

LEGAL PROVISION OF THE STATE ADMINISTRATION OF THE ECOLOGICAL COMPONENT OF SUSTAINABLE SOCIO-ECONOMIC DEVELOPMENT

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The article discusses the essence of sustainable socio-economic development, the principles and components of sustainable development. A critical analysis of the scientific works, the normative legal acts and international standards was carried out. It was determined that harmonization of economic, social, and also ecological subsystems of the country's and region's reconstruction and development is intended to find the ways of its transition to a model of sustainable development, which will provide an opportunity to meet the needs of not only modern but also future generations, preserving and restoring the environment. The current solution to the problems of legislative regulation of the ecological component of sustainable development is very relevant. Protection and restoration of the environment as a general system of human life support is turning into a task of paramount importance in terms of preserving the gene pool of the people of Ukraine, as well as the prospects of economic and social development. In this regard, the state policy of sustainable development, based on the possible use of international experience, should be based: The basis for effective state development is the regulatory framework, which is based on a set of laws necessary for regulating activities and creating favorable conditions for its development. In the aspect of sustainable development of the state, in our opinion, the content of the laws and regulations of the regulatory framework should be considered, depending on their effective implementation. The problems of its legal maintenance in general and in particular of the legal provision of the ecological component of sustainable development are determined. The directions of achievement of sustainable development in the ecological sphere are proposed due to improvement of the requirements of normative legal acts concerning the sustainable development. Ecologization of the economy, the social sphere (education, education, science, culture, health), the conduct of competent geopolitics and the protection of national environmental interests, requires coordinated interrelated actions by the state, business, civic organizations and the community. As Ukraine's economy is on the way of shaping and prioritizing future perspective directions of its development, measures aimed at forming the principles of sustainable socio-economic ecological safety development will bring our state closer to harmonious sustainable development.

Keywords: components of sustainable socio-economic development, environmental factors, legal framework, legal support, sustainable development, state administration, quality and safety of human life.

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1. Introduction

Sustainable development is a new worldview, political and practical model of development for all countries of the world, which have begun transiting from a purely economic model of development to finding the optimal balance between the three components of development — economic, social and environmental. Implementing this model requires forming a system of public management of sustainable development, a necessary prerequisite for which and its important component is proper governance.

Every year the world community is showing the increasing interest in ensuring sustainable development of countries, in protecting the environment and protecting the interests of future generations.

Today scientists have shown a direct relationship between the environmental pollution and the significant deterioration of the population health. In such circumstances, the relevance and importance of citizens' rights to a safe and healthy environment is particularly acute. Ukraine is entering a new era of history, associated with the Revolution of Dignity and the emergence of the opportunity to build a new Ukraine on the principles of sustainable development, rule of law, protection of human rights, democracy, solidarity, and good governance. Strategic vision for sustainable development of Ukraine is based on ensuring national interests and fulfilling international commitments on sustainable development by Ukraine.

Protection and restoration of the environment as a general system of human life support is turning into a task of paramount importance in terms of preserving the gene pool of the people of Ukraine, as well as the prospects of economic and social development. Consequently, a modern solution to the problems of legislative regulation of the ecological component of sustainable development is very relevant.

Thus, the harmonization of the economic, social, and ecological subsystems of the country's and region's reconstruction and development is intended to find the ways of its transition to a model of sustainable development, which will provide an opportunity to meet the needs of not only modern but also future generations, preserving and restoring the environment.

2. Literature analysis

Issues of regional development were considered in the works of domestic and foreign scholars, such as: Chalchynskyi (2010) - peculiarities of legal provision of sustainable development of Ukraine in the transition period, Ivanova (2011) - state administration of ecological and economic safety as a condition for sustainable development of Ukraine, Panzhar (2003) – state mechanism of environmental risk management in the region, Simchenko (2010) - social institutions of sustainable development, Shevchuk and Shydlovskiy (2010) - problems of legislative ensuring sustainable development of Ukraine and others.

3. Aims of the article

Consider the essence of sustainable development, the principles and components of sustainable development, and identify the problems of its legal provision in general and in particular the legal provision of the ecological component of sustainable development.

Using general methodology while studying scientific sources and regulatory framework for sustainable development, it is necessary to offer actions to improve the requirements of regulatory-legal acts and predict the results of these actions.

4. Results

In the course of the scientific investigation, the system analysis was used, one of the main directions of research methodology, special scientific knowledge and social practice, the purpose and task of which is to study certain objects as complex systems. Such methods as synthesis and analysis, induction and deduction, and theoretical components of the methodology were also used (Figure 1).

Methodological and informational basis of the study are scientific works, normative legal acts and international standards. In the Doctor's thesis by Ivanova (2011) "State Administration of Ecological and Economic Security as a Condition for Sustainable Development of Ukraine", the ecological and economic security is analysed, which is based on ecological and economic needs, interests, is grounded on the fact that the pace, structure and culture of consumption are formed taking into account the ecological situation, is natural or man-made and accompanied by certain restrictions. In the dissertation, the scientist emphasizes that the main role in ensuring the ecological and economic security of society is assigned to the state. Recommendations on directions of activity of executive authorities in order to ensure ecological and economic security of the territory are given. In the direction of "Ecological development", in addition to the work of Ivanova (2011), Dziana (2008) "Improvement of mechanisms for Implementation of State Policy into the Field of Energy Saving of Ukraine (Socio-Ecological Aspect)", Kruk (2009) "Mechanisms for Implementing the State Environmental Policy in the Aspect of Environmental Protection at the Regional Level", Ukrainskyi (2010) "State Regulation of Enterprises Activity According to the Social and Environmental Management Concepts", Martynenko (2007) "Strategy for Reforming the System of Environmental Protection in a Transformational Society: the Regional Aspect", Maievska (2007) "Mechanisms of State Management of Environmental Management of Subsoil Use in the Coal Industry of Ukraine", Starodubtsev (2010) "Mechanisms of State Management of Nature Using the Urbanized Territories on Innovative Basis", etc.

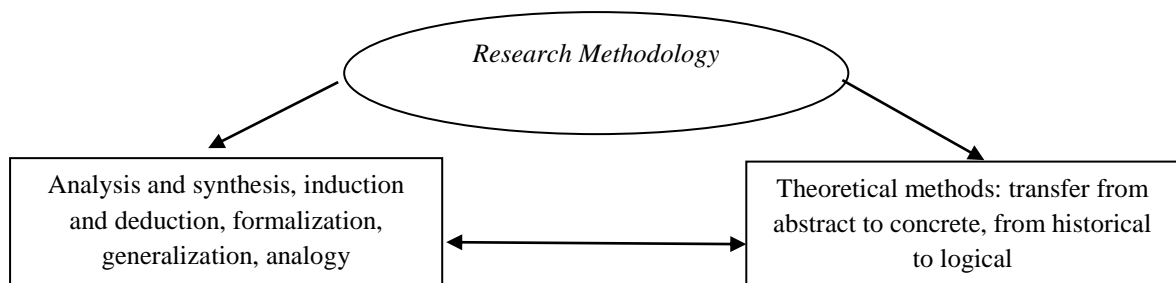


Figure 1. Classification of Research Methodology

Therefore, the concept of sustainable development is based on the obligatory consistency of economic, ecological and human development in such a way that from one generation to the next, the quality and safety of people's lives would not diminish, the state of the environment would not deteriorate and social progress would take place.

In this regard, the state policy of sustainable development with possible using the international experience should be based on: The Concept of Sustainable Development, adopted by the United Nations Conference on Environment and Development (Rio de Janeiro, 1992) and reflected in the Agenda for the XXI century (Deklaratsiia, 2018). Among the program documents that are of a promising nature, today it is possible to distinguish: The Law of Ukraine "On the Main Principles (Strategy) of the State Environmental Policy of Ukraine for the Period up to 2020", Resolution of the Verkhovna Rada of Ukraine "On Recommendations of Parliamentary Hearings on

the Theme: “Strategy of Innovation Development of Ukraine for 2010-2020 in the Conditions of Globalization challenges”, “Strategy of Development of Ukraine up to 2020” (Shevchuk and Shydlovskiy, 2010).

The basis for the effective development of the state is a regulatory and legal basis, which is based on a set of laws necessary for regulation of activity and creation of favorable conditions for its development. Legal support is a set of norms expressed in normative acts that establish and consolidate the organization of the information system, its purpose, tasks, structure and function, designed to regulate the creation and operation of the information system. Legal support is based on a legal approach that considers social management as an organizational, including executive and administrative activities of state bodies, aimed at enforcing laws and other normative acts adopted by the authorities and management.

In the aspect of sustainable development of the state, in our opinion, the content of laws and regulations of the regulatory framework should be considered, depending on their effective implementation. In the course of scientific research, it was established that they can be conventionally divided into three main groups of solutions (Chalchynskiy, 2010), namely:

- local – sectoral solutions that set local goals and objectives on a scale of one or more compatible industries in the context of sustainable development of Ukraine;
- infrastructure solutions of the national level, creating the necessary balanced conditions and opportunities for the realization of the goals and objectives of sustainable development;
- system solutions for targeted programs that determine the directions of achieving the goals and objectives of sustainable development at the general or regional levels.

Also, in the course of scientific research, we will consider the strategic goals:

1. Forming the environmental values and principles of sustainable consumption and production in the society (7 strategic objectives): ensuring the efficiency of education for sustainable development, environmental education and upbringing, educational activities, informing about the state of the environment and the activities of executive authorities, public participation in the managerial decisions adoption.

2. Ensuring sustainable development and using the natural and resource potential of Ukraine (12 strategic tasks): implementing the ecosystem approach into the management activities, expanding the natural reserve fund territories and forming the ecological network, ensuring balanced development of the plant world of Ukraine and integrated management of water resources based on ecosystem approach to basin principle.

3. Ensuring the integration of environmental policy into the process of social and economic development of Ukraine (11 strategic objectives): elimination of dependence of economic growth on increasing use of natural resources and energy and increasing the level of environmental pollution, development of environmental management systems, voluntary environmental certification and product labeling, forming the system to protect the critical infrastructure of Ukraine.

4. Achieving the environment that will provide socially acceptable levels of risk for the integrity of ecosystems and population health (5 strategic objectives): minimizing environmental risks, achieving the ecologically safe environment for people’s life and health, implementing the measures to reduce radionuclides release outside the exclusion zone, preventing uncontrolled release of GMOs.

5. Improving and developing the state system of nature-friendly management (6 strategic tasks): strengthening the environmental management capacities in environmental monitoring and state control, transforming the sphere of subsoil use into the most transparent and investment-attractive branch.

For our scientific study, it is also very important to study the principles of sustainable development, which can be divided into two groups: the basic positions of this theory, in the strict sense, on the one hand, and the strategic directions of their implementation on the other hand.

Let's consider the basic principles of the state policy of sustainable development.

1. The principle of determining the vital forces of a man, a family, a society, a nation, a state, as the highest civilized value. Implementation of this principle in practice is rather complicated. The replacement of the outlook, that has been established over the centuries, cannot be quick and should take place with the active participation of the state, from putting the emphasis in the education of children and youth and the educational work of the older generation to special economic programs. The application of this principle in practice means to deviate from the behaviour of the passive recipient and "enter history". The transition from a passive form of behaviour to an active one begins in consciousness. The process of human and community development begins with an individual, the relationship between people, in a family, a community or a nation.

All components of the world are permeated with interconnections. Therefore, each aspect of our growth has an impact on other dimensions of human life (personal, social, cultural, political, economic, etc.). When we are working on any of the components, it affects everything else. Personal growth, family building and community development should go hand in hand (Zinchuk, Kutsmus, Kovalchuk, and Charucka, 2018).

2. The principle of sustainable development of Ukrainian society as a process of qualitative changes in all spheres of life.

The process of qualitative change in all spheres of life involves the ability of people to change the world, recovery from failures and the replacement of destructive behaviour and thoughts on viable. You cannot build your life and relationships with other people on the grounds of an offense, failure, and stupid behaviour. Everyone should be treated with respect regardless of the social status of a person, their sex, race, age, culture, religion and other characteristics. In order to activate our hidden potential, we need to form a vision of our own future. If there is no vision, there is no development. Personal growth, constant improvement or the decline of personality concern the whole of society. Integrity within the community is an indicator of our social power, just as the lack of unity is a sign of weakness. The more progress the Ukrainian society will achieve in development the more unity becomes.

3. The principle of changing the philosophy of society's development, its landmarks, which should be based on spiritual, cultural and moral values.

This is a principle which is based on spirituality. Spirituality lies at the heart of true recovery and development. Understanding this means that your relationship with people, every meeting and every action you should fill with love to your neighbor, rely on wisdom, principles, doctrines and laws that come to us from the depths of spiritual traditions; maintain values aimed at preserving life and improving its quality; to improve the mental abilities associated with the spiritual component, namely the ability to see a dream or goal that is in line with our potential. Such development requires a moral and ethical basis. Moral and ethical norms do not restrict our freedom.

The principle of changing the philosophy of development involves the ecologization of knowledge and outlook. The implementation of this provision promotes the nomination of intellectual and spiritual values in priority to material ones.

4. Principle of ecological revival of natural objects, landscapes, as a habitat and a dominant of life, reduction of technogenic load on them, consolidation of strategic goals of development of the Ukrainian society and state.

The principle says that preservation of the environment is an integral part of the process of sustainable development. At the same time, economic development, social justice and environmental safety should be combined into a single whole, since they are in aggregate the main characteristics of development, and their division is impossible in connection with the through nature of these concepts.

The ecological revival of natural objects, landscapes, as a habitat and a dominant of life, is

impossible without ecologization of education and the implementation of the principle of consolidation of strategic goals of development of the Ukrainian society and state, since the transition to this model largely depends on the level of education of the community, their knowledge of legal and ethical norms that regulate the relation of man to nature and society, from the ability to apply this knowledge in everyday life, as well as from the commitment of the people to ideals, principles and ethics and sustainable development. Ecologization of education and the ideological provision of sustainable development are impossible without the free access to environmental information, which necessitates the creation of an appropriate database, as well as the openness of any kind of activity for environmental control.

Let's consider the components of sustainable development in details. The economic component: the concept of "stability of the economic system" refers to the ability of this system to adequately respond to external and internal influences and function, behave in such a way as to maintain a stable internal structural and functional organization and develop in the direction of achieving genetically determined goals of its existence. In this sense, the stability of the economic system is, above all, the stability of its internal structural and functional organization and the stability (in the sense of its orientation) in achieving and implementing the external main strategic goals of development. At certain moment of time or on the same trajectory the economic system may have a point (one or more) of the local equilibrium and thus achieve overall economic balance. But if it does not have a local equilibrium, then it is not in general equilibrium by the definition. Thus, under equilibrium we mean not just achieving a given time in a given territory at a given point of general equilibrium constant (stable) direction to balance (to achieve balance), constant overcoming difficult disparities elimination occurring disorders. In those cases, when there is a jump-like transition of the economic system from one equilibrium state to another, cyclicity as a principle of development, in the presence of disproportions, as a form of achieving stability is not abolished (Tymošenko and Golovach, 2018).

Social component: awareness of the paramount importance of solving social problems was an impetus for the creation of the Club of Rome and, ultimately, the emergence of a concept of sustainable development. The social aspect of the concept of sustainable development highlights the quality of human life, where quality life requires guaranteed and fair satisfaction of basic needs (and reasonable needs).

The social component of the concept of sustainable development was also the fundamental idea of respecting the rights of future generations. For sustainable development, natural resources must be transmitted from the generation to the generation, as less as exhausted and contaminated. The humanistic concept of sustainable development points to the direct link between social solidarity and economic development. It is meant that economic growth makes sense and justification if it contributes to the achievement of social justice, the satisfaction of the vital needs of all segments of the population. As it was noted above, one of the basic principles of the concept of sustainable development is the recognition by the civilized society of the necessity for such a system of needs, where material and spiritual needs are balanced in accordance with the environmental imperatives. The challenge is to turn this principle into specific social, economic, technological programs and projects, and to move towards the sustainable forms of development and livelihoods. Therefore, the efficiency and the ability to implement national strategies for sustainable development are determined primarily by the effectiveness of the system of making decision at all levels, as well as by the degree of internalization of the values and norms of sustainable development ethics. In other words, this efficiency depends on the value-normative paradigm. An important prerequisite for such a civilization transformation should be the restructuring of the system of moral and ethical attitudes of the individual (Moroz, Tsal-Tsalko and Chaikin, 2018).

The ecological component must ensure the stability of biological and physical systems. Undertaken in harmony with the environment, development can contribute both to satisfying a

number of urgent needs of people and to strengthening its own basis of improving. The new civilization should be based on the use of solar energy and the directed synthesis of a significant part of almost essential substances on the achievements of scientific and technological progress. In this regard, it should be noted that the Kyoto Protocol was the first global environmental agreement based on market regulation mechanisms – the mechanism of international trade in geotextiles for greenhouse gas emissions.

5. Conclusions

In the process of scientific research, we came to the conclusion that the improvement of the requirements of normative legal acts in relation to sustainable development of Ukraine, in particular, the strategy will enable:

- to create an effective system of informing the population on the issues of environmental protection and to raise the level of ecological consciousness of Ukrainian citizens;
- to improve the state of the environment to the level which is more secure for the ecosystem and population, taking into account the European environmental quality standards;
- to break the dependence of the economic growth process on increasing the use of natural resources and energy and increasing the level of pollution of the environment;
- to reduce losses of bio- and landscape diversity and to form a coherent and representative ecosystem;
- to create and implement a system of ecologically non-exhaustive use of natural resources;
- to minimize soil contamination with hazardous pesticides, agrochemicals, heavy metals and waste;
- to ensure the transition to the integrated environmental management system in the field of environmental protection and development of the environmental component in the economic sectors;
- to improve the state system of monitoring of the environment and the system of informational support of the process of making management decisions.

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