

## European public administration and Ukrainian ecological safety

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The authors note that the modern environmental protection and public administration system being developed in the European Union includes several specific instruments based on national and supranational regulatory practices. They include legislative, information, administrative, economic and environmental methods. The authors underline that all the above and constantly improved public administration methods are mutually complementary, and their integrated application in practice forms the basis of the EU environmental policy in the transition from the Concept to the Strategy for Sustainable Development.

**Keywords:** Safe environment, European experience, Public administration, Environmental security.

### Introduction

European scientists are engaged in the relationship's study between the environment and conflict, environmental security, and sustainable development. Therefore, if sustainable development research operates on the concepts of vulnerability and its reduction, environmental security research turns to the study of threats and their minimization. Sustainable development seeks to resolve the question of how to sustain economic growth and conserve resources. Environmental security seeks to preserve social and political institutions and support development. Environmental security is an indicator of how unsustainable development, which increases vulnerability, threatens social and political units of society. Lack of ecosystem development can seriously affect behavioral, political, and legal phenomena and thus provoke the appearance of ecosystem hazards. And unsustainable development can threaten the security of life in all aspects.

It is important to note that, in this context, security is not a way to preserve existing order and institutions from external threats. This approach to security is being pushed out of the national public security framework. We cannot provide it with military control over the territory and defense. Here, security ensures economic development that can itself adapt to external changes and that is not built on the consumption of one type of resources. Critics of this approach point to its vulnerability, which lies in one tenet of the concept of sustainable development. Therefore, sustainable development is based on the principles of environmental security and equality. It criticized the fundamental principle of the concept of sustainable development, which suggests that future generations may exist on Earth under the same conditions of access to resources as current generations. Critics ask questions about future generations will need what. And if certain resources for various reasons prove useless in the future, there are reasons for restrictions and not use under the conditions of the need for these resources today and completely. The next issue addresses the politically unsustainable problem of intergenerational equality. Neither scientists nor politicians answer why future generations may access resources in the future, while the current generation, especially the unsecured part of it, today has no such right and opportunity.

### Methods

The methods of public administration in environmental protection and security include the following ones:

- The method of strategic priority. The essence of the method lies because we must include the issues of security and environmental preservation among the highest priorities; integrated operational management method. Includes integrated environmentally oriented strategic and operational management, bringing the developed environmental policy, programs, and plans to each department, enterprise, with responsibility to managers and executors;
- A method of improvement. It comprises systematic improvement of strategy and tactics, improvement and improvement of environmental policies, programs and plans, environmental indicators of enterprises considering scientific achievements, consumer demands, and public expectations;

- Forward approach method. It is reduced to the use of an advanced approach to the modification of enterprise products taking into account environmental requirements;
- Method of preliminary assessment. It consists of assessing the impact of various factors on the environment and includes environmental expertise at all stages, starting with the assessment of intentions, projects, technologies, and regional programs;
- Method of facilitation: The basis of the method is the promotion of the organization, introduction into production, and transfer of environmentally safe and low-waste technologies, introducing safe environmental management methods, and the "greening" of industries and production technological lines and chains. The penetration of environmental issues in security into literature can be chronologically divided into four points, which are characterized, respectively, by the emergence of four generations of publications on this topic. Environmental solutions are closely related to the availability of environmental information. The state's environmental policy ensures the realization of citizens' rights to a healthy environment through the development of environmental legislation, which includes free access to environmental information. Full, reliable, and timely information on the state of the environment and the levels of anthropogenic impact on it should be open to all citizens.

## **Results and Discussion**

Twelve years after the first formulation of the principle of sustainable development, experts proposed updated principles for this concept, which are the following:

1. Consumption of natural resources shall not exceed the capacity of nature to restore them
2. Waste volumes should not exceed the volumes that nature can accept/process
3. The use of nonrenewable resources should be minimal
4. The time factor of the anthropogenic impact should be balanced with natural processes: restoration of renewable resources, decay of waste, etc.

Experts argue that if these principles are neglected, sustainable development may be contrary to ensuring the environmental security of the individual. By limiting the use of resources, humankind will restrain its economic development. The modern environmental protection and public administration system that is being developed in the European Union includes several specific instruments based on national and supranational regulatory practices. These include legislative information, administrative, economic, and environmental methods. It should be noted that all the above and constantly improved public administration methods are mutually complementary, and their integrated application in practice forms the basis of the EU environmental policy in the transition from the Concept to the Strategy for Sustainable Development (Leuffen and Hertz, 2010; Braun, (2014). The "EU Policy Environmental Management System" shows that environmental protection from the point of view of safety and public administration can be considered as an algorithm for environmental management at all possible levels of the management hierarchy while forming the main directions of environmental policy. Naturally, inseparable from these methods are the problems of forming an environmental market in the EU, as well as environmental entrepreneurship. The main legal aspects of environmental security policy in European communities and certain provisions of the constitutional right of European Union citizens to a healthy environment are enshrined in the constituent documents of the European Communities, although not constitutional, but considered by the Court of European Communities since they actually replace the Constitution of a united Europe, which has not yet been adopted. Environmental security law is an integral part of the concept of "human right to a favorable environment".

Thus, the constitutional legal field of environmental security policy in European communities and the right of European Union citizens to a healthy environment are the following:

1. **Constituent documents (treaties establishing European communities):** Treaty on the establishment of the European Coal and Steel Association; Treaty establishing the European Atomic Energy Community; Treaty establishing the European Community (until 1993, the European Economic Community); Treaty on the European Union;
2. **Other sources of primary law (treaties containing amendments to the constituent documents of the European Communities):** a single European act; Treaty of Amsterdam; Nice Treaty (Golub, 1996; Shvedun et al., 2021).

However, environmental challenges today before the European Union and we cannot characterize unequivocally the state of the environment in the EU countries. Despite ongoing efforts, there is little progress in the state of forests and in maintaining their biological diversity. Forest areas in the EU increased by 10%, but more than half in all forests of Europe is experiencing serious consequences caused by soil acidification, pollution, droughts, and forest fires. There is a shortage of clean drinking water in Central and Southern Europe. Overexploitation of groundwater resources characterizes more than half of major EU, and many countries note its significant contamination with nitrates, pesticides, heavy metals, and hydrocarbons. The state of the ecosystems of coastal areas has deteriorated markedly, especially in northern Europe and the Mediterranean countries. The trends observed in the EU make us think about such complex theoretical issues as the formation of environmental policies for the conservation and restoration of Europe's environment. We envisage that the EU environmental policy should aim to achieve the following objectives:

- Protection and improvement of environmental quality;
- Protection of human health;
- Rational and use of natural resources;
- International cooperation to develop measures to address both regional and global environmental problems (Smith, 2005; Burns et al., 2013).

EU environmental policy should consider the diversity of environmental problems in different regions of the European Union, as well as the potential benefits and costs of actions or inaction, be based on precautionary and preventive actions, and stimulate balanced economic and social development of EU regions. Consultations with the Committee of Regions, adopt European environmental laws

and programs of action the Economic and Social Committees. Member states should finance and implement EU environmental policies. The European Union has over the past 50 years implemented its own environmental policy. Significant environmental activities have been carried out, a legal framework has regulated and coordinate environmental activities of member states, and alternative approaches have been developed and implemented to protect and improve the quality of the environment. The EU is currently one of the world's leading leaders in international environmental cooperation. The environmental policy and activities of the EU as a whole are inextricably linked with global environmental protection activities, including those carried out under the auspices of the UN. Environmental protection is one of the EU's priorities among other areas of integration (Bocquillon and Maltby, 2017; Toshkov, 2017). The EU has wide competence in environmental protection; in this area a significant number of pan-European regulations are issued. It should highlight five stages of environmental policy making of the European Union. The first stage (1957-1971). This stage is characterized by the lack of legal competence of the EU in the environment's field. At this stage, they carried out only a few optional activities. Initially, the "environment" was not distinguished by the Rome Treaty of 1957 as a sphere of Pan-European integration. However, environmental issues defined the boundaries of the legal regulation of the creation of a common market for EU countries, which, for example, is reflected in article 36 of the Treaty, which allows member states to impose restrictions on imports, exports, and transit in goods for reasons of environmental security.

The second stage (1972-1985). This stage is characterized by the initial measures to protect the environment by the EU countries, the emergence of the first programs of action in this area, the initial development of legal regulation in ecology. In 1972 The Council of Heads of Government of the EU member states expanded the competence of the EU, including in the environment's field. However, no changes were made to the primary EU law. They made all decisions in the new sphere of activity through the articles of the Rome Treaty of 1957, which allowed one to achieve the goals of the EU and to take action in areas not stated in the constituent treaty (Leuffen and Hertz, 2010; Burns, Carter and Worsfold, 2012). The third stage (1986-1991). We can describe this period as the stage in which we assign the competence in environmental protection to the EU institutions. The Unified European Act of 1986 amended the Treaty of Rome of 1957. It defined the goals and objectives, principles, and directions of EU policy in environmental protection. In relations between the EU and member states in environmental protection, they introduced the principle of subsidiarity. This principle means that the EU carries out its environmental activities if environmental policy objectives can be implemented at the EU level better than by individual member states. In secondary law, there is an increase in the legal regulation of environmental activities based on regulations acts of environmental legislation of member states.

The fourth stage (1992-2002). This is the stage of improving the environmental policy of the community. During this time, the main framework of current environmental policy was outlined by institutionalizing environmental policy issues and environmental problems in the EU Treaties. We planned the objectives of the EU environmental policy as follows:

- Preservation, protection, and improvement of the environment
- Care to protect people's health
- Achieving rational use of natural resources
- Promoting international action to address regional and global environmental concerns.

Fifth stage (2003-present) (Golub, 1996; Smith, 2005).

In recent years, we have carried environmental activities of the EU out based on environmental competence provided for in the articles of the EU Treaty. Someone inextricably linked environmental activities to other EU activities. At the present stage, the EU is improving the legal regulation of environmental protection. In particular, acts were updated that establish the legal basis for the system of collecting and processing environmental information, environmental monitoring, environmental certification, environmental impact assessment, and a mechanism for financing environmental activities. Attempts are being made to codify many standards in environmental standardization and certification. An important element of implementing environmental policy in Europe is the inclusion of environmental protection problems in the draft EU Constitution, although referendums of a number of leading EU member states (Burns et al. rejected it, 2013; Braun, 2014). According to the Amsterdam Treaty of 1996, the principles of the EU environmental work are the following:

- The principle of proactive action, according to which community activities are aimed at preventing pollution or other damage to the environment, we must consider the threat of which before the decision;
- The precautionary principle that lack of research on a particular issue cannot lead to the cancelation or postponement of EU pollution prevention activities; it is not always possible to predict with great accuracy the negative impact on the environment, but even in such cases, if there is a hypothetical possibility of environmental disruption, environmental measures should be applied;
- The principle of remediation and compensation for damage to the environment, which obliges where it is impossible to avoid damage, to minimize it, limit the scale of its distribution and then eliminate it as soon as possible;

The culprit bears-The principle that the culprit pays for his compensation; this principle reflects a tendency to prefer market-based methods of financial stimulus that are more efficient than administrative methods, obligations, or prohibitions (Burns et al., 2012; Bocquillon and Maltby, 2017).

Based on the experience of EU countries on the environment, we can cite the following classification of current public administration instruments in Ukraine:

- Trade permits introduced to reduce emissions (e.g., SO<sub>2</sub> emission quotas) or save natural resources (e.g., fishing quotas);
- Environmental taxes imposed to change prices and thus consumer and producer policies
- Environmental contributions introduced to fully or partially cover the costs of environmental services, measures to reduce water pollution, waste disposal

- Environmental subsidies and benefits created to stimulate the development of new technologies, create new markets for environmental goods and services, and support the achievement of high levels of environmental protection by companies
- Liability and compensation schemes aimed at ensuring adequate compensation for environmental hazards, as well as costs of preventing and repairing damage (Golub, 1996; Burns et al., 2013).

## **Conclusion**

Considering the EU experience in public administration of environmental security, especially at the level of territorial communities, the relevant key areas should be:

- Ensuring environmentally friendly collection, transportation, storage, disposal, and disposal of waste
- Installation of biological sewage treatment modules
- Cleaning of the sewage system and wells
- Purchase of pumping and technological equipment to replace such that it used its technical capabilities in the sewage system of the villages of the community
- Prevention of pollution, clogging, and depletion of reservoirs, systematic cleaning, and pollution
- Restoration and maintenance of favorable hydrological regime and sanitary state of artesian wells, water supply, and sewage networks of villages
- Carrying out measures to combat the harmful effects of water (arrangement of sources, purification of drain pipes, bridges, beam beams)
- Survey of soils under the solid waste landfill
- Elimination of the consequences of storms and windmills
- Landscaping of villages, creation of parks and squares, proper maintenance of existing parks and squares
- Purchase and equipment of special containers, cars for collection, transportation, storage of solid household waste
- Fight against quarantine pests in villages, roadsides, green areas, parks, squares, public places, tree pruning
- Liquidation of spontaneous landfills, preventing their re-formation
- Prevention of grazing
- Implementation of separate collection of solid household waste
- Construction of a workshop for sorting solid household waste
- Construction of a workshop for the production of alternative fuels (pillets) from waste crops

In general, the measures mentioned above are proposed to ensure environmental security, prevent and eliminate the negative impact of economic and other activities on the environment, and preserve the natural resources of Ukraine and its regions.

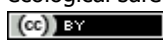
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