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ENVIRONMENTAL SAFETY AS A COMPONENT OF NATIONAL STATE SECURITY

A conceptual study of a categorical apparatus aimed to clarify usage and content of the terms «national and environmental safety» is performed, which allows for clear understanding of their using in practice in our country. The general principles, methods, and approaches for formalizing of ecological and legal comprehension of environmental safety as a component of national safety of Ukraine are considered. It is shown that understanding of environmental safety vitality within the national safety system, as well as its legal and ecological value, allows to see it as an integrated system with its own development features.

Keywords: *national safety, environmental safety, environmental policy, national interest.*

Problem setting. In Ukraine, as in all civilized countries, the priority national interest is to ensure environmental security in the face of potential and real natural disasters, accidents and catastrophes. The accomplishment of this vital task at the present stage is complicated by a number of objective and subjective factors.

Environmental security is guaranteed to the citizens of Ukraine through the implementation of a wide range of interrelated political, economic, technical, organizational, state-legal and other measures.

The Constitution of Ukraine states that environmental security is a component of Ukraine's national security. According to Section XI of the Law of Ukraine "On Environmental Protection", environmental safety is a state of the environment, which

ensures the prevention of environmental degradation and the occurrence of danger to human health [7].

Therefore, the problems of scientific inquiry in the research of the principles of national security in crisis situations include many components, namely, the correct interpretation of environmental terms, understandable for scientists and practitioners, formalization at the verbal level of phenomena or processes related to national and environmental security and their interaction .

Recent research and publications analysis. Problems of state regulation of environmental safety at the level of the region and the state as a whole are devoted to the research of many Ukrainian and foreign researchers: Reimers, R.Cromer, R. Costanzi, V.Yu. Nekosa, T.A. Safrana, Yu.Yu. Tunic, BV Burkinsky, L.G. Melnika OS Zarzhitsky, Nekos V.Yu., BKDanilishin and others.

Paper objective. The purpose of the paper is to investigate a conceptual categorical apparatus aimed at clarifying the terms of use and content of the terms "national and environmental security", which will allow us to move to a clear understanding of the situations of their practical application in the state.

Presenting main material. National security is provided on the basis of the priority of national interests, the need for timely implementation of measures adequate to the nature and scale of threats to those interests, and is based on the principles of a legal democratic state.

Public relations in the security sphere are regulated by the Constitution of Ukraine, the Law of Ukraine "On the basics of national security of Ukraine", other normative legal acts and international treaties and agreements recognized by Ukraine. However, none of the legislative acts regulating the security sector defines either the national security system or the principles of its construction and operation.

Ukraine 's national security is achieved through a sound state policy in accordance with accepted doctrines, strategies, concepts and programs in political,

economic, social, environmental, scientific - technological, information and military spheres [6].

First, in the course of Ukraine's becoming an independent state, the old legislative and legal framework was completely dismantled, and the new one has now been completely restored and improved.

Second, the effective implementation of state policy in the field of national security (NB) and environmental security (EB) requires the determination of the legal nature of the phenomenon of interaction between NB and EB, and their characteristics, as well as the scientific and theoretical analysis of categories of NB and EB and their interaction. Therefore, solving the problem of analyzing the place of the EB in the NB system of the state and scientifically substantiating the ways of their further formation and practical implementation is very urgent task.

At present, in Ukraine, the environmental component of the NB was, as a complex problem, primarily concerned with the economy of the country and its socio-political sphere [1, 2]. For a long time, the NB interpreted in the normative legal documents the simplification as sufficient protection against the possible external, forceful interference of one state in the affairs of another. On the other hand, at the present stage, the problem of EB in the country has acquired universal integrative content as a prerequisite for the vital activity of each person, society, state and environment [3–5].

According to many researchers, national security of Ukraine is defined as a state of protection of vital interests of the individual, society and state from internal and external threats and is a necessary condition for preservation and enhancement of spiritual and material values.

The legislation of Ukraine, namely (Article 1) of the Law of Ukraine "On the basics of national security of Ukraine" defines the NB as "the protection of vital interests of the person and citizens of society and the state, which ensure sustainable

development of society, timely detection, prevention and neutralization of real and potential threats to national interests. "

In our view, the NB is a very complex multilevel functional system in which constant interaction and confrontation between internal and external threats and vital interests of the individual, society and the state are carried out. In such an interaction, confrontation and interests and threats are constantly influenced by other elements of the national environmental system and management actions. The objective of this system is the degree of protection of national interests against internal and external threats.

It should be noted that national interests can be defined as a system of relations, which combines the needs of the functioning and development of the nation - the people as a single holistic organism. The basis of national interest are the needs of society, necessary for its development and functioning, protection of the people from threats from other states and natural and climatic factors, as well as maintenance of social peace and order in the country; people are destroying the potential of state development of Ukraine. It makes it impossible to lose what is of real value to the people of the country (quality of life, natural resources, ecosystems, cultural heritage, etc.) [11].

It is the national interests that are the object of definition and protection from the perspective of the National Bank of the country, and environmental interests now belong to a special place in the system of national interests. In such an approach, national interests in the field of environmental security should be understood to mean the natural need or aspirations of a society for a state of the environment that ensures the full existence and development of society. They are related to the action of mechanisms of self-preservation of environmental objects, individuals, society and the state.

National environmental interest is secured by state institutions and the state policy of organic unity of humanitarian, technological, socio-economic development,

political stability and improvement of the population's welfare. Legal, ecological, social and organizational bases of activities related to objects of high environmental hazard and aimed at protecting the environment, life and health of people from the harmful effects of accidents at these sites by preventing their occurrence, limitation (localization) development and elimination of consequences.

Thus, the element of the EB system is an indivisible and independent unit in the context of the security system. However, only certain elements of the EC security system are essential to achieve the end goal.

This is confirmed by the provisions (Article 6) of the Law of Ukraine "On the basics of national security of Ukraine", according to which one of the priorities of national interests is, in particular, "ensuring the natural and technogenic conditions of activity of citizens and society for the protection of the environment and the rational use of natural resources. "

Considering the above and generalizing our rationale, we can consider practically the definition of national security:

it is the protection of vital interests of the individual, society, the state in various spheres of life from internal and external threats, which ensures sustainable and progressive development of the country [10].

The system of the National Bank of the country provides the following types of security: natural-technogenic, social, economic, military, scientific and technical and information. To date, the use of the concept of EB has become widespread in the socio-political and scientific vocabulary. This is due to the existence of a real environmental threat due to the many threats posed by natural, man-made and socio-political factors.

There is still no common understanding and interpretation of the legal nature of the EB and this issue is being debated in society. In the scientific and cognitive aspect, it is extremely important to determine the legal nature of the EB in the study

of organizational and legal measures to ensure and balanced state environmental management system.

For the first time, the modern definition and interpretation of the EB in our country was given in the Constitution of Ukraine (Part 1, Articles 16 and 50) and the environmental legislation of Ukraine [6]. For example, the Law of Ukraine "On Environmental Protection" of 25.06.91 № 1264-XII (Chapter XI, Article 51) states that "environmental safety is a state of the environment, which ensures the prevention of environmental degradation the situation and the danger to human health. "

Then in DSTU 2156-93 "Safety of industrial enterprises. Terms and definitions" the concept of EB was as follows: "Environmental safety - the absence of actions, states and processes that directly or indirectly lead to significant damage to the environment, population and tangible objects ".

Comparative analysis (Article 51) of the Law of Ukraine "On Environmental Protection" with the provision (Article 1) of the aforementioned Law of Ukraine "On Fundamentals of National Security" showed that the concept of EB is fragmentary, because it covers only "prevention" not taking into account " timely detection "and“ neutralization of environmental threats ”. That is, the legitimate definition of the EB is a clear flaw in the legal approach, which raises a number of questions about its practical application and the creation of a real mechanism for securing the EB.

Environmental policy is a scientifically and financially grounded direction aimed at protecting and improving the environment, the rational use and reproduction of natural resources, which ensures the quality of human life and environmental safety of the environment. At the same time, there are other approaches in the modern legal-legal literature on ecology that reveal only some aspects of the concept of ecological safety [7, 8].

The analysis of the current legislation of Ukraine and the modern special environmental legal literature gives grounds to claim that the most complete and accurate discloses the concept of ecological and national security from the legal point

of view of definition [9]: "ecological security is a component of national security, that is, such a state of development of public legal relations and the corresponding legal ties, under which the system of legal norms, other state-legal and social means guarantees the protection of the rights of citizens to a safe for life and health environment regulation of the implementation of environmentally hazardous activities and prevention of deterioration of the environment and other consequences that are dangerous to the life and health of a person, a society that needs clear constitutionalization in the current legislation of Ukraine are ensured".

The analysis of the current legislation of Ukraine and the modern special ecological-legal literature gives grounds to claim that the most complete and accurate is the following definition of the concept of ecological and national security: the rules under which the system of legal norms, other state-legal and social means guarantees the protection of citizens' rights to a safe life and health environment, are regulated I implement environmentally hazardous activities and prevent environmental degradation and other consequences dangerous to life and health of the individual, society, requiring a clear konstytualizatsiyi in the current legislation of Ukraine "[9].

The absence of a national system of strategic planning for national and environmental security in the country has led to a number of shortcomings and inconsistencies of the measures of the state program for the detection, prevention and prevention of crisis environmental hazards, localization and elimination of ecological consequences from natural and man-made disasters and catastrophes.

It should be noted that Art. 3.6 The National Security Strategy of Ukraine stated the following strategic goals of creating safe living conditions for the population: "A balanced system of environmental management should be formed based on the introduction of economic mechanisms to encourage the saving of natural resources, the reduction of harmful emissions, the use of modern, environmentally friendly and energy-efficient energy resources. It is necessary to ensure the effective functioning of a unified state system of protection, prevention and elimination of the

consequences of man-made disasters, increasing the level of environmental, nuclear and radiation safety. "

Conclusions. Thus, without detailed substantiation of the tasks and purpose of determining the directions of basic, applied and exploratory research and the necessary volumes of their financing, it is impossible to expect any significant results in the economic policy of the state.

The lack of a balanced and scientifically grounded state environmental policy, designed for the long term, necessitates the need and relevance of the development of new views and principles and complicates the formation and management of environmental safety for the long term.

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