

## **METHODOLOGY OF STUDY OF ADMINISTRATIVE AND LEGAL FORMS OF MANAGEMENT IN ENSURING OF ENVIRONMENTAL SAFETY OF THE COUNTRY**

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### **INTRODUCTION**

The signing in 2014 of the Association Agreement between Ukraine and the European Union has actualized the issue of establishing cooperation on environmental issues, strengthening the environmental activities of each of the parties (in particular in the field of environmental management), integration of environmental policy in other areas of state policy. In Ukraine, the state of environmental safety is being negatively influenced by a number of factors today, in particular: the imperfection of the existing system of public administration in the field of environmental protection from the beginning of the 90s of the last century and the ensuring of environmental safety, duplication of environmental and economic functions by various subjects of management in this area; adoption of separate management decisions without taking into account their environmental consequences; insufficient activity of civil society institutions in the processes of formation of environmental legislation and control over its observance as subjects of management in the field of ensuring environmental safety, as well as subjects of industrial and transport infrastructure, etc. In view of this, the importance of raising the level of environmental safety by strengthening the role of environmental management in the system of public administration with the use of an arsenal of administrative and legal means. Due to the management carried out by the relevant actors, the country's environmental safety system is not only maintained in good condition, but also made much more stable and more resistant to any dangers of natural or man-made nature.

## **1. The Essence of Management in the Field of Ensuring the Ecological Safety of the Country and its Significance**

For the development of a meaningful and systematic scientific view of the administrative and legal principles of management regarding the ensuring of environmental safety of the country, attention should be paid to the question of the essence and content of management in this area. That is the phenomenon that underlies all the rules regulated by the administrative law of the subjects of relations regarding the ensuring of environmental security of the country.

1. The importance of this phenomenon is quite significant, because, as it is noted, either one or another system not only maintains its integrity, but also optimizes its functioning. For example, specialists draw attention to the fact that state environmental policy is the regulatory sphere of society, within which the state, through the system of institutions, carries out activities aimed at the formation of an environment whose quality would ensure the possibility of sustainable development<sup>1</sup>. That is, due to the management of the relevant subjects, the system of ecological safety of the country is not only maintained in the proper condition, but also made much more stable and more resistant to any dangers of natural or man-made nature. In particular, the importance of governance indicates that it is a complex and universal social phenomenon, since the development of society, its individual spheres is impossible without the establishment and implementation of a certain set of laws, rules, norms, the algorithm of behavior of society as a whole and its components in particular.

But first of all, we will make a distinction between concepts used by scholars about the activity, in particular, the state, in describing the phenomena associated with the regulation of certain social relations – "regulation" and "management". We agree that management in the field of environmental protection is an integral part of social management, and if one understands management in a broad sense, then it can be defined as the activity of state bodies, local self-government bodies and public organizations for the implementation of environmental protection measures, and, accordingly, distinguish: state, self-government, public

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<sup>1</sup> Лазор О. Я. Адміністративно-правові засади державного управління у сфері реалізації екологічної політики в Україні : автореф. дис... д-ра наук. Київ, 2004. 36 с. С. 18.

administration<sup>2</sup>. The above, in particular, should also be attributed to the specifics of the phenomenon under study. As we consider, taking into account the fact that environmental safety is important both for the individual, community, society, and for the country as a whole, then it will be in a certain part to determine the subjects of its management. And this should be attributed to the peculiarities of the organization and implementation of this kind of management.

Specialists in the context of the above shows that this organizational and regulatory influence of the state can be divided into two components: political (political management – definition of strategic goals, general policy and main tasks of implementation of the state policy in the relevant sphere) and administrative (in fact, the mechanism of implementation of the political course, formed by higher authorities, where management is analyzed and distributed to organizational and managerial components – planning, organization, management, control, etc.)<sup>3</sup>. That is why we can speak of both state policy in the field of ensuring the country's environmental safety and its own management of its ensuring. But, as we believe, and as stated above, in essence these phenomena act as components of a holistic organizational and regulatory means of influencing the state on social processes in the field under investigation.

As a confirmation of the appropriateness of allocating certain levels of management in the area under study, we will outline the provisions of such a program document as the Basic Principles (Strategies) of the State Environmental Policy of Ukraine for the period up to 2020. This act indicates that on the basis of these Fundamental Principles, national action plans will be developed that are to be integrated into regional socio-economic development programs and detailed at the level of regional environmental protection plans as part of the process of implementing state environmental policy<sup>4</sup>. In this example, we see that

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<sup>2</sup> Кобецька Н. Р. Екологічне право України : навч. посіб. 2-ге вид., перероб. і допов. Київ : Юрінком Інтер, 2008. 352 с. С. 77–78.

<sup>3</sup> Куц Ю. О. Природа та сутність державного управління. *Теорія та практика державного управління і місцевого самоврядування*. 2013. № 1. URL : [http://nbuv.gov.ua/UJRN/Ttpdu\\_2013\\_1\\_24](http://nbuv.gov.ua/UJRN/Ttpdu_2013_1_24).

<sup>4</sup> Про Основні засади (стратегію) державної екологічної політики України на період до 2020 року: Закон України від 21 грудня 2010 року № 2818-VI). *Відомості Верховної Ради України (ВВР)*. 2011. № 26. Ст. 218. URL : <http://zakon.rada.gov.ua/laws/show/2818-17>.

the process of formation and implementation of the state environmental policy has certain levels: conceptual – at the state level, programmatic – at the level of national action plans, regional – at the level of local environmental action plans.

The indicated division in general relates to the content of Art. 6 of the Law of Ukraine "On Environmental Protection", which provides for the development and adoption of state target, intergovernmental, local environmental programs. That is, considering these programs as a means of management, management in this case can be divided into the following levels: interstate, state, regional, local. In particular, it is indicated that the classification of management in the sphere of implementation of environmental state policy on the international, national, local and public is the most extensive.

The analysis of the scientific point of view on this subject shows that most scientists allocate three levels of governance in the implementation of state environmental policy, including in terms of environmental safety regulation: national, regional, local, or global, national and local. Individual scientists allocate more levels. For example, regarding the possibility of allocating the local level, it is stated that the environmental quality management system is an integral part of the general system of administrative management of enterprises and organizations<sup>5</sup>. In particular, those of whom, whose activities have a significant impact on the state of environmental safety at the local level. We believe that in general such detail deserves attention, because depending on the nature of the problems and threats to ecological safety, precautionary measures at each of these levels can be taken precisely.

But, in our opinion, the most optimally on the basis of the subjective-territorial criterion, as generally pointed out by O. Ya. Lazor and other scholars would be to allocate the following levels of management of ensuring the ecological security of the state: planetary, interstate, state, regional, local. This should be attributed to the specific features of the investigated varieties of public administration. The above allocation of levels helps to identify the subjects and objects of such management, its means and forms, the nature of relations that are subject to regulation, methods of communication between the subject and object

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<sup>5</sup> Зеркалов Д. В. Екологічна безпека та охорона довкілля : монографія. Київ: Основа, 2012. 514 с. С. 5.

of management, its regulatory and legal framework, as well as the specifics Interrelationships between levels.

Thus, we may note beforehand that the management in the field of ensuring the ecological safety of the state is characterized by the following general features: 1) acts as a kind of social management, and therefore, depending on the social subject, has its own forms (interstate, state, self-government, public administration); 2) since it is carried out within the state and for the fulfillment of its ecological function, it is mainly implemented in the form of state management of ensuring the ecological safety of the state; 3) exists in the form of a purposeful organizational regulatory means of influencing the actions of the person, the behavior of society, the state and development of social processes in this area; 4) is embodied both in the ideological (political) direction of management and in the administrative (organizational and administrative) direction, which differ in content, significance and subjects of implementation, but in its totality is an integral means of regulating the object of management; 5) is carried out through the activities of the system of the relevant actors (individuals, communities, societies, states and their bodies, international organizations); 6) has its own goal, since it is aimed at eliminating the danger to human health, the formation of a safe environment, the possibility of preserving its integrity and sustainable development, as well as the implementation of the ecological function of the state; 7) is realized through a system of elements that are interconnected.

More specifically, the purpose of management in the field of environmental protection, including environmental safety as part of it, determines Part 5 of Art. 16 of the Law of Ukraine "On Environment Protection ". In particular, according to this article, its purpose is: implementation of legislation, control over observance of environmental safety requirements, ensuring effective and comprehensive measures on environmental protection, rational use of natural resources, achieving coherence of actions of state and public bodies in the field of environmental protection environment<sup>6</sup>. That is, as can be noted from the analysis of the article, the aim of management in the field of law is

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<sup>6</sup> Про охорону навколишнього природного середовища : Закон України від 25 червня 1991 року № 1264-XII. *Відомості Верховної Ради України (ВВР)*. 1991. № 41. Ст. 546.

described by the legislator quite widely. It encompasses various aspects, which, when analyzed more deeply, are nothing but separate areas of activity in this area. And such a broad interpretation of the purpose of management in the field of environmental protection provides grounds for scientists to criticize this formulation.

Thus, since management in the field of ensuring environmental safety of the state also has an administrative-legal nature, then its significance for this sphere will have similar content. In particular, we believe it will be related to the following: 1) defines the structure of the mechanism of administrative-legal regulation of such an important component of the implementation of the ecological function of the state, which, of course, is the state's ecological safety; 2) has a regulatory influence on the emergence, development and termination of legal relations that arise in the state regarding the ensuring its environmental safety; 3) ensures the proper functioning and effective implementation by participants of environmental relations of rights and responsibilities in the field of ensuring the country's environmental safety; 4) creates conditions for the formation and proper implementation of the norms, enshrined in normative legal acts, in a specific sphere of social regulation; 5) creates conditions for the protection and protection of environmental rights and freedoms of citizens, vital interests of society and the state in this area.

## **2. Principles of Management in the Field of Environmental Security of the Country**

The specifics of the object of management affect the content of the very means of influence on the development of the relationship. And the features that characterize the systematic and complex nature of this phenomenon, in the process of their ordering, require their mutual harmonization, bringing to certain criteria and fulfilling numerous requirements. Previously, the specifics of management in the field of ensuring environmental safety of the state presupposes the need to develop a unified approach to its organization and implementation, necessitating the identification of basic guidelines for the implementation of appropriate management activities in this area. And such benchmarks should be considered those phenomena that have signs of criteria and requirements, phenomena that have the properties of the

common standards of organization and management in the identified field, and are able to influence the whole of this area as a whole.

Proceeding from the above, we will establish the most significant characteristics of the concept of "management principles", and, accordingly, the characteristics of the concept of "principles of management of environmental security of the state." So, we believe, the following should be attributed to them: 1) the principles of management act as its main, initial provisions, which determine the management of the system of activities, as well as determine the basis for the establishment and functioning of the public administration in the field of study in general ; 2) they are primary in relation to other management positions and determine their content; 3) the principles of management reflect the essential features of management, which are the basis for its creation and implementation; 4) the principles of governance have the nature of the rules, which should be guided by its subjects in the conduct of management, and therefore their violation leads to improper performance of its functions and, consequently, failure to achieve the goal of governance in general; 5) principles are different in nature of phenomena, because they determine different aspects and manifestations of management, and therefore should speak about their particular set, which in aggregate should form a system of principles of governance, because only if they are united into a single system these principles can ensure the formation of a single content and holistic purpose of a means to streamline relations in the field of environmental security of the state.

In turn, the second kind of system of principles of public administration is a group of structural principles, among which scientists allocate: structural-target (consistency of goals of state administration among themselves, consistency in achieving the whole set of goals of public administration, etc.); structural-functional (compatibility of functions within the competence of one body, concentration, which determines the provision to one body of a set of management functions and appropriate resources to provide powerful management action directed to managed objects, etc.); structural-organizational (unity of the system of state power, territorial-sectoral approach, which determines the dependence of organizational structures from the territory, production and service industries, etc.); structural-procedural principles (conformity of elements (methods, forms and stages) of the management of public administration bodies to their functions and organization,

specification of management activity and personal responsibility for its results, etc.). The analysis of this group of principles of public administration makes it possible to point out that they are aimed at the effective organization and implementation of management in the field of ensuring environmental safety of the state as a whole, ensuring the effectiveness and efficiency of its subjects. Their non-compliance leads to the ineffectiveness of such activities, and consequently, the impossibility of actually ensuring the state of the state of environmental safety<sup>7</sup>. That is why the role of management principles is also in the formation of effective models of behavior of the subjects of management, including the subjects of management in the field of ensuring the ecological safety of the state.

As we have noted, the system of branch management principles in the field of ensuring environmental safety of the state form the principles of environmental management. The importance of taking these into account is due to the inextricable link of environmental safety with the state of the environment, and the fact that it is the task of harm to the environment, as a rule, causes significant changes in the state of environmental safety of the state. The experts note that the solution of environmental problems is impossible without the perception of man as a part of nature, which together forms a single whole, the development of such generalized models and principles of behavior that realize the spiritual and physical needs of man and, at the same time, encourage ecologically safe activities, coordinated with the functioning of the biosphere<sup>8</sup>. That is why the principles of ecological management (management in the field of ecology), which certainly take into account the specifics of the sector, have a significant impact on the efficiency and effectiveness of the authorities and their officials in the field of environmental security of the state.

Let's emphasize at the same time that beyond the legal mediation and consolidation of environmental principles in the rules of law, the principles of the investigated type of management will not have the same properties of control influence, which should characterize the essence of governance as such. In this context, we will agree that the content of the

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<sup>7</sup> Державне управління : навч. посіб. / А. Ф. Мельник, О. Ю. Оболенський, А. Ю. Васіна, Л. Ю. Гордієнко; За ред. А. Ф. Мельник. Київ : Знання-Прес, 2003. 343 с.

<sup>8</sup> Мірошниченко Р. В. Механізми правового забезпечення екологічної політики України. *Державне будівництво*. 2014. № 2. URL : <http://kbuara.kharkov.ua>.



legal regulation of the management is to create the necessary legal framework that would create the necessary conditions for the functioning of the whole system of state bodies, fully regulate the peculiarities of the division of functions between individual bodies and units, and also ensure the specifics of their implementation of the obligations imposed on their responsibilities<sup>9</sup>. That is precisely due to the legal protection, including in the part of normative-legal consolidation of the principles of management in the field of ensuring environmental safety of the state, it, as a system of activities of the relevant actors, receives conditions for the proper performance by these subjects of its tasks and functions in this sphere. It is the legal security of management in this area acts as a means of regulating the order, conditions and grounds, forms and methods of management in the field. And the consolidation of the relevant principles of this administration is a guarantee of its legality, a condition for achieving the goal, as well as a basis for assessing the results of activities in accordance with the criteria set forth in the norms of law. Regarding normative legal acts in which, we believe, the relevant basic rules regarding the organization and implementation of management in the field of environmental security of the state are given, the following examples can be cited. In particular, in paragraph 36 of the "Regional Environmental Policy", the main directions of the state policy of Ukraine in the field of environmental protection, use of natural resources and ensuring environmental safety, approved by the Verkhovna Rada of Ukraine from 05.03.1998, No. 188/98-VR, that the regional environmental policy should be based on the following principles: compliance with national priorities in the field of environmental protection and use of natural resources; ensuring separation of powers between executive authorities; consideration of environmental interests of other regions, including outside Ukraine, in accordance with the intergovernmental agreements; the formation of a mechanism for financial support of environmental activities of the regions<sup>10</sup>.

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<sup>9</sup> Безпалова О. І. Правове забезпечення управління органами поліції України. *Адміністративне право і процес*. 2017. № 9 (259). С. 111–115. С. 114.

<sup>10</sup> Про Основні напрями державної політики України у галузі охорони довкілля, використання природних ресурсів та забезпечення екологічної безпеки : Постанова Верховної Ради України від 05.03.1998 № 188/98-ВР. *Відомості Верховної Ради України (ВВР)*. 1998. № 38–39. Ст. 248.

In turn, Art. 3 of the Law of Ukraine "On Environmental Protection" contains the following basic principles of environmental protection such as: a) mandatory compliance with environmental standards, norms and limits for the use of natural resources in the implementation of economic, managerial and other activities; b) the precautionary nature of measures for the protection of the environment; c) ecologization of material production; d) preservation of spatial and species diversity and integrity of natural objects and complexes; e) scientifically grounded harmonization of ecological, economic and social interests of society; f) compulsory environmental impact assessment; g) transparency and democracy in decision-making, the implementation of which affects the state of the environment, the formation of the ecological world outlook among the population; h) scientifically substantiated normalization of the influence of economic and other activities on the environment; i) free of charge for the general use and payment of special use of natural resources for economic activity; j) compensation for damage caused by violations of the legislation on the protection of the environment; k) the decision of the issues of environmental protection and use of natural resources taking into account the degree of anthropogenic change of territories, the combined effect of factors that negatively affect the environmental situation; l) a combination of incentive measures and responsibility for environmental protection; m) solving the problems of environmental protection on the basis of wide-ranging interstate cooperation; n) establishment of environmental tax, rent for special use of natural resources; o) taking into account the results of the strategic environmental assessment.

From the analysis of the norms given and enshrined in the Main directions of the state policy of Ukraine in the field of environmental protection, use of natural resources and ensuring environmental safety, the Basic principles (strategy) of the state environmental policy of Ukraine for the period until 2020 and in Art. 3 of the Law of Ukraine "On Environmental Protection", it can be noted that at the same time, among the principles of governance in this area are both the general principles of public administration and special sectoral provisions that have the nature of the basic principles for management in the field of environmental protection. That is, we find a confirmation of the position regarding the systemic and complex nature of the management

principles in the field of ensuring the country's environmental safety. We believe that this property is characteristic of all varieties of management in different spheres of the state's implementation of its functions.

With regard to the specific principles of environmental safety management, which reflect the main features of management in this area, they are reflected in both legal acts and professional literature. So, in relation to the principles of ecological safety, for example, in the Main directions of state policy of Ukraine in the field of environmental protection, use of natural resources and ensuring environmental safety, approved by the Verkhovna Rada of Ukraine from 05.03.1998, No. 188/98-VR, to the main Among them: selection of locations of nuclear industry enterprises taking into account geological, hydrological, landscape and meteorological characteristics of sites, biogeocoenoses, density of population distribution; scientifically substantiated choice of nuclear technologies, equipment and equipment; reduction of the influence of natural sources of ionizing radiation on the health of the population; reduction of the influence on the health of the population and the environment of other harmful factors in the work of nuclear industry enterprises in the project mode; taking into account the presence of joint influence of nuclear and other economic activities on the health of the population and the environment when choosing their location. As the analysis of these provisions shows, they are mainly aimed at determining the basic principles of the activities aimed at creating conditions for ensuring environmental safety and preventing violations.

In turn, from the analysis of the provisions of Art. 3 of the Law of Ukraine "On Environmental Protection" one can distinguish the following principles of environmental protection, which can be fully considered as the principles of governance in the field of environmental security of the state. In particular, we will include such provisions as: a) priority of the requirements of environmental safety; b) guaranteeing an environmentally safe environment for people's life and health; c) transparency and democracy in making decisions, the implementation of which affects the state of the environment, the formation of the ecological world outlook among the population; d) scientifically grounded valuation of the influence of economic and other activities on the natural environment.

### **3. Functions of Management in the Field of Environmental Safety of the Country**

The state, setting itself the task or assuming one or other responsibilities, turns them into certain varieties, directions of its work. Due to this static norms are transformed into dynamic forms of its activity within the limits of its state administration. In this regard, it is noted that the content of such management is a set of functions, which are called functions of public administration. The peculiarity of the existence of these management functions is that they, on the one hand, reflect its internal content, and on the other hand, they are simultaneously embodied in the external forms of activity of the subjects of management. For example, it is indicated that the functions of the subject of public administration – the main activities of this entity, forming the content of its activities<sup>11</sup>. That is why the effective implementation of these activities and ensures the achievement of the objective of the sectoral type of government we are investigating, that is, the existence of such a state of the environment, which prevents deterioration of the environmental situation and the emergence of a danger to human health (Art. 50 of the Law of Ukraine "On Protection the environment").

As a generalization of the study of the concept of the functions of management, let's give our vision of the concept of "management functions in the field of ensuring the state of ecological safety", under which we propose to understand the specific, homogeneous objects, contents and means of realization of integral stable implemented on behalf of the state by the subjects of management in accordance with the legislation of the main directions of influence (their activity) on the state of development of social relations on the ensuring of environmental safety of the state in order to fulfill the tasks of state administration in and field.

We believe that the above definition systematically characterizes the concept under investigation, distinguishes both its internal features and external forms of manifestation (the integral, stable subjects carried out on behalf of the state by the subjects of management in accordance with the legislation, the main directions of their influence, activity), as well as their role in the general mechanism management of ensuring the environmental safety of the state (the state of development of public

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<sup>11</sup> Мельник Р. С., Бевзенко В. М. Загальне адміністративне право: навчальний посібник / За заг. ред. Р. С. Мельника. Київ : Ваіте, 2014. 376 с. С. 181.

relations and the fulfillment of the tasks of public administration in this area). On this occasion, it is rightly pointed out that the functions are actually an instrument that enters the organizational and structural component of the legal status of the subject of public administration, and, therefore, the exercise of the functions of the subject of public administration by its structures guarantees the solving of tasks and achievement of the main goal of this sub the object.

2. Regarding the subjects of the implementation of management functions in the field of ensuring the country's ecological safety, taking into account that this issue will be devoted to a separate part of the research, we will only briefly characterize it. Yes, it is indicated that the Ministry of Ecology and Natural Resources of Ukraine, the State Ecological Inspection of Ukraine, the State Service for Geology and Subsoil, the State Agency for Water Resources, the State Agency for Environmental Investments, the Ministry of Agrarian Policy and Food of Ukraine are engaged in the implementation of functions and tasks of the state management in the field of nature use, State Agency of Land Resources and their territorial units, local state administrations and local self-government bodies. That is, this point of view not only emphasizes the predominantly state nature of management in this area, although experts correctly distinguish state, self-governing, public administration<sup>12</sup>. The above position focuses on the fact that such management is carried out by a large number of different state bodies and other entities. And in this context, attention should be paid to the correct and mutually agreed distribution of functions between management entities in this area.

On the basis of the above and taking into account the analysis of the views of scientists, we arrive at the conclusion that it is possible to characterize the management functions in the field of ensuring the ecological safety of the state as a certain interconnected system. This provides the basis for their classification, which contributes to their comprehensive vision in their relationship with such elements of the administrative and legal principles of the characteristics of management in the field of environmental security of the state as: objects of management in this area (relations related to the use of the surrounding the natural

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<sup>12</sup> Кобецька Н. Р. Дозвільне і договірне регулювання використання природних ресурсів в Україні: питання теорії та практики : монографія. Івано-Франківськ : Прикарпат. нац. ун-т ім. Василя Стефаника, 2016. 271 с.

environment, and relations related to the actions of authorized bodies and other persons regarding the ensuring of environmental safety of the state); the structure of the levels of governance in the field of ensuring the state's ecological safety (planetary, interstate, state, regional, local); the structure of the principles of management of ensuring the environmental safety of the state (general, sectoral, special).

Scholars who considered the implementation of the functions of public administration in the field of environmental protection, including the management of environmental safety, leads to their subsequent grouping. The generalization of the positions of scientists regarding the classification of functions of public administration leads us to the conclusion that the most optimal is the three-level classification of functions on the basis of the content of management (in general, management in this area, environmental management as the basis of environmental safety, management of activities to prevent the violation of the state of environmental safety ) On this basis, we propose the following grouping of these functions: 1) general management functions in the field of environmental safety; 2) sectoral environmental management functions in the field of environmental safety; 3) special security management functions in the field of environmental safety.

We believe that such a classification of functions to a greater extent reflects the relationship between such phenomena as public administration, management in the field of ecology and management of environmental safety, and also gives the opportunity to more fully identify the range of management entities whose activities in one aspect or another is connected with providing of ecological safety of the state. In addition, the given classification in a certain part correlates with the system of foundations in this area. We believe that the ensuring of ecological safety of the state as part of the implementation of its ecological function should also be based on the principles of environmental protection (Article 3 of the Law of Ukraine "On Environmental Protection"), and therefore it should include sectoral principles and functions (Art. 16 of the Law of Ukraine "On Environmental Protection"). Accordingly, the existing directions of influence (activities) of the subjects of management of ensuring the ecological safety of the state – the functions of management in this area, should be divided into three groups and get their proper legal consolidation.

Along with the main functions of management, scientists allocate and auxiliary functions. Among them, in particular, include the following directions of activity of the subjects of management: logistical, economic and financial (financial), legal, personnel, social security, social protection of system workers and the function of motivation<sup>13</sup>. The main purpose of the auxiliary functions, as stated above, is to create conditions and ensure the effective functioning of the management entity, the implementation of its management functions, maintenance of internal system communications and links with the object of management.

With regard to the sectoral environmental management functions in the field of environmental safety, their content is determined by the peculiarities of the object of management, or, as specified in the literature, special functions characterize the features of a particular subject or object of management<sup>14</sup>. First of all pay attention to the provisions of Art. 16 of the Law of Ukraine "On the Protection of the Environment". This provision stipulates that environmental protection management is to implement observation, research, strategic environmental assessment, environmental impact assessment, control, forecasting, programming, informing and other executive-management activities in this area. The analysis of these functions shows that their content is a special direction of the activities of authorized bodies and their officials, which are aimed at the implementation of the tasks of the legislation on environmental protection (Art. 1 of the Law of Ukraine "On Environmental Protection"). And part of these tasks, along with the regulation of relations in the field of protection, use and reproduction of natural resources, is to ensure environmental safety.

The last group of functions that we are studying is the special security functions of management in the field of ensuring the ecological security of the state. To their number, we believe, should include the directions of activities of management entities, which directly affect the social relations that are related or conditioned by the ensuring of environmental security of the state.

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<sup>13</sup> Алфьоров С. М., Вашенко С. В., Долгополова М. М., Купін А. П. Адміністративне право. Загальна частина : навч. посіб. Київ: Центр учбової літератури, 2011. 216 с. С. 38, 60.

<sup>14</sup> Павлов Д. М. Адміністративне право: Загальна частина: конспект лекцій. Київ : МАУП, 2007. 136 с. С. 60.

## **CONCLUSIONS**

Considering the importance of environmental safety for people's health, ensuring their interests, rights and freedoms, the interests of society and the country, and also taking into account the impact of the state of environmental safety on the vital aspects of the functioning of the state, the state of its national security, phenomena, relations and Conditions related to environmental safety are subject to mandatory legal regulation. In the field of ensuring the ecological safety of the state the object of administrative and legal regulation is, in particular, social relations in the form of behavior and actions of people who take place in connection with the ensuring by subjects of public authority, primarily public administration, environmental rights and freedoms of the man and the citizen, the interests of society and the state. Management in the field of ensuring the ecological safety of the state should be attributed to varieties of social management, since its object is mainly the behavior of people in relations that arise, develop and cease to exist when the state implements its environmental policy in terms of ensuring the country's ecological safety.

The internal structure of management in the field of ensuring the ecological safety of the state is its object, subject and means of management. Thus, the object of management by the authorized bodies as its subjects in the field of environmental safety of the state are: the environment, its state and behavior (actions) of participants in environmental legal relations.

The importance of management in the field of ensuring the country's environmental safety is manifested in the following aspects: organizational (defines the content of the mechanism of administrative-legal regulation), normative (creates the needs and conditions for the formation and implementation of administrative-legal norms), regulatory (regulates the emergence, development and termination of legal relations) , security (creates conditions for the protection and protection of environmental rights and freedoms, the interests of society and the state).

## **SUMMARY**

The article deals with analysis of administrative and legal principles of management in the field of ensuring the ecological safety of the country. The essence of ecological safety as an object of administrative-



legal regulation has been determined. It has been established that in the field of ensuring environmental safety of the country the object of administrative-legal regulation is social relations in the form of behavior and actions of people who take place in connection with ensuring by the subjects of public authority, primarily public administration, environmental rights and freedoms of the man and the citizen, the interests of society and the country in this area. The author has reasoned that the importance of management in the field of ensuring the ecological safety of the country manifests itself in the following aspects: organizational (defines the content of the mechanism of administrative-legal regulation), normative (creates requirements and conditions for the formation and implementation of administrative-legal rules), regulatory (regulates the emergence, development and termination of legal relations), secure (creates conditions for protection and safeguard of environmental rights and freedoms, interests of society and the country). The classification of principles of management of the ensuring of environmental safety of the country to the general (principles of public administration), sectoral (principles of management in the field of environmental protection in general and in the field of ecology in particular) and special (principles of direct management in the investigated sphere reflecting its specific features) has been proposed.

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