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ORGANIZATIONAL AND LEGAL MECHANISM OF PUBLIC ADMINISTRATION IN THE FIELD OF ENVIRONMENTAL SECURITY IN THE CONTEXT OF SUSTAINABLE DEVELOPMENT AND GLOBALIZATION

The approaches of public administration to ensure the rational use of natural resources, ways to improve and influence domestic policy and the characteristics of modern legislation in the field of environmental protection in Ukraine have been considered in the paper.

Key words: *ecology, globalization, sustainable development, public administration, state environmental policy.*

Problem statement: Among the main components of the modern states' national security systems, environmental security has increasingly come to the forefront, which over the last hundred years has become a global problem for all mankind. The people's living environment, as a result of the human life and activities, is increasingly becoming a threat to the very existence of mankind. The twenty-first century has publicly placed on the world agenda the problem of anthropogenic impact on the noosphere and, as the consequence, the necessity of creating global and national systems of ecological security.

Nowadays, ecological security is an integral attribute of the modern states development and requires a fundamental change in the imperatives and values of modern civilization, their vision in the environmental perspective, understanding that only the rational use, preservation, restoration and augmentation of natural capital creates an environment that is safe for human life and health, the ability to reproduce the next generations and the very existence of mankind.

The problem of deterioration of the environmental situation is getting more and more relevant with each passing year, environmental degradation of the air, water, land is the result of irrational use of natural resources and large gaps in legislation that affected the health and economy of the whole state.

To date, much attention is focused on the problem of pollution and significant deterioration of our planet environment. The scientists' opinions are concentrated on the development of ways to reform the public administration in the environmental sphere. The rapid development of our society and the level of industry development cause significant damage to the environment and an ecological situation of Ukraine and the planet as a whole. The scholars Andronov V., Gerasymchuk Z., Datsii O., Dombrovska S., Ilyashenko S., Kudenko N., Kriukov O., Maistro S., Melnyk L., Omarov A., Pomaza-Ponomarenko A., and others have studied the problems of public administration in the ecological sphere.

In our opinion, one of the most important problems in the public environmental administration in Ukraine is bad legacy, that is, the directions of enterprise development for economic growth do not take into account the consequences of activity and environmental impact, the foundation of this approach was laid back in Soviet times.

Despite the fact that public authorities declared the territory of Ukraine an ecological disaster zone in the 90s of the 20th century, in practice it had purely declarative nature as neither the priorities were identified nor specific plans or actions aimed at improving the environmental situation were developed.

However, at the level of the world community, a new idea-paradigm for the society development gradually evolved and its goal was "sustainable development", that is, meeting the society needs without compromising the needs of future generations. It was developed on the basis of the analysis results of the catastrophic environmental degradation and the search for optimal ways to overcome its threats.

In this context, the paper **purpose** is to study the structure of the organizational and legal mechanism of public administration in the field of environmental security in the context of sustainable development and globalization.

Paper main body. Sustainable development implies a form of interaction between society and the environment that ensures the survival of mankind and its preservation

when current generations provide for their vital needs without depriving future generations of opportunities to meet their own necessities.

During the years of independence, Ukraine has officially supported a number of international resolutions on sustainable development: “Agenda for the XXI Century” (Rio de Janeiro, 1992), “United Nations Millennium Declaration” (2000), “Johannesburg Declaration” and “Implementation Plan of the UN World Summit on Sustainable Development” (Johannesburg, 2002), “The Future We Want” (Rio de Janeiro, 2012). However, until 2015 there was no nationwide plan for the practical implementation of sustainable development ideas in our country.

Under current conditions it can be confidently asserted that there is an acute need for the development of environmental audit that is determined by the following factors: the deterioration of the environmental situation both in the country and the world due to the apparent inefficiency of traditional forms of the state environmental management and control; the predominance of “conditionally forced” nature of industrial economic activity; the existence of significant untapped potential to solve environmental problems, many of which are not associated with the significant financial and material costs (among these opportunities the most characteristic is the creative potential of enterprises), practical achievements in environmental auditing in economically developed western countries including the possibility of additional income, for businesses as well. In the contemporary market economy, it is enterprises that play a key role in solving major economic problems: the establishment of economically stable production of goods and services to satisfy society needs. An important task of the state leadership is to ensure the productive functioning of markets and the national innovation system.

Governments help create an enabling environment for innovation through responsible economic management, effective regulatory policies, and the facilitation of the free flow of investment, people, and ideas.

Financial support mechanisms, such as direct funding, tax incentives, subsidies and loans are the main tools used by governments to stimulate research and development.

Economic studies demonstrate that some of the public funds that are used to stimulate research and development in business simply replace private funds, but at the same time they have important networking advantages. There are more than 20 million enterprises in Europe, almost one hundred percent of which are small and medium-sized enterprises (hereinafter SMEs) employing less than 250 people but which are socially and economically important.

The vast majority of SMEs are microenterprises with less than 10 employees. The new EU member states have higher rates of business opening and closing than the old member states. Most new firms are created in the service sector and are microenterprises.

SMEs account for about two-thirds of total private sector employment. The contribution of SMEs to value added is much lower than their contribution to employment. Small and medium-sized enterprises have lower productivity and pay less compensations to their workers than large enterprises do.

In a globalized economy, where large firms “outsource” and relocate their production and workplaces to cheaper offshore zones, SMEs are becoming an important source of new jobs. SMEs are also a key mechanism for facilitating knowledge exchange and sharing. SMEs are considered as a priority of the new industrial policy. The main issues of modern industrial policy are largely reflected in the “Small Business Act”.

Innovative activities are no longer considered solely the domain of the companies that are technological leaders. The availability of technological leaders remains critical for international competitiveness but, at the same time, stable economic growth requires innovative approaches in all areas – starting with knowledge-based services, business organization, marketing and so on.

In our opinion, innovation support, as a rule, tends to originate from local or regional management initiatives that are more aware of local companies with the best potential and can better assess the risks associated with the local and regional innovation. In the current context, the factors that significantly affect the formation of an effective state environmental policy is the use of various instruments of the environmental policy financing.

In the context of globalization, the system of public administration in the field of environmental policy must adapt and respond quickly to any situation, including international.

In this framework, globalization is considered as a set of socio-economic challenges on the part of the world community with the aim of creating partnerships and increasing a number of agreements between countries in the field of trade and investment, expanding international cooperation implemented in the expansion of economic potential, as well as increasing international movement of capital, people, technology and information. Under these conditions, the authorities must maintain effective market competition between enterprises and organizations of various forms of ownership for the successful development of the national and regional economy.

It is in place here to mention several essential features of public administration that are able to contribute to the achievement of the specified objective:

1. Public regulatory bodies must function in accordance with the society needs, providing quality services to citizens and social support.

2. Protection of human and civil rights by providing the opportunities for the implementation of economic initiatives with the development of horizontal forms of interaction between government and society.

3. Creation of conditions for the competitiveness of private sector entities along with state and municipal corporations. Implementation of the state antitrust policy.

4. Rational assessment of the set goals and establishment of the optimal ways of their achievement.

5. Implementation of the capital investments and orientation on the obtained results of administrative and socio-economic activities of the subjects of public administration.

6. Demonstration of the economic initiatives to meet the citizens' needs.

7. Development of the entrepreneurial skills of officials employed by the official administration (on the issues of state entrepreneurship) while optimizing the expenditures of available budgetary funds.

8. The use of financial resources in order to prevent possible problems that may arise in society, rather than their correcting after they have been formed and entailed negative consequences.

9. Decentralization of the socio-economic activity of governing bodies through the active participation of the state, municipal, entrepreneurial, business and civil representatives.

10. Rational combination of the market and administrative mechanisms in solving the problems facing the society.

Subject potential and specificity of public administration are formed by civil associations, the effectiveness of which is determined by several indicators which, in turn, are divided into the following types:

1. Participation in public administration which can be manifested in the development of managerial decisions by independent public experts.

2. The rule of law, that is, formation of the stable legal bases for the protection of rights and legitimate interests in the sphere of economic and property results.

3. Transparency of functioning of the public administration structures with insuring the free dissemination of information that is connected with transfer of requested information between participants of the socio-economic relations.

4. Public institutions should create the conditions to satisfy all the society's legitimate interests.

5. Formation and rational use of the financial resources to implement the state and municipal projects for the development of certain areas of the society.

6. Processes and public administration institutions must present the results of their activities in full compliance with the needs of the optimal use of available economic resources.

7. Accountability: employees of the state and municipal government structures, private entrepreneurs and members of the civil society organizations are accountable to the public. This responsibility varies depending on the specifics of the subjects of public administration.

8. Consideration of the problems from the point of view of strategic management with a long-term perspective of the public development regulation.

Civil society organizations play an important role in the system of public administration. In this case, the problem of “lacking of necessary public awareness” about the forms and ways of possible participation in the processes of public administration can be pointed out. A lot of citizens are often unaware of their legal rights and opportunities to interact with the official authorities and possibilities to receive public services.

The Draft Law of Ukraine “On Environmental Impact Assessment” discloses important legislative innovations in the sphere of environmental security and environmental rights protection. The introduction of the European model of the institute of environmental impact assessment in Ukraine was caused, first of all, by the international obligations of the country under the Aarhus Convention and the Convention on Environmental Impact Assessment in a Transboundary Context (the Espoo Convention), as well as the Ukraine – EU Association Agreement.

In June 2015, the Draft Law of Ukraine “On Environmental Impact Assessment” № 2009-a, dedicated to the adaptation of national legislation to the Directive 2011/92/EU of the European Parliament and the Council on Environmental Impact Assessment of Projects was registered.

It was supposed that the new environmental impact assessment procedure would replace the institution of ecological expertise. A detailed systematic analysis of this draft law (rather critical as to its content) was carried out by the Resource and Analytical Centre (RAC) “Society and Environment”.

Ukrainian legislation provides citizens with the opportunities to influence and participate in the environmental protection activities. In particular, Article 6 of the Law of Ukraine “On the Fundamentals of National Security of Ukraine” defines that the priorities of national interests are: “ensuring environmentally and technogenically safe living conditions for citizens and society, preservation of the natural environment and rational use of natural resources”.

In our opinion, the forms of public participation in environmental management include the following: referendum, citizens’ appeals, citizens’ meetings at the place of

residence, public discussion of the draft decisions in the field of ecology and environmental protection, public environmental expertise, public environmental control, meetings, rallies, demonstrations, appeals to the court, etc.

Modern taxation contributes to the development of green energy market and environmentally friendly industries. In addition, according to scholars' studies, environmental resource taxes play an important role in the overall structure of revenues from taxes and social contributions in the EU countries.

The problems of environmental taxation partly depend on the quality of administration, including the determination of the pollution levels, the flexibility of tax rates and the ability to respond quickly to current challenges.

It is also rather important to remember that in some countries (e.g. Denmark and Germany) the use of environmental taxation mechanisms has a positive effect on the process of environmental management and, in addition to the environmental effect, stimulates innovation, the search for new renewable energy sources. on the configuration of environmental and economic schemes.

In this respect, the implementation of the state environmental policy goals involves the stabilization of the environmental situation by 2025-2030 through the consolidation of changes in the public administration system that have occurred through the reform of the state environmental management system and the implementation of European environmental norms and standards. By 2030, significant progress in improving the state of the natural environment is expected to be achieved by balancing the socio-economic needs and objectives in the sphere of the natural environment protection.

Conclusion. The processes of globalization set new parameters for the ecological development of modern states, redefine the problems of ensuring ecological security due to the volatile and changing nature of challenges and threats facing the humanity. At the same time, the unfavourable state of the environment and the need to ensure environmental security require the adoption of adequate legal, organizational and other measures.

Environmental policy is gradually acquiring the signs of a full-fledged state policy and the corresponding sphere of public administration, where the state does not just declare general goals, but defines the tasks in the relevant areas to monitor the effectiveness of the state-management decisions and, if necessary, the possibility of their further adjustment.

Moreover, in order to solve the issues of environmental security, it is necessary to reform the key approaches, firstly, the institutions of globalization, secondly, countering the introduction of genetically modified products and promoting sustainable agriculture,

and, thirdly, introduction of eco-design – a specific effort to reorganize human material structures, cities, technologies and industries to make them environmentally sustainable.

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