INSTITUTIONAL MECHANISMS FOR THE FORMATION OF POLITICAL AND LEGAL ORDER IN THE FIELD OF ENVIRONMENTAL PROTECTION

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Abstract

The article is devoted to environmental legal relations formed in the course of implementing the state's positive obligations and goals enshrined in Article 12 of the Constitution of the Republic of Armenia, entitled "Environmental Protection and Sustainable Development," as well as in the process of developing and implementing the state's environmental policy, as a type of legal relation. Based on the subject matter and method of legal regulation of environmental law, the features of the political and legal order in this field are discussed, which, in general, are determined by the specific characteristics of environmental legal relations.

The institutionalisation of the political and legal order is presented as a natural consequence of social development, since society demands the regulation of the totality of social relations through legal means. The political and legal order is formed and functions when state authority is established, which affirms and maintains it, protects it from violations, and, if necessary, enforces it by means of coercion. Scientific approaches to the concept of the legal order are analysed, and a conclusion is drawn that, in a broad sense, the legal order of the environment can be viewed as a system of legally enshrined means for implementing the guidelines of state environmental policy aimed at regulating relations between humans and nature.

The subjects and objects of environmental legal relations are presented. Environmental legal relations always appear in the form of a connection between subjects who are linked to each other by rights and obligations, the common feature of which is their volitional nature, since they are expressed in the form of the realisation of interests.

Keywords: Environmental relations, de–ecologization, environmental order, environmental legal relations, environmental security, institutionalisation.

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Համառոտագիր

Հոդվածը նվիրված է Հայաստանի Հանրապետության Սահմանադրության՝ շրջակա միջավայրի պահպանությունը և կայուն զարգացումը վերտառությամբ 12-րդ հոդվածում ամրագրված պետության պոզիտիվ պարտականությունների և նպատակների իրականացման ընթացքում, պետության բնապահպանական քաղաքականության մշակման և իրացման ընթացքում ձևավորվող բնապահպանական իրավահարաբերություններին՝ որպես իրավահարաբերությունների մի տեսակի: Ելնելով բնապահպանական իրավունքի իրավական կարգավորման առարկայից և մեթոդից՝ քննարկվել է այս ոլորտում քաղաքական-իրավական կարգի առանձնահատկությունները, որոնք, ընդհանուր առմամբ, որոշվում են բնապահպանական իրավահարաբերությունների առանձնահատկությամբ:

Քաղաքակաիրավական կարգի ինստիտուցիոնալացումը ներկայացվել է որպես սոցիալական զարգացման բնական հետևանք, քանի որ հասարակությունը պահանջում է կարգավորել հասարակական հարաբերությունների ամբողջությունը, որը իրականացվում է իրավական միջոցներով: Քաղաքակաիրավական կարգը ձևավորվում և գործում է, երբ ձևավորվում է պետական իշխանությունը, որը հաստատում և պահպանում է քաղաքակաիրավական կարգը, պաշտպանում է խախտումներից և, անհրաժեշտության դեպքում, պաշտպանում է հարկադրանքի ուժով: Վերլուծվել են իրավակարգին վերաբերող գիտական մոտեցումները և եզրահանգում կատարվել այն մասին, որ լայն իմաստով, շրջակա միջավայրի իրավական կարգը կարելի է դիտարկել՝ որպես մարդու և բնության միջև հարաբերությունները կարգավորելու համար պետական բնապահպանական քաղաքականության ուղեցույցների իրականացման համար օրենսդրորեն ամրագրված միջոցների համակարգ:

Ներկայացվում են բնապահպանական իրավահարաբերությունների

սուբյեկտները և օբյեկտները: Բնապահպանական իրավահարաբերությունները միշտ հանդես են գալիս սուբյեկտների միջև կապի ձևով, որոնք միմյանց հետ կապված են իրավունքներով և պարտականություններով, որի ընդհանուր առանձնահատկությունն այն է, որ ունեն կամային բնույթ, քանի որ արտահայտվում են շահերի իրացման ձևով:

Բանալի բառեր՝ բնապահպանական հարաբերություններ, ապաէկոլոգիազացում, բնապահպանական կարգ, բնապահպանական իրավահարաբերությունների, բնապահպանական անվտանգություն, ինստիտուցիոնալացում:

Introduction

The relevance of the issue studied in the article lies in the fact that the legislation governing environmental relations in Armenia has been shaped of international environmental law. It should be noted that, in general, Armenian environmental legislation, corresponding to the main trends in the development of international environmental law, reflects the interests of individuals, society, and the state in the environmental sphere by guaranteeing the right to apply to state bodies with complaints, proposals, and demands regarding environmental protection; the right to unite and create public and other non-commercial environmental organizations; the right to participate in decision-making related to the environmental rights and obligations of individuals and citizens; as well as the right to participate in referendums, rallies, pickets, and marches devoted to environmental protection issues.

Object

The object is the legislative regulation of the political and legal order in the environmental sphere of the state.

Subject

The subject is the formation of legal relations in the course of shaping the political and legal order in the environmental sphere.

Purpose

The purpose is to formulate the institutional mechanisms of the political and legal order in the environmental sphere.

Relations between humans and nature constitute the general context of environmental relations, which should be considered as a type of social relations formed in the course of realising the needs and interests of individuals, society, and the state in the sphere of natural resource management and environmental protection. Since relations between humans and nature characterise the essence of human life activity, determining society's main adaptive strategy at any stage of social development, it can be confidently asserted that environmental relations have fundamental significance within the system of social relations, especially in the context of an environmental crisis, when the threat of the destruction of

humans as a biological species becomes evident. Consequently, the entirety of environmental relations developing in society largely determines the nature and content of economic, political, legal, and other types of relations. The fact that modern states do not always recognise this environmental imperative does not mean that environmental relations play a less significant role. This is evidenced by environmental problems arising at local, regional, and global levels, which clearly demonstrate the fundamental nature of environmental relations to the existence of human civilisation, as the de–ecologization of the economy, politics, and law inevitably enters a new phase of environmental crisis.

The statements in the Rio Declaration concerning the necessity of building a global environmental order are not merely declarative assertions characteristic of this type of document, but rather a program of human activity, in which the environmental order is a necessary condition for ensuring sustainable development.

As discussed above, ecology is becoming an important factor in political processes at both the global and national levels. The necessity of establishing an environmental order clearly becomes a determining factor in the development of environmental rights and freedoms within the framework of international and national legal orders. The subject matter and method of legal regulation of environmental law make it possible to discuss the specific features of the political and legal order in this sphere, which, in general, are determined by the characteristics of environmental legal relations.

The institutionalisation of the political and legal order is a natural consequence of social development, since society demands the regulation of the totality of social relations, which, in a state governed by the rule of law, is carried out through legal means. The political and legal order is formed and functions where and when state authority is formed, which establishes and maintains the political and legal order, protects it from violations, and, if necessary, defends it by means of coercive power at its disposal. Without this, the implementation of state goals, the manifestation of the essence, form, and functions of power, and the resolution of state affairs are impossible.

The legal order should be regarded as the guarantee and realisation of subjective rights, as well as the fulfilment of legal obligations, by all citizens, officials, bodies, and organisations. In the literature, the legal order is usually defined as a system of social relations formed based on law and legality (Cerdantsev, 1996), as the organization of social life based on law and legality that reflects the qualitative state of social relations (Shaburov, 1997), or as the state of actual regulation of social relations expressing the real, practical implementation of the requirements of legality (Alekseev, 1981). Thus, M. N. Marchenko, defining the legal order, proceeds from its understanding as an "objectively conditioned state, a characteristic of social life, which is characterized by the internal coherence and regulation of the system of legal relations and connections, based on the implementation of the democratic and humanistic principles and normative

foundations of law and legality, with due regard to the rights, freedoms, and obligations of all subjects" (Marchenko, 1999).

According to some assessments, the legal order is "an objectively and subjectively determined state of social life, characterized by the regulation and internal coherence of the system of legal relations, based on normative requirements, the principles of law and legality, as well as democratic, humanistic, and moral requirements, the rights and obligations of all subjects of law, freedom, and responsibility" (Malko, 2001).

The essence of the legal order lies in its being the result of a political process, since its fundamental issue is the exercise of state power. Therefore, the legal order, which reflects economic interests, forms of ownership of the instruments and means of production, production itself, production relations and processes, and the forms and extent of distribution of products, has content with a political context. It institutionalises the organisation, structure, and powers of the state bodies of legislative, executive, and judicial authority. Consequently, the legal order, as a form of organisation of social life, should be regarded as a political and legal order.

Thus, according to some researchers, the following levels can be distinguished within the legal order: objective laws and trends of development; realities of life; social normativity and demand as a mandatory condition of the activity of society and the state; the legal formalization of people's demands in real processes; and the legal normativity of the regulation of relations (Kozhevnikov, 1998).

Therefore, the establishment of a legal order in any sphere of social relations is one of the most important tasks of state policy. Taking into account the complexity and relevance of the goals of state environmental policy, the role and significance of forming a political and legal order in the environmental sphere cannot be underestimated. In a broad sense, the legal order of the environment can be viewed as a system of legally enshrined means for implementing the guidelines of state environmental policy aimed at regulating relations between humans and nature.

The subject matter of such regulation includes ownership of natural resources, the use of natural resources, protection of the environment from pollution, depletion, and destruction, as well as the protection of environmental rights and legitimate interests of individuals and legal entities.

The constitutional basis of the environmental legal order is the set of rights and freedoms enshrined in Article 12 of the Constitution of the Republic of Armenia, which stipulate that "The State promotes the protection, improvement, and restoration of the environment and the reasonable use of natural resources, guided by the principle of sustainable development and taking into account responsibility toward future generations. Everyone is obliged to care for the preservation of the environment" (Constitution of the Republic of Armenia, 2015).

By forming the foundation of the environmental legal order, these norms also

constitute the institutional basis of environmental legal relations. Environmental legal relations always appear in the form of a connection between subjects linked by rights and obligations. Like any legal norm, the norms of environmental law also have an empowering–obligatory character, since they always authorise one party to do something and obligate another party to do something. That is, as a rule, each participant in legal relations not only has certain rights but also bears corresponding obligations.

The subjects of environmental legal relations are the subjects of environmental law or the direct participants in the environmental process. As a rule, the subjects of law are individuals and their associations, which act as bearers of rights and obligations established by law, the scope of which is ultimately determined by the state. Thus, the environmental legislation of the Republic of Armenia classifies bodies of state power and local self-government (On June 9, 2023, HO-150-N "On Environmental Impact Assessment and Expertise" as amended), economic entities and enterprises, as well as citizens, as subjects of environmental legal relations, since they are direct participants in environmental processes and, consequently, in environmental legal relations. According to the current legislation, the subjects of environmental legal relations include the Republic of Armenia, local self-government bodies, citizens, and legal entities. Participants in environmental legal relations also include foreign citizens, stateless persons, and foreign legal entities, provided that they operate in the Republic of Armenia on lawful grounds.

The general characteristic of environmental legal relations is that they have a volitional nature, since they are expressed in the form of the realisation of interests (On June 9, 2023, HO-150-N "On Environmental Impact Assessment and Expertise" as amended). This volitional nature is inherent in all participants in legal relations—both citizens and the state, which form and regulate relations in the field of environmental protection—because both citizens and the state have corresponding interests in this sphere.

This is also explained by the fact that the state protects environmental legal relations. At the same time, they are always strictly personalised and individualised, since the rights and obligations expressed in the norms of environmental law are not abstract and are linked to specific bearers.

However, it should be noted that the environmental, political and legal order cannot be equated with environmental law, which is the totality of normative legal regulations established by the state that govern relations between humans and nature. The environmental order defines the procedure for realising the constitutional right to a favourable environment, which is of fundamental importance for human life, while indicating the values of state policy in this sphere.

Thus, the Fundamentals of the Legislation of the Republic of Armenia "On Nature Protection" define the principles of Armenia's state policy in the field of

environmental protection. The system of environmental legislation of the Republic of Armenia includes: the RA Law "On Specially Protected Nature Areas," the RA Law "On Atmospheric Air Protection," the RA Law "On Environmental Impact Assessment," the RA Law "On Environmental and Nature Use Fees," the RA Law "On Flora," the RA Law "On Plant Protection and Plant Quarantine," the RA Law "On Fauna," the RA Law "On Environmental Fee Rates," the RA Law "On Granting Subsoil for Exploration and Extraction for the Purpose of Mineral Resource Exploitation," the RA Law "On Environmental Education and Upbringing of the Population," the RA Law "On Lake Sevan," the Land Code of the Republic of Armenia, the RA Law "On Approving Annual and Comprehensive Programs for the Restoration, Protection, Reproduction, and Use of the Lake Sevan Ecosystem," the Water Code of the Republic of Armenia, the RA Law "On Water Users' Associations and Unions of Water Users' Associations," the Subsoil Code of the Republic of Armenia, the RA Law "On Waste," the Forest Code of the Republic of Armenia, the RA Law "On Environmental Control," as well as other normative legal acts of various levels that regulate relations concerning ownership of natural resources and nature use, control in the sphere of nature use and protection, liability for environmental offenses causing harm to the environment, and which, in general, can be divided by subject of regulation into environmental protection and its use.

Based on the above, we would like to identify the elements of the institutional structure of the environmental political and legal order, which are in fact determined by the structure of relations regulated by the totality of relevant legal norms and arising in connection with such legal phenomena as ownership of natural resources, nature use, control in the sphere of nature use and environmental protection, and liability for damage caused to the natural environment. Therefore, it can be concluded that the environmental, political and legal order is formed in accordance with the nature of social relations regulated by legal institutions. The system of environmental rights and freedoms of individuals and citizens forms the legal order in the environmental sphere. In our view, its basis is the legal institution regulating the right of individuals and citizens to a favourable environment. At the same time, other environmental norms are included in the mechanism for the realisation of this right.

a) the right to apply to state bodies with complaints, proposals, and demands on issues of environmental protection (for example, to obtain environmental information). This group should also include the right of access to justice, which means the possibility of filing claims in court, for example, for compensation for environmental damage or for harm to citizens' lives, health, and property of citizens.
b) the right to associate and to establish public and other non-commercial environmental organisations;
c) the right to participate in decision-making related to the environmental rights and obligations of individuals and citizens;

d) the right to participate in referendums, rallies, pickets, and marches on issues of environmental protection (Fokin A. V., 2006).

According to some assessments, the mechanisms of legal regulation of environmental relations should include the following legal norms that ensure the realisation of the entire set of the aforementioned environmental rights and freedoms:

– norms regulating economic activity and the labour and service relations developing in its course, ensuring the application of environmentally safe economic and legal regulations;

–norms regulating environmental protection and the use of natural resources;

– norms necessary in cases where subjects do not wish to enter into legal relations or fail to fulfil their obligations (Gate N. A., 2003).

As noted above, the Constitution of the Republic of Armenia proclaims everyone's right to a favourable environment, to reliable information about its condition, and to compensation for damage caused to health or property as a result of environmental offences (Constitution of the Republic of Armenia, 2015). The article under discussion of the Constitution reflects three positive obligations of the state:

1. The state is obliged to ensure the protection of the environment.
2. The state is obliged to ensure the restoration of a damaged environment;
3. The state is obliged to ensure the reasonable use of natural resources (Constitution of the Republic of Armenia, 2015).

In the context of the formation of the environmental, political, and legal order, the norms of the Constitution of the Republic of Armenia constitute its foundation. At the same time, sectoral legislation serves the development and further institutionalisation of the relevant rights and freedoms. Therefore, the content of certain constitutional rights and freedoms is of great importance in the context of sectoral legislation.

The debate among constitutional law scholars over whether the Constitution enshrines three independent rights or different aspects of a single right has not been resolved and, in essence, is relevant to this article. Therefore, in our opinion, it is necessary to analyze the opinions of several well–known scientist.

According to one of these viewpoints, the Constitution enshrines three independent but interrelated human and civil rights: the right to a favourable natural environment, the right to obtain reliable information about its condition, and the right to compensation for damage caused to health or property by environmental violations. Thus, V. N. Kuzmin believes that these rights should be regarded as elements of the right to environmental security (Kuzmin, 2001). However, according to A. I. Lagunova, ensuring environmental security is an independent sphere that requires legal support, just like nature protection and nature use (Lagunova, 2004). Therefore, according to this viewpoint, reducing environmental security to nature protection is not justified, since environmental

protection is a more passive form of ensuring environmental security.

According to S. A. Dzeitov, environmental security and the right to a favorable environment should be identified with one another, since "the constitutional right of citizens to a favorable environment (environmental security) is a concretization of the fundamental, natural, and inalienable human right to life" (Dzeitov, 1994).

In our opinion, the answer to the questions raised in the discussion can be found only within the context of the legislation that institutionalizes the political and legal order in the environmental sphere. However, the environmental legislation of the Republic of Armenia does not provide a clear definition of environmental protection; however, it can be derived from a systematic analysis of the legislation, according to which it is understood as "the activity of state bodies of the Republic of Armenia, local self-government bodies, state and other non-commercial associations, legal entities, and individuals aimed at the preservation and restoration of the natural environment, the rational use and reproduction of natural resources, the prevention of negative impacts of economic and other activities on the environment, and the elimination of their consequences."

Environmental security is the state of protection of the natural environment and vital human interests from possible negative impacts of economic and other activities, natural and man-made emergencies, and their consequences.

Agreeing with A. V. Fokin, we believe that the purpose of environmental protection is to ensure environmental security. M. M. Brinchuk shares this viewpoint, noting that "there is no basis for singling out relations ensuring environmental security as a separate group of social relations regulated by environmental legislation alongside relations related to environmental protection and the use of natural resources. Environmental security is a principle of environmental protection and nature use" (Brinchuk, 2008).

Nevertheless, we believe that environmental security, which under any interpretation is nothing other than a state of protection from environmental threats and risks, should be regarded as the goal of state environmental policy, which is based on environmental protection. It determines both the content of legality in the environmental sphere and the environmental legal order.

For example, the RA Law "On Public Health" stipulates that it regulates social relations related to the organisation and implementation of preventive and anti-epidemic measures, immunoprophylaxis of diseases, and the prevention of the impact of harmful and dangerous environmental factors on the human body (environmental hygiene) (Article 1). According to point 14 of Article 3 of the same law, an emergency event in the field of public health is interpreted as any event that may have negative consequences for public (human) health, or that includes phenomena which have not yet led to disease among people but have the potential to cause disease through contact with contaminated or infected food, water, animals, industrial products, or the environment.

Article 5 of the RA Subsoil Code stipulates that subsoil plots are granted for use to subsoil users, subject of compliance with the requirements established by legislation related to the protection of nature and the environment, and the protection of human life and health.

Therefore, it should be concluded that, according to the law, the right of citizens to a favourable environment includes protection from environmental threats, as well as a number of elements such as food, water supply, living conditions, work, and others, which are not directly related to the state of the environment. Consequently, in our opinion, the assertion that "it should be considered as the most important element of a broader natural human right—the right to a favourable environment" is incorrect (Gorbachev, 1995).

To confirm this view, let us turn to the analysis of the Law of the Republic of Armenia on Urban Development adopted on May 5, 1995. Conditions favourable for human life are defined in Article 2 of the law, which states that urban development in the Republic of Armenia is a set of actions by the state, individuals, legal entities, and their associations aimed at creating or transforming a spatial environment favourable for human life activity. One of the fundamental principles of urban development legislation is the responsibility of state bodies of the Republic of Armenia and local self-government bodies to ensure conditions favorable for human life (Article 2).

Measures to ensure sustainable territorial development include the development of urban planning standards, which must contain minimum design indicators for ensuring favorable living conditions for people, including social and urban structures, engineering infrastructure, landscape design, and others, as well as the holding of public hearings on master plan projects with the participation of residents of settlements and urban districts.

It is evident that in this context, the key concept is that of "favourable living conditions," which is not defined in the Law of the Republic of Armenia on Urban Development. Nevertheless, the normative context of the document allows one to assert that this right has a legal basis.

Several arguments support this assertion. For example, the RA Law "On State Regulation of Ensuring Technical Safety" defines the territorial framework for the placement of various environmentally hazardous objects, such as industrial enterprises, energy facilities, and others, as well as protected natural areas. Moreover, local self-government bodies and the population of the relevant communities are granted the right to clarify the content of favourable environmental factors. In general, the above-mentioned laws provide for the right of individuals and citizens with the right to participate in decision-making regarding the siting of environmentally hazardous industries and the establishment of locally significant, specially protected natural areas.

In this context, the viewpoint that a person's right to favourable living conditions is an integral part of the human right to a favourable environment,

and that the right to favourable living conditions is the right to a favourable state of the natural environment of a particular settlement or part thereof, appears convincing.

Summarising the analysis of environmental relations in the field of ecology and the institutionalisation of the political and legal order of Armenia, certain conclusions can be drawn. We believe that ecological relations are the totality of connections between people that arise in the course of interaction between humans and nature, which is a necessary condition for human life activity. Ecological relations are part of the system of social relations and are conditioned by the content of economic, political, legal, and cultural ties characterising social and state systems. Their main groups are nature use, environmental protection, and the maintenance of ecological balance. Participants in ecological relations include individuals, bodies of state power and public self-government, public, international, and intergovernmental organisations. The subjects of ecological relations are the individual, society, and the state, while the objects are natural resources, a favourable environment, and public health. Ecological relations developing in society constitute the basis of the ecological process, which represents the activity of the subjects of ecological relations, guided by the priorities of economic development, conceptualised by state social policy, implemented in accordance with the rule of law, and aimed at the realisation of ecological interests.

Environmental legal relations manifest of connections between subjects linked by rights and obligations. The subjects of environmental legal relations are the Republic of Armenia, local self-government bodies, citizens, and legal entities. Participants in environmental legal relations include foreign citizens, stateless persons, and foreign legal entities lawfully operating within the territory of the Republic of Armenia. The general characteristic of environmental legal relations is their volitional nature, since they are expressed through the realisation of interests. This volitional nature is inherent in all participants in legal relations who have corresponding interests in this sphere. Therefore, environmental legal relations are always strictly personalised and individualised, since the rights and obligations expressed in the norms of environmental law are not abstract and are linked to specific bearers.

The content of environmental legal relations consists of the environmental rights of humans and citizens, which represent the inalienable capacities of the individual, recognised by the international community and enshrined in national legislation, making it possible, as an element of sustainable development, to satisfy their needs in a favourable-quality environment, proceeding from the interests of present and future generations of people.

The environmental legal order, in the sphere of regulation of ecological relations, is a system of legally enshrined legal mechanisms aimed at implementing the guidelines of state environmental policy, where the subject of regulation includes ownership of natural resources, the use of natural resources, protection

of the environment from pollution, depletion, and destruction, as well as the protection of the environmental rights and legitimate interests of individuals and legal entities.

The basis of the environmental legal order is the totality of rights and freedoms enshrined in Article 12 of the Constitution of the Republic of Armenia, which defines its fundamental principles:

– the use and protection of natural resources as the basis of the life and activity of the people of the Republic of Armenia;
–ownership of natural resources must not cause harm to the environment;
– encouragement of activities that contribute to the protection of the environment and the well–being of the population;
– ensuring everyone's right to a favourable environment, reliable information about its condition, and compensation for damage caused to health or property by environmental violations;
– the duty of everyone to protect nature and the environment, as well as to use natural resources prudently.

The analysis conducted in this article has shown that the environmental political and legal order of the Republic of Armenia requires improvement. The uncertainty of constitutional environmental norms and the underdevelopment of environmental legislation evidences this. In general, this affects the state of environmental legislation and the realisation of national environmental interests and demonstrates the underdevelopment of the state's legal and environmental policy, as well as the incomplete realisation of human and civil rights and freedoms.

Thus, the conducted research leads to a number of provisions that have significant methodological importance for the further institutional and legal analysis of the environmental policy of the Republic of Armenia's environmental policy. It has been clarified that the environmental sphere is an essential factor of social life, and that environmental problems arising in different regions of the world today have global significance. Taking into account the growing anthropogenic pressure on nature, the thresholds of ecological balance in many regions of the world are approaching a crisis point. Therefore, ecology often becomes a priority in the policy of modern states, which, in addressing environmental problems, brings together international institutions, treaty relations, and international legal norms. The consolidation of the international community and readiness to overcome the environmental crisis jointly have made it possible to form systems of principles of environmental policy, the implementation of which should ensure the sustainable development of national states.

The analysis of modern environmental threats and risks, the principles of international environmental policy, the norms of international law, and state environmental activity has enabled the definition of environmental policy, which is important for further analysis. We conclude that environmental policy should be regarded as the purposeful activity of state bodies and other institutional

actors aimed at regulating relations between society and nature. The goal of environmental policy should be to influence the formation of a balance between these relations that is desirable for society, by preserving the natural environment and ecological systems, controlling the use of natural resources, maintaining conditions favourable for human life, and ensuring sustainable development.

Legal environmental policy is a component of environmental policy and represents the totality of legal mechanisms for implementing the goals of state environmental policy; it also constitutes law–making, law–enforcement, and rights–protection activity aimed at regulating environmental processes in accordance with national interests, including relations of ownership of natural resources, nature use, control over the use and protection of nature, as well as liability for damage to the natural environment.

Environmental legal policy is aimed at creating normative and legal foundations that make it possible to regulate environmental processes taking place in society in the interests of individuals, society, and the state, ensuring sustainable development. In order to develop political and legal solutions corresponding to the environmental situation prevailing in society, an environmental strategy, and a legal order that ensures the full realisation of rights and freedoms, it is necessary to clarify the social and legal nature of environmental legal relations and the specific features of the legal order in this sphere, which has been accomplished in this work.

Conclusion

As a result of the analysis, we come to the following conclusions:

1. Environmental relations constitute the totality of connections between people that arise in the course of interaction between humans and nature, which is a necessary condition for their life activity. Such relations are part of the system of social relations and are conditioned by economic, political, legal, and cultural ties that characterise social and state systems. Their main groups are nature use, environmental protection, and the maintenance of ecological balance.
2. Participants in environmental relations include individuals, state bodies and local self–government bodies, as well as public, international, and intergovernmental organizations. The subjects of environmental relations are the individual, society, and the state, while the objects are natural resources, a favourable environment, and public health. Environmental relations developing in society form the basis of the ecological process, which represents the activity of the subjects of environmental relations, guided by the priorities of economic development, conceptualised by state social policy, implemented of accordance with the law, and aimed at the realisation of environmental interests.
3. Environmental legal relations are manifested in the form of connections between subjects who are linked by rights and obligations. The

subjects of environmental legal relations are the Republic of Armenia, local self-government bodies, citizens, and legal entities. The parties to environmental legal relations also include foreign citizens, stateless persons, and foreign legal entities operating lawfully within the territory of the Republic of Armenia. The general characteristic of environmental legal relations is their volitional nature, since they are expressed through the realisation of interests. This volitional nature is inherent in all parties to legal relations who have relevant interests in this sphere. Therefore, environmental legal relations are always strictly personalised and individualised, since the rights and obligations expressed in environmental legislation are not abstract and are linked to specific subjects. The content of environmental legal relations consists of the environmental rights of humans and citizens, which represent the inalienable capacities of the individual, recognised by the international community and enshrined in national legislation, enabling them to satisfy their needs in a favourable-quality environment as an element of sustainable development, taking into account the interests of present and future generations of people.

4. The environmental legal order is based on legally regulated environmental relations. It represents a system of legal methods enshrined in legislation for implementing the guidelines of state environmental policy in the field of regulation of environmental relations. The subject of regulation includes relations concerning the ownership and use of natural resources, the protection of the environment from pollution, depletion, and destruction, as well as relations related to the protection of environmental rights and legitimate interests of individuals and legal entities. The basis of the environmental legal order is the totality of constitutional rights and freedoms, which establish the use and protection of natural resources as the foundation of the life and activity of the people of the Republic of Armenia; ownership of natural resources that excludes harm to the environment; encouragement of activities that promote the environmental and sanitary-epidemiological well-being of the population; ensuring everyone's right to a favorable environment, reliable information about its condition, and compensation for damage caused to health or property by environmental violations; and everyone's duty to protect nature and the environment and to care for natural resources.

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