context of establishing stable peace and security in the east, as well as returning the occupied territories of Donbas to Ukrainian control is given much attention by political leadership scientific environment, and the average population. For Ukraine, which in the framework of the «hybrid war» faced such factors as the temporary occupation of the territory of Ukraine by the Russian Federation, issues of peace and security in the east of the state have become extremely important. As a result, legal scholars are increasingly questioning the legal

nature of the Minsk agreements themselves, as well as the nature of the parties' international rights and obligations (Markov & Voitsikhovskyi, 2020).

Based on this, international security experts, in particular Bill Crystal, point out that the commission of such criminal acts by authoritarian regimes, especially such as Russia, China, Iran, North Korea, Saudi Arabia and others, poses a very serious threat to the stability of international security and for the whole mankind in general. He explains that the entire danger is not only in the illegality, audacity and horror of the crimes committed by authoritarian regimes, but also in the difficulty for the world community, in particular for EU democracies, as well as the US, Canada and Britain, to provide a decent response to such crimes, i.e. to bring the perpetrators to justice.

Such countries as Russia, Iran and North Korea are largely capable of blackmailing other states with nuclear and chemical weapons, as well as the possibility of aggression with their own armed forces. And the threat from the countries like China and Saudi Arabia largely originates from their economic power and influence on global financial markets, despite the fact that China also has nuclear weapons and has the largest army, and Saudi Arabia is the world's largest buyer (importer) of weapons (Horne, 2019). All those means and instruments of influence of authoritarian regimes on international politics and economics undermine the ability of the liberal and democratic part of the world community to give them a decent rebuff in response to numerous offenses. Therefore, according to researchers, it is necessary to conduct clear and systematic work to eliminate the so-called "levers" of influence possessed by authoritarian regimes in order to restore effective standards of international security in the world.

On the basis of generalization and analysis of the current legislation in the field of national security and defense, O. V. Nesterenko (2020) has defined the system of subjects of national security and defense of Ukraine as follows: 1). Management subsystem (the President of Ukraine); 2) Controlled subsystem: security forces – law enforcement and intelligence agencies, state agencies of special purpose with law enforcement functions, civil defence forces and other agencies; Defense Forces – the Armed Forces of Ukraine, as well as other military formations, law enforcement and intelligence agencies, special purpose agencies with law enforcement functions formed in accordance with the laws of Ukraine; defense-industrial complex; citizens and public associations; 3) auxiliary parts of the system (Verkhovna Rada of Ukraine, Cabinet of Ministers of Ukraine, judicial agencies, international institutions).

Nowadays, it is extremely important that the vast majority of politicians and statesmen in the economically developed, liberal and democratic countries

of the world better understand that the harmony and stability in the field of international security should be established not only by peaceful persuasion of aggressors and offenders, but also by making them respect human and civil fundamental rights and freedoms.

The main object of the reform in the field of national security is the whole complex of public relations, which is subject to special protection by the system of entities for ensuring national security. The system of such social relations is centered around the defining national interests, which usually include the vital interests of a man, society, and the state, and the implementation of which ensures the state sovereignty, its progressive development, and safe living conditions and welfare of citizens. The main purpose of national security reform is to improve legislation and governance in the national security sector, which can provide qualitative strengthening in accordance with current and future needs of society to protect key national interests from external and internal real and potential threats (Zahumenna, 2021).

D. CONCLUSIONS

Thus, the basis of any standards of global, international security is the readiness of states to properly implement and, if necessary, to protect the standards adopted and agreed by them. It has been noted that according to the observations of many researchers, the current level of international security is not stable, because it constantly suffers from crimes and offenses committed by criminal and terrorist organizations, as well as, most dangerously, authoritarian regimes.

State terrorism is currently the greatest threat to the well-being of all international legal relations. Its key threatening elements are that, first of all, it is often obscured by the official status of a state recognized in the world by other states, and therefore has an equal place within international relations and participates in international agreements that provide it with interstate protection against persecution. The status of a recognized state also allows the authoritarian regime that governs the state to exploit its resources and its citizens with impunity by using this for own personal purposes (for example, receiving personal income).

Given all these features of authoritarian regimes, we argue that a clear and coordinated campaign should be launched against their influence, which should be aimed at leveling the levers of influence of those regimes and ensuring the inevitability of punishment by the key persons of the regimes for their specific crimes. According to Western observers, it is important that those

who committed or ordered the commission of intentional international crimes are directly prosecuted. Such crimes include killings of opposition figures, journalists, encroachments on the safety of civil aviation, cooperation with organized criminal groups, etc.

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