

контексті міжнародного співробітництва / К. Антонюк // Галицький економічний вісник. – 2010. – № 4 (29). – С. 31–40.

5. Васильєв О. Роль вітчизняної науки та високих технологій у входженні України до європейського інтеграційного простору [Електронний ресурс]. – Режим доступу: <http://www.viche.info/journal/1593/>.

6. Герсон С. Шер. Роль міжнародного співробітництва у розвитку наукового потенціалу України [Електронний ресурс]. – Режим доступу: www.crdp.org/usr_doc/4-Sher-ukr.doc.

7. Чумаченко Г. Актуальні питання міжнародного економічного співробітництва України в науково-технічній сфері [Електронний ресурс]. – Режим доступу: <http://www.justinian.com.ua>.

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PECULIARITIES OF IMPLEMENTATION OF STATE ENVIRONMENTAL POLICY OF UKRAINE: MAIN DIRECTIONS

ОСОБЛИВОСТІ РЕАЛІЗАЦІЇ ДЕРЖАВНОЇ ЕКОЛОГІЧНОЇ ПОЛІТИКИ УКРАЇНИ: ОСНОВНІ НАПРЯМИ

The paper determines the peculiarities of implementation of the state environmental policy of Ukraine. The main directions of the state policy in the field of environmental protection and nature management, which require constant improvement and compliance with the present, were analyzed and defined.

Keywords: *state environmental policy, environmental protection, environmental crisis, balance of nature, greening, directions, incentive mechanisms and responsibility.*

У статті з'ясовано особливості реалізації державної екологічної політики України. Проаналізовано та визначено основні напрями державної політики у сфері охорони навколишнього середовища та природокористування, які вимагають постійного вдосконалення і мають відповідати сучасності.

Ключові слова: *державна екологічна політика, охорона навколишнього середовища, екологічна криза, екологічна рівновага, екологізація, напрями, механізми стимулювання та відповідальності.*

Problem setting. *Ukraine is a social state, the policy of which is directed at the creation of conditions, which provide decent life and free development of a*

person. The guarantee of human right to decent life is one of the most important and main tasks of the state policy. Life and health of people is recognized as the highest value, that is why it is necessary to provide the protection of this right by all means and ways of state influence. The protection of human life and health is impossible without the creation and guarantee of favourable living environment understood, first of all, as human environment.

Thus, the guarantee of favourable environment as a foundation for human life and health is one of the most important directions of Ukraine's state policy.

Recent research and publications analysis. The condition, the prospects of development and the peculiarities of implementation of the state environmental policy of Ukraine were the subject of researches carried out by many scientists, including O. Balatskyi, I. Bystriakov, W. Berens, O. Veklych, O. Datsii, I. Drahan, H. Daly, O. Lazor, O. Mordvynov, A. Nicholas, R. Perman, and others.

Paper objective. The paper objective is the determination of main directions of the state policy in the field of environmental protection and nature management, which require constant improvement and compliance with the present.

Paper main body. The state is the most important institute for planning and implementing environmental policy. The changes in the environmental policy and the increase of expenditures on environmental security are connected with the appearance and increase of ecological problems. The governments are forced to modify their attitude to the problems in the field of environmental security. Value guidelines on environmental protection and nature management are not limited only to the nature protection and the resource saving. The matter is in the attitude of people to the nature and their like, the technologies and economy, the principles of political life. It appears that under the difficult conditions of modern life, it makes the governmental structures to act in the interests of the present and future generations of people, to make the environmental policy the priority one in the state's policy. At the same time, it is necessary to review the development as the creation of decent living environment for people, to make the technology as much closer to the nature as possible, and to change the educational system [2; 7].

Environmental security may be real only when the state environmental policy becomes the part of global policy and is implemented by many countries. Touching different directions of human activity, the state environmental policy may be global, regional, national and local. The sources of aggravation of global problems in the field of environmental security are the following: the bad and irresponsible attitude of people to the nature and the material production damaging the environment. It is necessary to take into account that there is a big number of irrational elements, which are subject to political control with difficulty, but they significantly influence the environment. According to the United Nations Environment Programme (UNEP), the strategy of nature conservation cooperation was determined to create long-term and versatile principles of relations between human, society and nature [2; 4].

There are six stages of urgency of the environmental situation: conditionally

favourable, satisfactory, tense, critical, crisis, and catastrophic. The last three stages are considered as acute environmental situation. The ways out of ecological crisis include the development of a long-term environmental programme, the environmental review and taking of public opinion into consideration when solving environmental problems, the greening of economy and the development of international environmental law and order and the code of environmental ethics [5].

The ways out of ecological crisis are connected with the transformation of the environmental policy into the part of global policy, the prohibition of ecocide (ecological warfare), and the greening of the state policy. The main directions and tasks of the state environmental policy include the development of long-term and versatile principles of “human – society – nature” relations, the provision of the environmental policy with the priority status in the state’s policy, the maximum compliance of technologies with the requirements of the nature, and the change of the system of values and education [1; 4].

The administration in the field of environmental security, nature management and environmental protection is the most important element of the organizational and legal influence on the sustainable nature management and the environmental protection. It has the necessary mechanism of this influence that includes the state administration’s purposes, forms, methods, principles, and mechanisms.

At the present stage of the process of implementation of the state environmental policy, the attention is paid not only to the methods of influence of the state and local authorities on the relations concerning the nature management and the environmental protection, but also to the methods of influence brought by citizens and civil groups on the state authorities with the purpose of forcing the latter to carry out the necessary environmental policy [3].

The state administration in the field of environmental protection is the activity not only regarding the implementation of the rights of administrative bodies, but also the activity regarding the fulfilment of their obligations guaranteeing the sustainable nature management and the environmental protection.

The implementation of the environmental policy is based on the development of the state administration of environmental protection and nature management by way of different forms of the development of natural resources and on the basis of distribution of powers and responsibility between the state and regional authorities, local self-government bodies concerning the use of natural resources and the control of environmental conditions. For this purpose, it is necessary to use the single accountability and standardization of nature management, to increase the role of the state environmental review in the assessment of influence on the environment when developing and implementing the social programmes of state and regional scales [2; 6].

It becomes very important to remove contradictions in regulatory legal groundwork and law enforcement in the field of development and use of natural resources, and nature management measures, particularly when carrying out competitions, bids, auctions for the right to implement the projects. It is necessary to

develop the state standardization in the field of environmental protection, production rate setting, international ecostandards, which ensure the reduction of anthropogenic stress in living environment.

The stable development of Ukraine, the high quality of life and health of its population, and the natural security cannot be guaranteed only under the condition of preservation of natural systems and maintenance of the relevant quality of the environment [4].

However, the decrease of ecological barriers during the recent years not so much accelerated the economic growth as provided conditions for the support of out-of-date technologies to the detriment of the production re-equipment.

Due to the undefined legal regulation and the absence of mechanism of motivation of payers to implement nature conservation steps, the current system of payments for environmental pollution carries out neither fiscal nor regulating functions.

The need in the improvement of judicial mechanisms appears, as well as in the activation of prosecutor's supervision in the field of environmental protection, the optimization of calculation methods and indemnity practice as the result of environmental offences, and the termination of illegal activities in the field of nature management. The special importance is attached to the economic and financial mechanisms of sustainable nature management, the reduction of impact on the environment, and its protection by way of attraction of budgetary and extra-budgetary funds.

Main directions of the scientific support in the field of environmental security and nature management are based on the development of theoretical and technological aspects of Ukraine's transition to the stable development of fundamental researches in the field of global environmental problems, on the development of sustainable and resource-saving technologies, and the solution of the problems of natural resources recovery, environmental quality and biodiversity conservation [3].

The state administration in the field of environmental security is intended to ensure the implementation of environmental legislation. The collective value of the law in general and the right of citizens to the favourable environment is represented, first of all, in the process of implementation of the relevant legal regulations. The administration acts as the means of formation of real social ecological and legal relations guaranteed and created by the state, namely by the authorized authorities.

The efficiency of system of the state administration in the field of environmental security is significantly determined by the condition of control and restriction of the use of natural resources. The role of the state administration in this field is determined by the importance of state authorities in the mechanism of environmental protection.

Thus, the state administration of nature management and environmental protection is built on the basis of the range of specific principles: 1) legitimacy of administration; 2) complex approach to the solution of the issues of nature management and environmental protection; 3) combination of national and administrative-territorial principles of organization of administration of nature management

and environmental protection; 4) division of administration and maintenance and regulatory and supervisory functions when arranging the activity of the authorized state authorities [1; 2].

The principle of legitimacy of state administration in the field of environmental security means that the administrative functions may and must be performed in accordance with the requirements of environmental legislation with regard to the competence of one or another state authority.

The state administration in the field of environmental protection means the implementation of the environmental policy by all authorized bodies and persons within their competence. It must be carried out in accordance with the current legislation, concepts and strategies adopted according to the established procedure.

The functions of the state administration in the field of environmental protection include the following ones:

- certain strategies (the adoption of state concepts and planning in form of federal and regional target programmes, and other plans);
- natural resource accounting and environmental conditions supervision (carried out in form of monitoring and cadastre maintenance);
- distribution and redistribution of natural resources among users;
- spatial-territorial structure of natural resources;
- authorization system (the issue of permits and licences for the use of natural resources, and assessment of influences on the environment);
- rule-making;
- control and supervision;
- disputes resolution [1; 2].

One of the main problems of the current stage of social and economic development of Ukraine is the establishment of the efficient system of state administration of environmental protection and nature measurement, which implements the modern, globally recognized principles and mechanisms in this field, and which will ensure the further environmentally sustainable development of economy and social field in the country.

The degree of the state's response to the new environmental challenges under the conditions of new methods of management and fundamentally different social and economic reality does not correspond to the character and the level of these challenges. The current system of state control does not take into account the objective financial needs in the field of environmental protection and nature management; the globally recognized polluter pays principle is not used; the system of economical motivation to introduce energy-efficient and resource-saving, nature conservation, low- and non-waste technologies practically has not been created. The financial expenses of industrial companies under the conditions of economic crisis were not taken into consideration.

Under these conditions, the creation of a complex system of state administration in the field of environmental security that includes legal fundamentals and control mechanisms including the economic and financial instruments, must come

to the foreground. It is necessary to carry out the purposeful work on the further improvement of the methods of ecological and economic forecasting, formation and implementation of the nature conservation programmes and measures. The significant development is needed by the practice of motivation of the investment activity in the field of environmental security and nature management, including the issue of the use of economic instruments with the purpose of faster implementation of the best existing technologies, and the use of progressive organizational forms of solution of the priority environmental problems [5].

The programme- and target-oriented method of administration is poorly used at the state level in the field of environmental protection and nature management. Moreover, the development and implementation of target programmes in the environmental protection and the sustainable use of natural resources at the regional levels of administration is not coordinated properly; and this, of course, results in the significant reduction of their ecological and social and economic efficiency.

Conclusions of the research. The complex of state measures in the field of ecology, from the priorities of environmental security in the state budget, the protection of human right to decent natural environment, and the state control of change of production engineering to the organization of ecological education, makes it possible to come to the conclusion about the establishment of the state that can be called the ecological one. The important factor in the achievement of environmental security is the improvement of the quality and duration of life and the health of population based on the decrease of negative influence of unfavourable ecological factors.

The existence of the state environmental policy (the policy in the field of environmental protection) as an independent direction of state policy is typical for the majority of economically and industrially developed states, where a quite high level of social and national consciousness significantly suppresses the negative anthropogenic impacts on the environment by means of ideological mechanisms – the ecological education. These mechanisms make it possible for ecological ideas to find expression in the state policy being implemented in legislation.

Thus, the state environmental policy of Ukraine is a new phenomenon that needs a thorough development. It is implemented through the system of state authorities carrying out administration in the field of environmental protection and nature management. That is why, one of the main directions of the state environmental policy was and remains the improvement of the whole system of state administration in this field of governmental regulation.

References

1. On Environmental Protection [Electronic resource] : Law of Ukraine dated 25.06.1991 № 1264-XII – Access: <http://zakon3.rada.gov.ua/laws/show/1264-1>.
2. On Principal Directions of State Policy of Ukraine in Environmental Protection, Use of Natural Resources and Ensuring Environmental Safety: Decree of the Verkhovna Rada of Ukraine dated 05.03.1998 № 188/98-BP [Electronic resource]. – Access: <http://zakon2.rada.gov.ua>.

3. Andreitsev V.I. Environmental law and legislation of sovereign Ukraine: problems of state environmental policy implementation : monograph / V.I. Andreitsev – Dnipropetrovsk: National Mining University of Ukraine, 2011. – 373 p.
4. Boichuk L.D., Solomenko Ye.M., Buhai O.V. Ecology and environmental protection: Textbook. – Sumy : “Universytetska Knyha”. – 2003.– 284 p.
5. Environmental law of Ukraine. Textbook. 2nd ed., supplemented and adapted / L. O. Bondar, V. V. Kurzova. – Kyiv. : Burun Knyha. – 2008. – 368 p.
6. Melnyk L.H., Shapochka M.K. Fundamentals of ecology. Ecological economics and nature management control: Textbook / Edited by prof. L.H. Melnyk and prof. Shapochka M.K. – Sumy : “Universytetska Knyha”, 2006. – pp. 516–550.
7. Novoselska L.I. The analysis of the economical instruments in the field of ecology [Electronic resource] / L.I. Novoselska. – Access: http://archive.nbu.gov.ua/portal/atural/.../2003_28/171_Novoselska_LG_28.pdf.