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LEGAL ANALYSIS OF UKRAINIAN LEGISLATION IN THE FIELD OF ENVIRONMENTAL SAFETY

Ecological safety as a socio-natural and scientific reality is the object of research of various sciences (natural, social, legal, etc.), because it covers a complex of human relationships with the natural environment.

Firstly, this category is characterized as the eternal value of human society, based on a certain system of guarantees of environmental safety of the coexistence of nature and the man. This is about human security: interaction with the natural environment, with dangerous substances (radioactive, chemical, toxic, etc.), the use of destructive or hazardous technologies and processes, the implementation of various environmental impacts, etc. It can be connected with processes that are not controlled by man (natural forces of nature).

Secondly, when ensuring environmental safety, the laws of nature are taken into account, in which environmental objects develop.

Thirdly, environmental safety is carried out under the control of the state, which forms the whole system of special bodies.

Fourthly, the basis of the legal form is environmental law as an independent legal branch. Legal provision of environmental safety is one of the basic principles of this right.

The purpose of the legislation is to provide the environmental protection, to regulate relations in the sphere of protecting nature, utilization and regeneration of natural resources, maintenance of ecological safety, prevention and mitigation of the negative effects of economic and other activities on the environment, natural conservation resources, the genetic pool of animate nature, landscapes and other

natural complexes, unique territories and natural objects related to the historical and cultural heritage.

Environmental policy in Ukraine springs from several provisions of the Constitution of Ukraine. They are:

- right to ensure ecological safety in Ukraine
- the right of citizens to a healthy and safe environment, and
- right to free access to information about the environment.

As well, legislation of Ukraine on environmental protection relations in Ukraine shall be regulated by accordingly drafted land, water, and forest legislation, legislation on natural resources, the protection of atmospheric air, protection and utilization of the plant and animal worlds and other special legislation.[1]

Administration in environmental protection shall consist of discharging the functions of supervision, research, ecological examination by experts, control, forecasting, programming, informing and other executive and directive activity in the above-mentioned field. State administration in the field of environmental protection shall be exercised by the Cabinet of Ministers of Ukraine, the Councils of People`s Deputies and their executive and directive bodies, as well as by specially authorized state bodies on environmental protection and utilization of natural resources and other state bodies in conformity with the legislation of Ukraine.[2]

The breach of the legislation of Ukraine on environmental protection shall entail disciplinary, administrative, civil and criminal responsibility. Responsibility for the violation of legislation on environmental protection shall be borne by persons guilty of a) violation of the rights of citizens in regard to an ecologically safe environment; b) violation of standards of ecological safety; c) violation of requirements of the legislation of Ukraine on conducting ecological examinations by experts, including presentation of knowingly false conclusions of experts and others.

All in all, the crisis of environmental phenomena overtaking Ukraine today is determined primarily by the low level of environmental safety in the legal aspect. One of the effective ways to improve this difficult situation is to reform the legislation of environmental safety.

It is extremely important to fix the system of possible ratings of the risk of measures for the manifestation of various types of hazards - chemical, radiation, especially in relation to the management of hazardous waste, emissions and sewage, the prevention of their dangerous effects on the state of specific landscapes, the environment, health and life of the population.

In conclusion, we would like to say that creating an appropriate legislative framework for ecological-legal regulation will indicate the elaboration of a reliable mechanism for the preparation of a single codified or consolidated act in the form of the Environmental Code of Ukraine on the basis of the developed law enforcement practice in Ukraine.

REFERENCES

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