

Environmental protection and public environmental policy in the Ukraine

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We proved that the state environmental policy is based on certain political, social, and economic principles. In particular, political principles refer to democracy, publicity, volunteerism, activism, and negotiation. Social and economic principles are the following: conformity of economic development and environmental opportunities using the achievements of scientific and technological progress to solve environmental problems, consumption regulation, and planning of natural population growth. In states with different social and political systems, these principles may vary. It is noted that the implementation of the principles of environmental policy is carried out through specific methods (mechanisms). There are different approaches in determining environmental policy methods, which could conditionally be divided into economic and non-economic (administrative) ones. We suggested that regional environmental policy is shaped by the following factors: pollution accumulated over the previous period, the scale of which varies in the regions, priorities of public environmental policy; condition of the economy in the region; health status of the population. It is proved that the current state environmental policy of Ukraine does not help our country to compete for environmental investments. Accordingly, long-term systemic work is needed to implement effective environmental policies.

Keywords: environmental protection, environmental policy, environmental regulation, environmental requirements.

Introduction

Today, in the context of the global crisis between states, the struggle for investment is intensifying. It has never stopped, but now it is escalating to the limit. Unfortunately, Ukraine is far from leading positions in this struggle. Despite the progress made in recent years, Ukraine is in 64th place in the rating of investment attractiveness. Public environmental and economic regulation, or environmental policy, is a tool to fight for investment. It is no secret that economics and ecology have divergent vectors. Any economic activity has a greater or lesser impact on the environment. Therefore, the classical goal of public environmental policy is to balance economic growth and technological impact on nature - sustainable development.

To understand whether environmental and economic regulation is effective in the Ukraine, simple questions must be solved. Are we satisfied with the environmental situation in the country? Are we satisfied with the economic situation in the country? Do we believe that economic growth and technological impact in our country are balanced? For sure, most of us will answer these questions "no". Someone believes that the state is too rigid on environmental regulation, and someone, on the contrary, is sure that it is too soft. In this column, I will try to answer what needs to be done to ensure that our environmental policy is effective. The environmental legislation of Ukraine was formed in the late 1990s - early 2000s. When forming environmental standards, the current state of the industrial complex was not considered, and the process of ecological transformation from the existing state to the target state was not considered. A considerable number of public environmental programs were purely formal, and the ecological modernization of the Ukrainian industry was chaotic and depended mainly on the consciousness and plans of the business owner during the past 20 years.

After the ratification in 2014 of the Association Agreement between Ukraine and the EU, the situation received a new impetus. At the state level, Ukraine has embarked on the convergence of environmental legislation and EU policies in the field of environmental protection. However, the matter practically did not move beyond this. The specific environmental objectives are still unclear. For example, the Law "On the State Environmental Policy of Ukraine for the Period until 2030", adopted in 2019, did not mention the Association Agreement. Today, the industry is in a situation where the goals and vectors of public environmental policy are unclear, but it is already clear that new ones will replace the current requirements. In such a situation, investing in environmental modernization is at least risky.

At the same time, there is no constructive dialogue between the state and business concerning switching to new environmental standards. For example, in European countries, environmental modernization has been carried out for an extended period - from 10 to 20 years - and has been actively funded by public funds. The position of the Ukrainian authorities is less effective - we need to introduce requirements, impose fines, collect taxes on pollution, and fulfill these requirements - let the business understand itself.

Methods

Our research is based on the concept of determining the effectiveness of public administration in ecology and the quality of life of the population, the underlying methodology for calculating the Environmental Performance Index. We used traditional methods of

scientific analysis: methods of bibliographic and logical analysis, methods of comparison, abstraction and generalization, analogy, system analysis, deductive and inductive approaches, graphical methods. The information sources of the research were laws of Ukraine, decrees of the President of Ukraine, decisions of the Cabinet of Ministers of Ukraine, program documents of state authorities of Ukraine, official materials of the State Statistics Service of Ukraine, monographs and articles of specialists and scientists, personal studies of authors. The collection of information concerning environmental policies is produced made from open official sources.

Results

In recent years, the formation of public environmental policy has been actively discussed in our country. Environmental experts, lawyers, representatives of public environmental organizations propose developments in this area, based on their understanding of the term "environmental policy". In modern literature, several levels of environmental policy are distinguished - international, state (national), regional and local ones. Since environmental policies are implemented by actors at different levels and therefore have specificities, the approaches to defining environmental policies differ. First, environmental policy is understood to mean "a national solution based on a universal human approach to the practical problems of ecology and nature protection facing society and associated with the increasing impact of human economic activity on the habitat of living beings (including the man himself)" (Welsch, 2004; Alstine & Neumayer, 2010).

The universal human approach seems justified from the ecological crisis point that threatens modern civilization. It is reflected in several international documents, including the 1992 Declaration on Environment and Development, which states: "the states have to cooperate quickly and resolutely concerning further development of international law and responsibility and also in questions of compensation for the negative consequences caused by activity within their jurisdiction or in control over those areas which are outside their jurisdiction". However, such a definition has a general character and does not reveal the features of implementing the environmental policy at various levels, from international organizations to individual citizens (Shafik, 1994; Campbell & Somerville, 2007).

From another point of view, the concept of environmental policy is considered in two aspects: global and regional. On a global scale, environmental policy is "the conduct of international legal, political and foreign economic actions, taking into account environmental restrictions in social and economic development, the reserves of available resources in the world and their distribution". The regional environmental policy is similar to a global one but "covers the interests of the countries of one continent, subcontinent, a part of the land united by the basin of one sea (large river), and a geographical zone". Environmental policy at the state level is regarded as "a system of specific political, economic, legal and other measures taken by the state to manage the environmental situation and ensure the rational use of natural resources in the country". In this case, the purpose of environmental policy can be considered "ensuring harmonious, dynamically balanced development of economy, society, and nature" (Dreese, 2002; Panayotou, 2003).

In modern social and economic conditions, great attention is paid to forming and implementing environmental policies at the level of individual economic entities, especially industrial enterprises, which make the main contribution to environmental pollution. Environmental policy should then be referred to as the "set of intentions and principles for environmental indicators," which not only is formally proclaimed but also provides the basis for further elaboration of environmental goals and targets. Within social ecology, environmental policy is presented as "the conscious and organized regulating activity using the mediation of the state and public, especially political organizations the relation of society to nature to protect and develop the environment" is governed. Environmental policy is an integral part of the policies of any state. Environmental policy elements are its principles, priorities, goals, actors, and implementation mechanisms (Adams, 2004; Marzec, 2007).

Public environmental policy is based on certain political, social, and economic principles. Political principles in the rule of law refer to democracy, publicity, volunteerism, activism, and negotiation. Social and economic principles are the following: conformity of economic development and environmental opportunities, using the achievements of scientific and technological progress to solve environmental problems, consumption regulation, planning of natural population growth. In states with different social and political systems, these principles may vary. For example, states of the totalitarian type are characterized by political principles such as lack of democracy, secrecy, coercion, passivity, confrontation. Social and economic principles in totalitarian states are based on the idea of unlimited natural resources, ignoring environmental opportunities, prioritizing the interests of the state over personal interests; population growth is generally not controlled (Grossman & Krueger, 1995; Panayotou, 2003).

The implementation of the principles of environmental policy is provided by specific methods (mechanisms). There are different approaches in determining the environmental policy methods. We can conditionally divide these methods into economic and non-economic (administrative) ones. Economic practices act as internal incentives for environmental users to seek and adopt environmentally clean and resource-efficient technologies. Administrative methods, including legislative regulation, fines, and environmental payments, are external incentives for compliance with environmental requirements. In social ecology, technical and technological, economic, legislative, political, and educational methods are distinguished. Technical and technological methods mean using technical and technological solutions and means of protecting and developing the environment.

An example is the construction of gas pollution and treatment facilities at enterprises, the introduction of waste-free industries, closed cycles, and other ways to reduce the technological load on the environment. Legislative and legal mechanisms usually regulate relations between the state, environmental users of different levels, and the environment. Political methods are manifested in environmental policy actors such as social and political organizations and political parties. Educational methods play a unique role in developing environmental consciousness and moral responsibility as a prerequisite for implementing the environmental policy (Welsch, 2004; Binder & Neumayer, 2005).

The process of forming and implementing environmental policies takes place with environmental users themselves or environmental policy actors. The subjects of the environmental policy include state, economic and economic entities, political parties, research institutions, public organizations, and individual citizens. Recently, three sectors have also been identified in social and environmental relations - the state, business, and the public. The degree of participation of each of the given actors varies depending on society's political and economic attitudes. Therefore, in authoritarian and totalitarian systems, the state plays a decisive role in forming the environmental policy, suppressing the initiative of other potential participants in this process. In democratic societies, where citizens' political culture and rights are constantly expanding, public participation in environmental decision-making plays an important role. In socialist countries, the realization of progress based on the rapid development of productive forces and economic growth led to depleting natural and social resources. The accelerated pace of industrial

development without considering the impact on the environment contributed to the emergence of environmental risks. The underdevelopment of productive forces, the imperfection of technology, and the "free" natural resources have led to disruption of the ecological balance, exacerbation of social, sanitary, and hygienic problems, and contradictions between environmental users at different levels (Beckerman, 1992; Panayotou, 2003).

In a totalitarian society, natural ecosystems and social communities are the only resources for its functioning. We can agree that the ideologists of totalitarianism considered the natural and social environment as an inexhaustible source of resources to achieve the system's goals. These environments, used extensively, were not reproduced and were not restored to the minimum necessary extent. In Ukraine, it has long been believed that the correct application of the communist doctrine, the mobilization of more and more natural and human resources will allow the system to conquer nature and turn the biosphere into a technosphere adapted to the needs of the expanding system. As a result, an environment unsuitable for human life was created (Dreese, 2002; Alstine & Neumayer, 2010).

In this regard, the formation of environmental policies of the regions is essential in modern conditions. The following factors influenced the regional environmental policy, namely pollution accumulated over the previous period, the scale of which varies in the regions, priorities of public environmental policy, state of the economy in the region, and population's health status.

Over the decades, public environmental policy has been formed without considering the interests of the regions. Some industrialized regions became hostage by departmental interests.

Conclusions

Thus, the current state environmental policy of Ukraine does not help our country to compete for environmental investments. Long-term systemic work is needed to implement effective environmental policies. However, we suggested starting with these five simple steps.

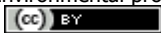
1. To approve officially at the legislative level of the specific environmental requirements provided for in the Ukraine-EU Association Agreement.
2. To form and agree with all industries a realistic plan for transition to new environmental requirements and best world practices.
3. To identify the need to finance environmental modernization and develop and implement financial instruments to support and stimulate environmental modernization similar to European practices. Without large-scale state support, environmental modernization will drag on for many years.
4. To import the best available technologies into Ukraine and ensure their implementation.
5. To monitor the implementation of the environmental modernization plan transparently.

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