

# SUSTAINABLE DEVELOPMENT GOAL SIX: THE RIGHT TO WATER VS. PUBLIC POLICY

## SEXTO OBJETIVO DE DESENVOLVIMENTO SUSTENTÁVEL: O DIREITO À ÁGUA VS. A POLÍTICA PÚBLICA

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**Abstract:** The authors characterized the issue of ensuring access to water resources, their rational use and restoration as an element of state policy aimed at balancing the interests of individual citizens, businesses and the state. In 2015, the 70th session of the UN General Assembly in New York approved the 2030 Agenda for Sustainable Development. The main objectives defined in this document were analyzed. The main obstacles in access to water resources, which create risks in the field of environmental security, have been established. The problems that arise in the implementation of the right of general nature use as opposed to special water use are identified. The historical section of the issue of securing the right to water is given. It is claimed that the main goal of the state and its policy should be to create conditions for the realization of the right to general use of nature with priority over special water use. The authors researched the main problems in this area, which determine the need for further improvement of the environmental safety system, and also proposed ways to eliminate inconsistencies between international and national legislation.

**Keywords:** Environmental Policy, Ecological Safety, Balance of Private and Public Interests, State Policy, Sustainable Development, Risk Management.

**Resumo:** Os autores caracterizaram a questão de garantir o acesso aos recursos hídricos, a sua utilização racional e a sua recuperação como um elemento da política estatal que visa equilibrar os interesses dos cidadãos individuais, das empresas e do Estado. Em 2015, a 70ª sessão da Assembleia Geral da ONU, em Nova Iorque, aprovou a Agenda 2030 para o Desenvolvimento Sustentável. Foram analisados os principais objetivos definidos neste documento. Os principais obstáculos no acesso aos recursos hídricos, que criam riscos no domínio da segurança ambiental, foram estabelecidos. São identificados os problemas que surgem na implementação do direito de uso geral da natureza em oposição ao uso especial da água. É apresentada a secção histórica da questão da garantia do

direito à água. Afirma-se que o principal objetivo do Estado e da sua política deve ser a criação de condições para a realização do direito ao uso geral da natureza com prioridade sobre o uso especial da água. Os autores investigaram os principais problemas neste domínio, que determinam a necessidade de melhorar ainda mais o sistema de segurança ambiental, e propuseram também formas de eliminar as incoerências entre a legislação internacional e nacional.

**Palavras-chave:** Política ambiental, segurança ecológica, equilíbrio entre interesses privados e públicos, política de Estado, desenvolvimento sustentável, gestão de riscos.

## 1. Introduction

It is well known that the key to the sustainable development of society and the state is the creation of guarantees for the observance of human and citizen rights and freedoms, the rights and legitimate interests of business and the state, the growth of well-being and quality of life, and the creation of an attractive investment climate.

Today, one of the most significant achievements of the science of environmental law is the widespread recognition of its achievements in legislation, the establishment of a list of environmental rights of citizens, the determination of issues of ensuring environmental safety at the national and global level, and the qualitative formation of environmental policy.

In the theory and practice of rule-making, the question of human rights is the most important. A citizen is one of the main subjects of environmental law. Article 27 of the Constitution of Ukraine guarantees every person the inalienable right to life and no one can arbitrarily deprive a person of this right. In addition, every citizen is guaranteed the right to an environment safe for life and health and to compensation for damages caused by the violation of this right (part 1 of Article 50). The basic law of the state also provides for the right of citizens to free access to environmental information.

An important constitutional guarantee is the norm that establishes that property is binding, that is, it must not be used to the detriment of a person and society (Part 3 of Article 13). It is precisely this provision that is an obstacle for those legislators who, over the past dozen years, have been trying to make changes to the legislation of Ukraine regarding the transfer of water objects into the ownership of individual citizens, which will limit or even deprive other citizens of the constitutional right to public water use.

## 2. The Purpose and Methodology of the Research

The purpose of the article is to analyze the modern human right to water as a component of environmental security, to identify problems in its implementation and to determine possible ways to solve them.

Achieving the set goal of scientific research and its main tasks is ensured by the application of appropriate philosophical and special methods of scientific knowledge.

The use of the dialectical method made it possible to determine the principles of a rational ratio of private law and public law aspects of ensuring the right to drinking water as a component of environmental safety.

Methods of analysis and synthesis made it possible to analyze the development and current state of environmental safety in the context of creating the foundations for environmental policy in the process of ensuring the goals of sustainable development.

The comparative legal method made it possible to carry out a thorough analysis of certain provisions of the legislation of Ukraine and international law regarding the program of sustainable development in terms of the right to water supply.

Normative, formal-legal, logical-semantic, as well as modeling and forecasting methods are also used in the article. Their application was aimed at determining the prospects and directions for improving the legislation regulating relations in the research field chosen by the authors of the article.

### **3. Analysis of recent research**

The theoretical and legal basis of this study are scientific works of individual authors.

Some authors talk about risk assessment and management, environmental legislation, policy and regulation in each major sector (Ashford, 2012). Very interesting is the tutorial on the implementation of the principle of caution in a wide range of environmental circumstances. But the question that often arises is whether the precautionary principle is appropriate, indeed necessary, to prevent serious risks to the environment and health. Individual scientists are debating the issue of private nuisance as a means of protecting people from the daily consumption of contaminated food and water in order to achieve environmental sustainability (Razman et al., 2014). In particular, it is about the application of water and sewage laws regarding the safety of consumers for environmental sustainability, using the example of Malaysia (Razman et al., 2012). The elements of public policy in the field of environmental safety are often discussed through the prism of occupational health

and safety management (Razman et al., 2009). In terms of the issues raised in the article, it is worth noting that the researchers also talk about the relationship between urbanization and environmental security (Razman et al., 2010).

The position that environmental policy hinders industrial and commercial development is interesting. In fact, the creation of conditions for environmental safety in accordance with the goals of sustainable development has a negative effect on the attractiveness of business in a particular territory (Lindackers, 1996). There is also an opinion that requirements and restrictions in the field of environmental safety, on the contrary, promote the development of innovations, reduce business risks and guarantee consumer rights (Derevyanko et al., 2019).

Nowadays, society is faced with more and more serious and diverse disasters, which greatly threaten the safety of the environment. Although some progress has been made in implementing legislation to reduce disaster losses, much remains to be done. Back in 2003, fundamental work on improving the construction of the legal system for reducing damages from natural disasters was proposed for the protection of the environment in China and for comparison of international experience, which included a theoretical study of the construction of the legal system, the choice of the legislative regime and the orientation of its development, the establishment of the executive system and strengthening judicial function, etc. (Wang, Q.-D., 2003).

In modern conditions of global systemic crises, wars, and pandemics, issues of environmental policy have not lost their relevance and are considered by scientists even more carefully (Popovych, T. et al., 2023).

#### **4. Results and Discussion**

*About the state of water resources of Ukraine, problems of water use and regulatory legal support for the implementation of citizens' rights in this area before a full-scale war*

In Ukraine, almost 80 percent of the country's drinking water supply is provided by surface water. The quality of water in surface water bodies is a decisive factor in the sanitary and epidemiological well-being of the population. Potential reserves of surface water in Ukraine amount to about 209.3 cubic meters. kilometers per year, of which only 25 percent are formed within the state (Law of Ukraine No. 245-IV, 2005). At the same time, most river basins can be classified as polluted and very polluted.

Ukraine as a whole has significant underground water resources, on the basis of which drinking water supply can be organized, but they are distributed extremely unevenly by region. The volume of estimated forecast underground water resources is 61,689.2 thousand cubic meters. meters per day, of which 15,760.2 thousand cubic meters - operating reserves (26 percent). A total of 12,287.2 thousand cubic meters are taken in Ukraine per day. meters of water, or 17 percent of the total estimated resources. In the northern and northwestern regions, from 4 to 14 percent of resources are taken, in the southern regions - often more than 50 percent. In some localities, drinking water does not meet the requirements for physico-chemical indicators (total mineralization, hardness, iron, fluorine, etc.), many sources and drinking water supply facilities do not comply with the regime of sanitary protection zones. Before the full-scale invasion, more than a thousand settlements were partially or completely supplied with imported drinking water.

Contamination of water bodies - sources of drinking water supply due to insufficient efficiency of water treatment facilities entails a deterioration of the quality of drinking water and creates a serious danger to the health of the population in many regions of Ukraine, causes a high incidence of intestinal infections, hepatitis, increases the risk of exposure to the human body of carcinogenic and mutagenic factors. Ukraine's lagging behind developed countries in terms of average life expectancy and high mortality is to some extent related to the consumption of poor-quality drinking water.

The current unsatisfactory state of water bodies shows that the problems in the field of water protection from pollution and depletion have not only not been solved, but have also worsened significantly, especially in recent years.

A fourth part of water treatment facilities in the water supply network, every fifth pumping station and half of the pumping units have reached the standard operating period, which leads to increased costs of electrical energy and an increase in the cost of pumping sewage. 37.2 thousand kilometers of water supply and 13.85 thousand kilometers of sewage networks, or more than 30 percent of their total length, are in a state of emergency, leaks from which, in addition to secondary pollution of drinking water, cause flooding of the territory of settlements in certain regions. Specific rates of water consumption exceed similar indicators of developed countries by 1.5–3 times and amount to more than 300 liters per person per day, losses in water supply systems reach 30–40 percent, and in some regions exceed 50 percent.

Changes to Article 23 of the Subsoil Code of Ukraine on groundwater extraction significantly complicated the general situation regarding the use of groundwater, which gave landowners and land users the unrestricted right to extract groundwater for their own economic and household needs within the boundaries of the land plots granted to them without special permits and mining rights, non-centralized and centralized economic and domestic water supply, provided that the productivity of groundwater intakes does not exceed 300 cubic meters per day (Code of Ukraine No. 132/94-BP, 1994).

This gives the right to uncontrolled drilling of groundwater wells, their mass use for any economic needs, which can lead to the depletion of groundwater, their complete disappearance in wells, especially in rural areas, will complicate the already threatening situation with the population's water supply with high-quality drinking water. Such, often ill-considered, decisions in order to obtain the benefits of today led to catastrophic consequences in the past. It is enough to mention the desertification of large areas in the Middle East and Africa and the disappearance of great civilizations.

At the beginning of 2002, the Law of Ukraine "On Drinking Water and Drinking Water Supply" entered into force, which defines the legal, economic and organizational principles of the functioning of the drinking water supply system, aimed at ensuring the population's guaranteed supply of high-quality and safe water for human health (Law of Ukraine No. 2918-III, 2002). This was in line with the United Nations Millennium Declaration, which presented eight goals (Declaration, 2000). For a long time, the main regulatory document determining the quality of drinking water was GOST 2874-82 "Drinking water. Hygienic requirements and quality control" (GOST 2874-82, 1982). According to this normative document, the quality of drinking water was assessed according to 28 sanitary-chemical and bacteriological indicators.

Since 12.05.2010, a new normative document has been put into effect in Ukraine, which already includes 54 quality indicators and control over the quality of drinking water (DSanPiN 2.2.4-171-10, 2010). In this document, the range of indicators has been significantly expanded, the regulatory levels of some of them have become stricter.

The problem of pollution of surface sources of water supply and the quality of drinking water is relevant for the whole world. In terms of environmental policy, drinking water quality standards are constantly revised in global practice. WHO standards in 1970 had 9, 1984 – 27, 1993 – 95 indicators. These standards form the basis of EU directives and are basic for many countries of the world. Bringing the national hygienic norms of drinking

water quality closer to the level of WHO and EU standards is one of the elements of Ukraine's accession policy to the European Community.

Tariffs for drinking water supply and drainage services for the population in the vast majority of settlements do not reimburse production costs, do not take into account the investment component, which causes the unprofitable functioning of the sub-sector as a whole and its gradual decline.

The issue of a balanced approach to ensuring the rights of citizens to water, the interests and interests of enterprises that supply it, and the general environmental policy of the state should be combined as much as possible

*Ecological policy in the field of water supply in the context of state programs*

In 2005, the Law of Ukraine "On the Nationwide Program "Drinking Water of Ukraine" for 2006-2020" (Law of Ukraine No. 2455-VI, 2005). Implementation of this Program requires regulatory, legal and scientific and technical support, implementation by central and local bodies of executive power and local self-government bodies of the main tasks envisaged by it. Consumers in these relations are mainly subjects of private law relations or business subjects. According to the program, the protection and rational use of sources of drinking water supply includes (1) cleaning of surface runoff from agricultural areas (2) construction of drainage systems in cities and rural settlements (3) improvement of the state of sanitary protection zones of water supply sources (4) improvement of water protection zones and coastal areas protective strips of water objects (5) protection of sources of drinking water supply from the harmful effects of livestock and poultry enterprises and other agricultural objects that pose a threat of water pollution (6) clearing of riverbeds and the bottom of reservoirs (7) strengthening of river banks and reservoirs (9) state monitoring of the condition of water bodies, the water of which is used for drinking water supply.

As a result of the implementation of these measures, as well as measures provided for by the National Water Management Development Program (Law of Ukraine No. 2988-III, 2002), other national and targeted programs (Law of Ukraine No. 4836-VI, 2012), the ingress of pollutants into water bodies - sources of drinking water supply - will decrease. At the same time, it was planned that by 2010 the inflow of untreated wastewater into water bodies would be stopped, and by 2020 – insufficiently treated; there will be a significant decrease in eutrophication processes of water bodies.

In 2006–2010, it was planned to expand the use of individual and collective installations (devices) for further purification of water for drinking purposes in the places of



its direct consumption. Such installations (devices) of drinking water supply were primarily supposed to be used in regions with an ecological crisis, as well as to equip medical and preventive, school and preschool institutions, food industry and public catering enterprises, which, unfortunately, was practically not implemented. In the years 2006–2010, in rural areas, it was planned to carry out (1) restoration of drinking water supply systems that are in a non-working state (2) construction of new drinking water supply systems in areas where drinking water of substandard quality is used, installation of container water treatment plants to provide the population with drinking water of normative quality according to the temporary scheme (3) provision of drinking water of normative quality to the population living in the territories exposed to radioactive contamination as a result of the Chernobyl disaster

Special attention should be paid to expanding the use of groundwater. This is caused by the need to provide backup water supply to populated areas in case of natural and man-made emergencies, which primarily concerns large cities and certain regions, where water supply is carried out mainly from surface sources.

It is enough to cite some examples that were officially published in the press. In the Chernivtsi region 105 settlements, 440 residential buildings were flooded, almost 15,593 yards and 4,703 wells were damaged (BBC, 2010). Since the village wells were flooded, drinking water was delivered at the rate of 2.5 liters per person and technical water - 21 liters (Chernivtsi ray, 2020).

Let us turn to the analysis of another national program, in which it is planned to ensure the arrangement of rural estates taking into account the new standards of development of rural areas, to improve their provision with means of communication, electricity, gas, heat, and centralized water supply and drainage, and to build the necessary infrastructure for provision of housing and communal services to the rural population, improvement of the quality of such services (Resolution No. 1158, 2007: paragraph 5 of section II).

The programs that were adopted at the legislative and governmental level are implemented extremely unsatisfactory, which violates the civil rights of citizens to water use and drainage. Suffice it to say that in accordance with the Concept of Water Management Development of Ukraine, approved ten years ago, the task was set to provide at least half of rural settlements with centralized water supply in a complex with drainage systems (Resolution No. 1390, 2000). The situation is not better in those regions where people do not suffer from a lack of water in normal natural conditions, but in extreme conditions it is



just a disaster. Environmental policy tasks in this area could be fulfilled under the condition of implementation of interrelated measures of other programs (Resolution No. 123/97-VR, 1997; Law of Ukraine " No. 2333-III, 2001; Law of Ukraine " No. 1869-IV, 2004).

The implementation of the specified measures will ensure a reduction in the consumption of drinking water, the costs of operating water supply and drainage systems, reduce the pollution of water bodies due to better treatment of wastewater with an unchanged capacity of treatment facilities, reduce capital investments for the construction of the main structures of water supply networks and the specific weight of water consumption in housing and communal economy.

This, however, can be achieved under one condition - ensuring the proper implementation of environmental legislation of Ukraine. This is the root of many of our problems. Non-compliance or direct violations of environmental legislation have recently become massive and chronic. Under these circumstances, the effectiveness of this legislation is extremely low. That is why special attention should be paid to this side of the matter.

A situation arises when there is no effectively functioning system of environmental control, which negatively affects the effectiveness of the implementation of environmental legislation and the fight against its violators. It is worth noting that the legislation of Ukraine provides mechanisms of responsibility for non-compliance with court decisions, legal requirements of the prosecutor, requirements for employment and civil protection. On the other hand, non-compliance with the requirements of environmental legislation still remains unpunished.

*A look at public-private relations implementing goal six of sustainable development through the prism of different forms of control*

During the flood, all the mass media seemed to transmit messages from the fronts day after day about the critical situation, not only about flooding and destruction, but also about the lack of drinking water where the water element "ruled". In this vein, it is also worth mentioning the undermining of the Kakhovskaya HPP by the Russians. We can again mention the flooding in the Chernivtsi region. And this has not happened for the first time, but no conclusions are drawn, no one has been held responsible for the failure to fulfill the assigned tasks

As you know, there are a number of factors that affect the state and nature of the implementation of environmental legislation. These include organizational, economic,

political, ideological guarantees. The level of environmental legal awareness of officials and the legal culture of the population in this field is also important.

Among these guarantees, the leading place still belongs to state and public control over compliance with environmental legislation. In fact, it makes it possible to assess the state of compliance with legal environmental requirements, take measures to correct the situation, and bring to justice violators of environmental legislation. Without environmental control, it is practically impossible to assess the effectiveness of environmental legislation

With all the importance of environmental control, one cannot help but see that its level has decreased in Ukraine during the years of independence. On the one hand, this can be explained by the general state of legal disorder in the state, and on the other by specific deficiencies in the organization and activity of environmental control bodies. Legal science has developed the basic principles on which the system of environmental control should be built, as well as the criteria for the effectiveness of this control. Unfortunately, scientific principles in this field are not sufficiently implemented in practice. As a result of this, today Ukraine does not have an effectively functioning system of environmental control, which negatively affects the effectiveness of implementing environmental legislation and the fight against its violators.

As an example, let's take control over the use and protection of water. It is also necessary to analyze what legal responsibility the offenders bear in accordance with the current legislation of Ukraine.

Control over the use and protection of surface water consists in ensuring compliance by all legal entities and individuals with the requirements of water legislation. It is divided into state, public and departmental control. State control is carried out by the Cabinet of Ministers of Ukraine, the Ministry of Environmental Protection and Natural Resources of Ukraine, other specially authorized state bodies in accordance with the legislation of Ukraine.

Public control over the use and protection of water is carried out by public environmental protection inspectors, and departmental control - by water users themselves, mainly for special use. In particular, according to Art. 44 of the Water Code of Ukraine, water users must record the intake and use of water, control the quality and quantity of return water and pollutants discharged into water bodies, and also submit reports on water use in the established manner (Water Code of Ukraine, 1995: 44).

The procedure for state, public and departmental control over the use and protection of water and the reproduction of water resources is determined by the Water Code of

Ukraine and other acts of Ukrainian legislation. The same code provides for the powers of the relevant control bodies.

From the point of view of practice, the forms and methods of controlling the use and protection of water are of particular interest. The main form of such control is an inspection. The main purpose of these inspections is to determine the environmental condition of the object, the degree and nature of its impact on the surrounding natural environment, its compliance with the requirements of legislation, norms and rules in the field of nature protection for the timely adoption (within the limits of the rights granted to the inspector by law) of measures to eliminate the detected violations and prevention of the object's negative impact on the natural environment.

According to Art. 242-1 of the Code of Ukraine on administrative offenses on behalf of the bodies of the specially authorized central executive body in the field of ecology and natural resources of Ukraine, the Chief State Inspector of Ukraine for Environmental Protection and his deputies, Chief State Inspectors of environmental protection of the Autonomous Republic of Crimea, oblasts, cities of Kyiv and Sevastopol and their deputies, chief state inspectors for environmental protection of the Black and Azov Seas and their deputies, senior state inspectors for environmental protection, state inspectors for environmental protection (Code of Ukraine, No. 8073-X, 1984). Criminal liability for violations of water legislation regarding surface waters is established by the Criminal Code of Ukraine (Criminal Code of Ukraine, 2001).

According to Art. 68 of the Law of Ukraine "On Environmental Protection", officials and specialists guilty of violating the requirements for environmental protection and use of water resources, ensuring environmental safety, at the request of state bodies for environmental protection, in accordance with the decision of their management bodies, are deprived of bonuses according to the main results of economic activity in whole or in part (Law of Ukraine No. 1264-XII, 1991). In addition, management bodies may take other measures of disciplinary responsibility against officials who have violated water legislation. The procedure for imposing disciplinary sanctions is regulated by the Labor Code of Ukraine and other legislative acts (Code of Labor Laws of Ukraine, 1971).

Article 68 of the Law of Ukraine "On Environmental Protection" and Art. 111 of the Water Code of Ukraine stipulates that enterprises, institutions, organizations and citizens of Ukraine, as well as foreign legal and natural persons and stateless persons are obliged to

compensate for damages caused by them as a result of violations of water legislation, in the amounts and in the manner established by the legislation of Ukraine.

Compensation for damage caused by violations of water legislation does not exempt the guilty from paying for special water use, as well as from the need to take measures to eliminate the harmful consequences. Bringing those guilty of violating water legislation to justice does not release them from the obligation to compensate for the damage caused by them as a result of violating water legislation

In the event that the enterprise (object) that caused the damage pays penalty (multiple) payments, only the amount of damages that exceeds the paid amount of these payments is compensated, and if the perpetrator of the discharge has documentary data on ecologically justified expenditures of funds for the elimination of the consequences of pollution, the amount of these funds is excluded from the estimated amount of losses and is not charged to the enterprise.

According to the Law of Ukraine "On Environmental Protection" (Article 69), damage caused as a result of a violation of the environmental protection legislation is subject to compensation, as a rule, in full without applying the rules for reducing the amount of fines and regardless of the pollution fee environment and deterioration of the quality of natural resources.

Persons who have suffered such damage have the right to compensation for lost profits for the time necessary to restore health, quality of the natural environment, and reproduction of natural resources to a state suitable for use for their intended purpose.

Persons owning sources of increased ecological danger are obliged to compensate for the damage caused to citizens and legal entities, unless they prove that the damage occurred as a result of spontaneous natural phenomena or intentional actions of the victims.

The conditions for recovery of damages for violation of water legislation in court are regulated by the Civil Code of Ukraine.

Of course, in order to reduce the number or not have any offenses in the field of water use (which is only theoretically possible) and to protect the rights of citizens, legal education in this field should be implemented at the highest level. However, analyzing the positions of specialists in the ecological direction, we came to the conclusion that they do not quite correctly interpret certain norms of water and land legislation

For example, in the textbook "Agrarian Law of Ukraine" edited by Academician of the National Academy of Sciences of Ukraine O.O. Pogribny (Agrarian law of Ukraine, 2006:

231): "According to Art. 47 of the Water Code of Ukraine, if the owner or user of a water object has not installed visible signs prohibiting or limiting the general use of this object, the latter is considered permitted without restrictions. If the owner or user of a water body has installed the specified signs of restrictions, the general use of water resources on such water bodies is limited by the will of the owner."

First, it can be said that the rights of the owner and the user are "stacked up", which cannot be allowed. Secondly, when providing a water object for use (rent), local self-government bodies are obliged to set such conditions for the user, under which the constitutional rights of citizens to general use of nature would not be limited. After all, according to the Constitution, the owner of natural resources is the Ukrainian people, and only on their behalf, local self-government bodies, which must protect their rights, are empowered to dispose of natural resources, including water resources.

Even more "pearls" can be found in the interpretation of certain norms of the Land Code of Ukraine regarding water use issues (Agrarian law of Ukraine, 2006: paragraph 6 of chapter 2). Referring to Art. 59, the authors write that "Purchase and sale and the number of water bodies that can be privately owned are not limited. As already mentioned, the ZK has superior legal force over the VC. This means that water objects can be privately owned in any size, that they can be bought and sold, and other transactions can be concluded regarding them. Since the right to special use of a water object of private property is certified by the state act on the right of private ownership of land, the owner of the water object is not obliged to obtain any other permits for the special use of water resources, even if he carries out water withdrawal using special technical devices or discharges polluting substances into its water body".

Before drawing such conclusions, the authors would not mind getting acquainted with Articles 30, 48, 49 of the Water Code of Ukraine, which define the payers of the fee for special water use, which is paid, clearly defined types of activities that do not belong to special water use, etc. The question arises: how will those lawyers who receive this distorted information be able to protect the rights of citizens to use water? And since when does the Land Code "take precedence" over the Water Code? In the part that concerns the lands of the water fund - yes, but no more.

## 5. Conclusions

The problem of environmental protection, despite the decline of industrial and agricultural production, continues to be one of the most urgent for Ukraine. After all, as a result of environmental pollution, the property rights of citizens are violated, the living environment of a person suffers, as well as the state of his health. After the declaration of independence, a significant update of the national environmental legislation took place. The principles of environmental protection and rational use of natural resources are reflected in the Constitution of Ukraine. Today, we have an extensive system of environmental legislation, but this does not mean that everything necessary has been done in this matter. In a number of aspects, the current legislation needs further improvement.

In our opinion, the right of general nature use should be prioritized over special water use, as it is a constitutional right of every citizen, while the special right applies only to business entities that must have the appropriate permission for this.

A renewed post-war environmental policy is also needed. But in general, we have a legislative framework that is capable of creating a safe environment for people's lives and rationalizing the processes of nature use to satisfy the interests of business.

We believe that the legislation should clearly define the personal responsibility of officials of all ranks who make illegal decisions or do not ensure compliance with legislation and the implementation of those programs adopted by relevant state authorities and self-government bodies.

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