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PECULIARITIES OF THE STATE ENVIRONMENTAL POLICY OF UKRAINE THROUGH THE PRISM OF ENVIRONMENTAL LEGISLATION

The article considers the environmental policy of the state through the analysis of environmental legislation of Ukraine. This legislation is one of the main tools, as well as a priority effective mechanism for implementing state environmental policy. The article analyzes the theoretical approaches and legal support of the peculiarities of the formation and provision of favorable conditions for the implementation of state policy in the field of environmental protection, use of natural resources, environmental safety.

Theoretical bases of formation and functioning of ecological policy, the basic tasks and mechanisms of its realization, in particular at the national level are opened.

Reforming the system of legal acts aimed at implementing the state environmental policy of Ukraine should take place in all priority areas, in particular, such as climate change prevention, biodiversity conservation, waste management, biological and genetic safety, restoration of the environment of polluted areas. emergencies, create an effective system of access to environmental information, improve air quality, water, land resources; natural resources management.

Keywords: politics, state, ecology, environment, legislation, ecological policy.

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Особливості державної екологічної політики України крізь призму екологічного законодавства

У статті було розглянуто екологічну політику держави через аналіз природоохоронного законодавства України. Дане законодавство є одним із основних інструментів, а також пріоритетним ефективним механізмом реалізації державної екологічної політики. У статті аналізуються теоретичні підходи та правове забезпечення особливостей формування та надання сприятливих умов реалізації державної політики у галузі охорони навколишнього середовища, використання природних ресурсів, забезпечення екологічної безпеки.

Розкрито теоретичні засади формування й функціонування екологічної політики, основні завдання та механізми його реалізації, зокрема на загальнодержавному рівні.

Реформування системи нормативно-правових актів, спрямованих на реалізацію державної екологічної політики України має відбуватися в усіх пріоритетних сферах, зокрема, таких як запобігання зміні клімату, збереження біорізноманіття, удосконалення системи поводження відходів, забезпечення біологічної та генетичної безпеки, відновлення природного довкілля території, забруднених внаслідок надзвичайних ситуацій, створення ефективної системи доступу до екологічної інформації, покращення якості атмосферного повітря, води, земельних ресурсів; управління природними ресурсами.

Ключові слова: політика, держава, екологія, навколишнє середовище, законодавство, екологічна політика.

Formulation of the problem. In recent decades, the concept of sustainable development has become a global environmental paradigm, in which the needs of the current generation are met taking into account the needs of future generations, which in turn encourages all countries to implement such a model of human interaction. Reconciliation of social, economic and environmental interests of society, especially in the context of solving the problems of the global environmental crisis, can be achieved through the formation and implementation of appropriate environmental policy.

The basis for the formation of environmental policy of the state should be a system of knowledge (doctrinal provisions), which is the result of intersectoral research in the field of environmental protection, use of natural resources, environmental security.

Analysis of recent research and publications. Significant contribution to the study of state environmental policy and environmental legislation have made such scholars as V.I. Andreitsev, H.V. Anisimova, H.I. Baliuk, A.P. Hetman, O.S. Zarzhytskii, V.V. Kostytskii, M.V. Krasnova, N.R. Malysheva, A.K. Sokolova, Yu.S. Shemshuchenko, M.V. Shulga.

The purpose of the article determination of features of the state ecological policy through the prism of the legislation of Ukraine.

Presentation of the main material of the study. The state as the main subject of the state ecological policy should allocate priority values - guarantee of ecological safety, maintenance of ecological balance in the territory of Ukraine, preservation of a gene pool of the Ukrainian people. At the strategic level, the priorities of environmental policy are defined in the Law of Ukraine «On Basic Principles (Strategy) of State Environmental Policy of Ukraine until 2030» of February 28, 2019 [1].

In addition, certain areas of state environmental policy of Ukraine are identified in other strategic documents. Such documents are the National Waste Management Strategy of Ukraine until 2030, approved by the Order of the Cabinet of Ministers of Ukraine of November 8, 2017 № 820-r [2], the Energy Strategy of Ukraine until 2035 «Security, Energy Efficiency, Competitiveness», approved by the Order Of the Cabinet of Ministers of Ukraine of August 18, 2017 № 605-r [3], Concept of implementation of state policy in the field of climate change until 2030, approved by the Cabinet of Ministers of Ukraine of December 7, 2016 № 932 [4], Concept of creation of the national automated system «Open Environment», approved by the Order of the Cabinet of Ministers of Ukraine of November 7, 2018 № 825-r [5], Concept of the national program of biodiversity conservation for 2005-2025, approved by the Cabinet of Ministers Of Ukraine of September 22, 2004 № 675-r [6], etc.

The purpose of such documents is to improve the state environmental policy both in certain sectoral areas and in general in the field of environmental protection, use of natural resources, environmental safety, including through the development of relevant draft laws and other regulations, action plans their implementation.

Adoption of regulations on the management of certain types of waste are special measures defined in the National Strategy for Waste Management in Ukraine until 2030.

The development of a system of regulations on waste management is only a prerequisite for the implementation of state environmental policy in this area, because the absence or improper condition (need for modernization) of waste management facilities used for collection, storage, sorting, treatment, recycling, utilization, removal, neutralization and disposal of waste, in the conditions of growth of volumes of accumulation of waste testifies to problems of financial, material and technological, organizational character.

The effectiveness of the implementation of state environmental policy depends on the effectiveness of all its instruments. As for the legislation of Ukraine in the field of environmental protection as one of the main instruments for the implementation of state environmental policy, the condition for such efficiency is the adaptation to the relevant legislation of the European Union.

Thus, according to the Law of Ukraine «On Basic Principles (Strategy) of State Environmental Policy of Ukraine until 2030» of February 28, 2019 [1] the instrument of state environmental policy is the legislation of Ukraine in the field of environmental protection, which is adapted to legislation of the European Union.

It is aimed at achieving national priorities and ensuring their approximation to the relevant directives of the European Union on the implementation of multilateral environmental agreements (conventions, protocols, etc.) to which Ukraine is a party. For environmental legislation to become an effective and efficient instrument of state environmental policy, the adaptation of legislation must mean bringing national legislation in line with the requirements of European Union legislation not only formally but also in practice.

The reform of the system of normative-legal acts aimed at the implementation of the state environmental policy should take place systematically, in all priority areas. In particular, the current strategic directions of state policy in the field of environmental protection, use of natural resources and environmental security are as follows:

- prevention of climate change;
- improving air quality;
- improving water quality and water resources management;
- protection of lands and improvement of quality of land resources;
- forest conservation and management of forest resources;
- subsoil protection, management of mineral resources;
- conservation of biodiversity, development of protected areas;
- improvement of the waste management system;
- ensuring biological and genetic safety;

– restoration of the natural environment of the territories that have been polluted as a result of emergency situations.

Provisions of environmental policy at the national level should be integrated into the environmental policy of individual regions, taking into account the specifics of their socio-economic development, man-made impact on the environment and so on [7].

Based on the state environmental policy of Ukraine, regional and local action plans for environmental protection are being developed. Despite the differences between regions, regional policies must be consistent with and consistent with national approaches, strategies, plans.

Conclusions. The strategy of environmental policy should determine not only the priority goals and directions, but also the appropriate measures and means for their implementation, taking into account the real state of the environment and trends, changes in social and economic development based on fundamental doctrinal provisions.

This is the result of scientific research, which is associated with a comprehensive analysis of the nature of phenomena and processes, clarifying patterns and trends. The effectiveness of state environmental policy depends on the effectiveness of instruments for its practical implementation, including relevant environmental legislation.

Today, the environmental legislation of Ukraine, to become an effective tool and prerequisite for the implementation of environmental policy, requires integration into society and the state at the level of reforming the system of relevant regulations, which will be the subject of further research.

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