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**THE ESSENCE AND STRUCTURE OF THE ADMINISTRATIVE  
AND LEGAL MECHANISM FOR ENSURING SUSTAINABLE DEVELOPMENT  
GOALS IN THE FIELD OF ENVIRONMENTAL PROTECTION  
AT THE REGIONAL LEVEL IN UKRAINE**

**Formulation of the problem.** The functions of any state are to create conditions for the proper organization of processes to satisfy the interests of individual social individuals or groups. Ensuring the implementation of the country's functions over thousands of years is uniformly located in the actions of transformation and reformation. At different historical times, the state performed different social roles and provided different approaches to the satisfaction of certain groups or individuals. The end of the 20th century – the beginning of the 21st century was marked by a revision of the system of state functions. It was in the late 70s of the twentieth century. Finally, at the level of international standards, the issue of the need to ensure human rights, conditionally related to the so-called third generation of individual rights, which includes the human right to environmental safety in the context of globalization processes, has been raised. Changing the understanding of the concept of development of the administrative and legal mechanism for ensuring the functions of the state and the search for directions for achieving the goals of ensuring the development of society and the principles of greening production and promoting the preservation of the environment for current and future generations.

The state of scientific development of the problem. The study of the implementation and functioning of the administrative-legal mechanism for ensuring the implementation of the environmental function of the state was carried out at different times in the

scientific developments of such scientists as V. I. Andreitsev [1], A. P. Getman [2], R. S. Kirin [3 ]], K.S. Kuchma, Yu.O. Leheza [4; 5, p. 35-40] and others, which can be used as the basis for this publication.

The *purpose* of the article is to characterize the current state of the administrative and legal mechanism for ensuring sustainable development goals in the field of environmental protection at the regional level in Ukraine.

**Presentation of the main material.** Transformation of the essence of the state requires a revision of the content of its functions in the context of world globalization. One of these areas of transformation was the development and adoption of international standards for the development of a “green” economy in the world and, in particular, in Ukraine.

The European Green Deal is a mandatory part of Ukraine's development strategy, based on its recognition as a candidate for membership in the European Union. The path of Ukraine's integration development in the EU should be associated with the adoption of the Association Agreement between the European Union and its member states, on the one hand, and Ukraine, on the other hand [6].

The next step was the recognition of Ukraine as a candidate for EU membership in 2022 (on June 23, 2022, the European Council granted Ukraine candidate status for accession to the European Union).

At the Ukrainian regulatory and legal level, attempts to introduce the category of “national

environmental security” into the national legal space were carried out in 1995-1998, when conceptual approaches to establishing the structure and content of the mechanism for ensuring national security requirements as a whole and its structural elements were reflected. However, despite the actualization of the problem of ensuring environmental safety, starting from the 70s of the twentieth century, the state of legal regulation of ensuring national environmental safety in Ukraine remains quite ineffective and does not meet the requirements of modern European society and the European Green Deal, the content of which includes the creation of a model of economic functioning that requires minimizing or completely eliminating the problem of greenhouse gases by 2050, introducing the development of production on the principles of resource efficiency and competitiveness in the absence of resource dependence and the possibility of “manipulating” energy resources.

On September 25, 2015, Resolution 70/1 changed our world: the UN General Assembly adopted the 2030 Agenda for Sustainable Development. This landmark document contains 17 sustainable development goals aimed at mobilizing global efforts to overcome poverty, promote peace, protect the rights and dignity of all people and protect the planet. The resolution begins with a declaration that states: “We are committed to ending poverty and hunger everywhere by 2030; build peaceful, just and inclusive societies; protect human rights and promote gender equality; and ensure the lasting protection of the planet and its natural resources. We are also committed to creating the conditions for sustainable, inclusive economic growth, shared prosperity and decent work for all, taking into account different levels of national development and capabilities.” At the Ukrainian regulatory and legal level, attempts to introduce the category of “national environmental security” into the national legal space were carried out in 1995-1998, when conceptual approaches to establishing the structure and content of the mechanism for ensuring national security

requirements as a whole and its structural elements were reflected. However, despite the actualization of the problem of ensuring environmental safety, starting from the 70s of the twentieth century, the state of legal regulation of ensuring national environmental safety in Ukraine remains quite ineffective and does not meet the requirements of modern European society and the European Green Deal, the content of which includes creating a model of economic functioning that requires minimizing or completely eliminating the problem of greenhouse gases by 2050, introducing production development on the principles of resource efficiency and competitiveness in the absence of resource dependence and the possibility of “manipulating” energy resources [7].

So, the main priority of building an administrative and legal mechanism for ensuring public management in the field of environmental protection should be the search for a structural organization of activities for the use of natural resources that best meets the proclaimed principles and ideas.

The structural construction of the administrative and legal mechanism for ensuring public management in the field of environmental protection must comply with the principles of determining the need to build a sustainable development strategy.

The success of implementing the idea of greening production depends on the search and selection of the necessary tools for implementing public governance (administration). There is an approach according to which administrative and legal instruments of public administration are understood as a certain set of effective means that make it possible to streamline and establish a vector of development aimed at establishing public order and achieving the idea of justice in the relationship between society and the state [8, p. 28].

A. Yu. Amosov and N. L. Gavkalova emphasize that it is the administrative-legal mechanism of public administration that is capable of identifying problems of legal regulation of a

particular sphere of public life and finding ways to overcome them [9, p. 10].

Therefore, it is possible to conclude that the administrative and legal mechanism for ensuring sustainable development goals in the field of environmental protection at the regional level in Ukraine should be understood as a certain system of structural elements determined by the current legislation of Ukraine (administrative procedures, administrative proceedings, results of activities of government entities, in particular , individual and normative administrative acts) establishing the functional content and essence of the implementation of organizational and administrative activities of state authorities and local self-government, as well as other bearers of powers delegated by the state, which should be aimed at implementing the principles of greening production, building a circular economy and restoring natural resources. resource potential of the country to protect the subjective human right to a safe environment.

Such a functional task associated with the development of the administrative and legal mechanism of public management in the field of environmental protection in order to create conditions for meeting the goals of sustainable development is relatively new for modern Ukraine, and especially its implementation becomes more complicated in the conditions of Russian military aggression. Since the appeal to the available results of scientific research is to understand the category “administrative

legal mechanism of public administration” as a certain mechanism, the elements of which are administrative legal norms, administrative legal and administrative procedural public relations, acts that interpret acts of current legislation, including court decisions [10, p. 14]; also, the elements of the administrative and legal mechanism of public administration should include a system of subjects [11, p. 24].

The structure of the administrative-legal mechanism of public management in the field of environmental protection should also include functions, methods, principles, object, subject [12, p. 13].

In addition to administrative legal norms, V.I. Teremetsky considers the features of the administrative-legal mechanism of public management in the field of environmental protection to include special methods of public influence that determine their functional purpose [13, p. 105-106].

**Conclusion.** Thus, the structure of the administrative-legal mechanism for ensuring sustainable development goals in the field of environmental protection at the regional level in Ukraine is defined as a set of administrative-legal means of influence, including a set of administrative-legal norms, subjects, means and methods of influence, which are combined into a certain subject and object of regulation that are functionally capable of achieving the goals of implementing the Sustainable Development Goals.

### Summary

The purpose of the article is to characterize the current state of the administrative and legal mechanism for ensuring sustainable development goals in the field of environmental protection at the regional level in Ukraine. It was found that the main priority in building an administrative and legal mechanism for ensuring public management in the field of environmental protection should be the search for a structural organization of activities for the use of natural resources that best meets the proclaimed principles and ideas. It is noted that the structural construction of the administrative and legal mechanism for ensuring public management in the field of environmental protection must comply with the principles of determining the need to build a sustainable development strategy. It is emphasized that the success of implementing the idea of greening production depends on the search and selection of the necessary tools for implementing public governance (administration). A well-founded understanding of administrative and legal instruments for the implementation of public administration is understood as a certain set

of effective means that make it possible to streamline and establish a vector of development aimed at establishing public order and achieving the idea of justice in the relationship between society and the state. The administrative and legal mechanism for ensuring sustainable development goals in the field of environmental protection at the regional level is defined as a certain system of structural elements established by the current legislation of Ukraine (administrative procedures, administrative proceedings, results of activities of government entities, in particular, individual and regulatory administrative acts), which establish the functional content and essence of the implementation of organizational and administrative activities of state authorities and local self-government, as well as other bearers of powers delegated by the state, which should be aimed at implementing the principles of greening production, building a circular economy and restoring the natural resource potential of the country to protect subjective human rights for a safe environment.

**Key words:** greening of production, environmental harm, legal regulation, legal relations, rational use of natural resources, regional environmental policy, sustainable development.

### **Жадан Є. В. Сутність та структура адміністративно-правового механізму забезпечення цілей сталого розвитку у сфері охорони довкілля на регіональному рівні в Україні**

**Метою статті** визначено здійснення характеристики сучасного стану адміністративно-правового механізму забезпечення цілей сталого розвитку у сфері охорони довкілля на регіональному рівні в Україні. З'ясовано, що головним пріоритетом побудови адміністративно-правового механізму забезпечення публічного управління у сфері охорони навколишнього природного середовища має бути пошук структурної організації діяльності із використання природних ресурсів, яка б максимально відповідала проголошеним принципам та ідеям. Наголошено, що структурна побудова адміністративно-правового механізму забезпечення публічного управління у сфері охорони навколишнього природного середовища має відповідати засадам визначення необхідності побудови стратегії сталого розвитку. Підкреслено, що успішність реалізації ідеї екологізації виробництва залежить від пошуку та правильного обрання необхідних інструментів здійснення публічного правління (адміністрування). Обґрунтовано розуміння адміністративно-правові інструменти здійснення публічного управління розуміються як певної сукупності ефективних засобів, що дозволяють впорядкувати та налагодити вектор розвитку, спрямований на встановлення громадського порядку та досягненню ідеї справедливості у взаємовідносинах суспільства та держави. Адміністративно-правовий механізм забезпечення цілей сталого розвитку у сфері охорони довкілля на регіональному рівні визначено як певну систему встановлених чинним законодавством України структурних елементів (адміністративних процедур, адміністративних проваджень, результатів діяльності суб'єктів владних повноважень, зокрема, індивідуальних та нормативних адміністративних актів), які встановлюють функціональний зміст та сутність реалізації організаційно-розпорядчої діяльності органів державної влади та місцевого самоврядування, а також інших носіїв делегованих державою повноважень, що має спрямовуватися на реалізацію принципів екологізації виробництва, побудови економіки замкненого циклу та відновлення природо-ресурсного потенціалу країни задля захисту суб'єктивного права людини на безпечне довкілля.

**Ключові слова:** екологізація виробництва, екологічна шкода, нормативно-правове регулювання, правові відносини, раціональне використання природних ресурсів, регіональна екологічна політика, сталий розвиток.

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