

СЕКЦІЯ 11.
ПРОБЛЕМИ ЗЕМЕЛЬНОГО, АГРАРНОГО
ТА ЕКОЛОГІЧНОГО ПРАВА

Halytska Anastasiia
3rd year Student of the Law College
National University "Odesa Law Academy"

THE PROBLEM OF THE ENVIRONMENTAL CRISIS
IN UKRAINE AND WAYS OF ITS OVERCOMING

The creation of the environmental crisis is integrated with the needs of revealing causes, establishing signs, with slowing down or prevention of the crisis environmental situation and identifying the main ways of overcoming it's.

Environmental crisis is a situation that arises in ecological system is due to the imbalance under the influence of natural phenomena or as a result of the influence of anthropogenic factors. The environmental crisis shows that the biosphere and its components are one of the most fragile structures [1, c. 110].

This destruction began its intensively leading under the influence of global anthropogenesis and lose the properties favorable to man. As the quality of human life is determined by a combination of not only material, spiritual, social, demographic, but also environmental components, then in the context of the ecological crisis increased.

The causes of the ecological crisis in Ukraine are the Chernobyl catastrophe, non recycled obsolete munitions, the residue of toxic waste. As a result, only 6 percent of environmentally clean lands left.

Intensification of agriculture, increase of technogenic loading on land resources, uncontrolled application of chemical means in the conditions of low technological culture leads to accelerated degradation of soils, their fertility. On the territory of Ukraine virtually no water-bearing underground horizons of drinking water were left, where pesticides and nitrates were not detected. The state of the atmosphere of the country is also extremely threatening [2, c. 313].

In the interest of preserving human civilization, there was a need to revise traditionally accepted priorities in production. All types of production to mitigate their adverse effects on the environment, it is necessary to ecologize.

Ecologization is the dissemination of environmental principles and approaches to natural sciences and the humanities, to production processes and social phenomena.

In the field of material production, ecologization of natural resources includes three components:

- 1) maximum effective using of natural resources;
- 2) reproduction of resources and their protection against exhaustion;
- 3) the most expedient way to use resources;
- 4) restrictions and ecologization of economic activity;
- 5) introduction of environmental education;
- 6) improvement of environmental legislation;
- 7) strengthening the global environmental movement, etc [3, c. 198]

There are quite a few specific environmental opportunities. In the field of production, this is the transition to non-waste technologies, the careful use of non-renewable resources, energy conservation, the restoration of forests, the complete elimination of all types of waste to their income to the environment. Such a change in production is called ecological conversion [4, c. 322]. Environmental conversion is the way for ensuring the main, guaranteed by the state and Constitution right of every person to use an environmentally friendly environment. But such a view of the ecological crisis and ways out of it is not common yet.

References

1. Тетарчук І.В., Дяків Т.Є. Екологічне право України: Навчальний посібник для підготовки до іспитів. – К: «Центр учбової літератури», 2013 – 230 с.
2. Кивалов С.В., Музиченко П.П., Крестовская Н.Н., Крыжановский А.Ф. Основы правоведения Украины: Учебное пособие – Х.: Одиссей, 2013. – 432 с.
3. Сафранов Т.А. Екологічні основи природокористування: Навчальний посібник для студентів вищих навчальних закладів. – Львів: «Новий світ-2000», 2003. – 248 с.

4. Екологічне право України: навчальний посібник / за ред. проф. І.І. Каракаша, д.ю.н. А.І. Харитоновой, к.ю.н. А.І. Черемнової; вид. 1-е. – Одеса : Гельветика, 2018. – 408 с.

Research advisor: PhD, associate professor Karakhanyan K. M.

Pavlenko Viktoriia

3rd year student of the Law College
National University "Odesa Law Academy"

TYPES OF LEGAL RESPONSIBILITY IN THE FIELD OF PROTECTION OF THE ENVIRONMENT

Violation of environmental norms and harm to the environment also involves the application of legal liability measures. Legal liability is one of the key elements of the legal protection of the environment. In particular, an environmental offence is a guilty, unlawful act (action or inaction) that infringes on environmental law and order, causes harm to the environment or creates a real threat of causing such damage and involves the use of measures of legal liability.

Environmental crime is characterized primarily by such features as environmental orientation, environmental danger, ecological wrongdoing. The essence of the ecological orientation of the offence lies in the fact that the offender's behavior is directed at a negative change in the state of the environment, violation of the legal regime of natural resources. Environmental hazards include not only the probability of violating the environmental interests of society, but also the increased danger to existing environmental constraints in the ecosystem itself. Environmental unlawfulness consists in full or partial non-fulfillment of requirements, ignoring of the rules, fixed by the norms of ecological legislation [1].

In the system of varieties of legal liability for environmental offences are distinguished: criminal, administrative, civil and disciplinary liability.

Criminal liability for environmental crimes is the most severe form of responsibility. This responsibility has a special form of protection of society from environmental crime, which is characterized by an increased degree of social danger and accordingly provides for more severe liability measures than other types of liability. It is specified in section 8 of the