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**THE NATURAL RESERVOIR FUND OBJECTS DEVELOPMENT:
 THE STATE-ADMINISTRATIVE ASPECT**

**РОЗБУДОВИ ОБ'ЄКТІВ ПРИРОДНО-ЗАПОВІДНОГО ФОНДУ:
 ДЕРЖАВНО-УПРАВЛІНСЬКИЙ АСПЕКТ**

Urgency of the research. At this time, ecological safety is crucial in ensuring life activity of contemporary man and elements of the artificial environment he has created.

Target setting. The disastrous consequences of the Chornobyl NPP accident, devastating technology-related ecological effects of the hostilities in Eastern Ukraine, significant air, water and soil pollution, excessive concentration of industries in certain regions, inefficient nature management, demographic crisis – this is a non-exhaustive list of negative factors that have created a real threat and are now generating a potential threat to Ukraine's national security in the environmental sphere.

Actual scientific researches and issues analysis. A substantial contribution to solving ecological problems, administrative-legal protection of the natural environment, studying individual ecological aspects of public administration in the environmental protection area has been made in works by V. Krysachenko (2006), I. Krynychna (2008), S. Marchyshyn (1998), O. Salatovskyi (1997), O. Sokoloskyi (1998), Y. Romanenko (2005), I. Chaplay (2015), V. Shvets (2013) and others.

The research objective. To study the key problems of forming Ukraine's ecological network and identify the main shortcomings that impede exercising good public administration of real or potential threats and dangers resulting from operation of anthropogenic, natural and technogenic systems.

The statement of basic materials. Ecological safety is a constituent of national security. Through the use of a national security management system, state and non-state institutions ensure an ecological balance and guarantee protection of the country's population life environment and the biosphere as a whole, atmosphere, hydrosphere, lithosphere and cosmosphere, species composition of flora and fauna, natural resources, preservation of human health, life and activities.

Conclusions. Establishment of the national ecological network is for now an important priority in development of the national security system of Ukraine.

Keywords: ecological safety; ecological threats; national security; national ecological network; national security; the objects of nature reserve fund governance.

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Актуальність теми дослідження. На даний час екологічна безпека відіграє надзвичайно важливу роль у забезпеченні життєдіяльності сучасної людини і створених нею елементів штучного середовища.

Постановка проблеми. Катастрофічні наслідки аварії на Чорнобильській АЕС, руйнівні техногенно-екологічні наслідки військових дій на сході України, значне забруднення повітря, води та ґрунту, надмірна концентрація промисловості у певних регіонах, нераціональне природокористування, демографічна криза – це не повний перелік негативних чинників, що створили реальну і формують потенційну загрозу національній безпеці України в екологічній сфері.

Аналіз останніх досліджень і публікацій. Вагомий внесок у розв'язання екологічних проблем, адміністративно-правової охорони навколишнього природного середовища, вивчення окремих екологічних аспектів державного управління у сфері охорони довкілля досліджувались у працях В. Крисаченка [10], С. Марчишина [11], О. Салатовського [12], О. Соколовського [13], Є. Романенка [14], І. Чаплай [15], В. Шветс [16] та ін.

Мета статті. Дослідити ключові проблеми формування екологічної мережі України та виявити основні недоліки, що заважають здійсненню ефективного державного управління реальними або потенційними загрозами і небезпеками, які є наслідком функціонування антропогенних, природних та техногенних систем.

Виклад основного матеріалу. Екологічна безпека є складовим компонентом національної безпеки. За допомогою системи управління національною безпекою державними та недержавними інституціями забезпечується екологічна рівновага і гарантується захист середовища проживання населення країни і біосфери в цілому, атмосфери, гідросфери, літосфери і космосфери, видового складу тваринного і рослинного світу, природних ресурсів, збереження здоров'я і життєдіяльності людей.

Висновки. Формування державної екологічної мережі є на сьогодні важливим пріоритетом розвитку системи національної безпеки України.

Ключові слова: екологічна безпека; екологічна загроза; національна безпека; національна екологічна мережа; національна безпека; об'єкти природно-заповідного фонду; державне управління

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Target setting. The disastrous consequences of the Chernobyl NPP accident, devastating technology-related ecological effects of the hostilities in Eastern Ukraine, significant air, water and soil pollution, excessive concentration of industries in certain regions, inefficient nature management, demographic crisis – this is a non-exhaustive list of negative factors that have created a real threat and are now generating a potential threat to Ukraine's national security in the environmental sphere.

Then, the problem of ensuring national security in the environmental sphere has become unprecedently acute. Its solution requires developing scientific principles for ecological safety of Ukraine and a methodology for ensuring its provision. This is exactly what called forth consideration of problems of ensuring ecological safety.

Actual scientific researches and issues analysis. Ecological safety as social and natural, and scientific reality is an object of research for different sciences since it covers the complex set of interrelations of man with the environment.

A substantial contribution to solving ecological problems, administrative-legal protection of the natural environment, studying individual ecological aspects of public administration in the environmental protection area has been made in works by V. Krysachenko (2006), I. Krynychna (2008), S. Marchyshyn (1998), O. Salatovskyi (1997), O. Sokoloskyi (1998), Y. Romanenko (2005), I. Chaplay (2015), V. Shvets (2013) and others.

Specifically, V. Malyuga (2012), V. Yukhnovsky (2012), and V. Marynenko (2009) reviewed the principles of formation of ecological networks of Ukraine, and others.

Uninvestigated parts of general matters defining. However, in spite of a fair number of learned works regarding ecology the problem of ecological safety remains now particularly urgent and requires further research, in particular, in the field of the science of public administration.

The research objective. To study the key problems of forming Ukraine's ecological network and identify the main shortcomings that impede exercising good public administration of real or potential threats and dangers resulting from operation of anthropogenic, natural and technogenic systems.

The statement of basic materials. Ecological safety is a constituent of national security. Through the use of a national security management system, state and non-state institutions ensure an ecological balance and guarantee protection of the country's population life environment and the biosphere as a whole, atmosphere, hydrosphere, lithosphere and cosmosphere, species composition of flora and fauna, natural resources, preservation of human health, life and activities.

The main purpose of operation of Ukraine's ecological safety system is to develop a conceptual framework for an overall strategy in the sphere of rational nature management and environmental protection, as well as to implement it for the purpose of sustainable economic and social development of the state. To this effect, provision is made for forming new types of technological processes, social organization and management, a capability to solve ecological problems and diminish any environmental hazards posing a major threat to national security of Ukraine.

The content of the idea of establishing a national ecological network is to: ensure sustainable, environmentally sound development of Ukraine; achieve real natural environment protection; meet present and long-term economic, social, ecological, cultural and other societal interests. An ecological network represents an integrated territorial system created to improve conditions for environmental development and recovery, territory's natural-resources potential increase, conservation of landscape and biological diversity, settlement sites and growth of valuable species of fauna and flora, genetic fund, animal migration routes etc. (Law of Ukraine "On the National Program for Establishment of the National Ecological Network of Ukraine for 2000-2015").

The structural elements of the ecological networks include natural nuclei, connecting territories (eco-corridors), buffer zones, and recovering territories. The said elements of the ecological network embrace: territories and facilities of the nature reserve fund as the major natural elements of the eco-network, namely – nature reserves, biosphere reserves, national parks, regional landscape parks, wildlife sanctuaries, natural sanctuaries and so on; water bodies (sea, lake, reservoir, river etc. areas), wetlands, water protection zones, protected shoreline belts; forests used for nature protection, scientific, and historical and cultural purposes, as well as protective forests, which mainly perform water and soil protecting functions (On Amending the Forestry Code of Ukraine: Law of Ukraine, 2006).

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The legal framework for establishing a national ecological network of Ukraine consists of the following Laws of Ukraine: "On Protection of the Natural Environment" (2001), "On the Nature Reserve Fund of Ukraine" (1992), "On Animal Life" (2001), "On Plant Life" (1999), and "On the National Program for Establishment of the National Ecological Network of Ukraine for 2000-2015" (Program) (2000).

The Program was developed in the context of the requirements as to further elaboration, improvement and development of environmental legislation of Ukraine, as well as in accordance with the recommendations of the Pan-European Biological and Landscape Diversity Conservation Strategy (1995) on the issue of establishing the Pan-European Ecological Network as an integrated space system of territories of the European countries with a natural or partially altered state of landscape (Law of Ukraine of September 21, 2000 № 1989 – III "On the National Program for Establishment of the National Ecological Network of Ukraine for 2000-2015").

The main purpose of the Program is to expand the country's land area with natural landscapes to a level sufficient for conservation of their diversity, close to their inherent natural state, and establish their geographically integrated system built accordingly to enabling natural migration routes and expansion of plant and animal species, which would ensure conservation of natural ecosystems, flora and fauna species and their populations. At the same time, the national ecological network should meet the requirements on its operation within the Pan-European Ecological Network and perform major functions concerning biological diversity conservation. Furthermore, the Program should promote balanced and non-exhausting use of biological resources in economic activities (Law of Ukraine of September 21, 2000 № 1989 – III "On the National Program for Establishment of the National Ecological Network of Ukraine for 2000-2015").

For the purpose of scientific support for implementation of measures to establish the national ecological network, the Program provides for conducting basic and applied research aimed at developing recommendations and methods regarding conservation and restoration of landscape diversity, including assessment of the current state of natural landscapes, substantiation of the most effective measures that will ensure balanced and non-exhausting use of their natural resources, inventory of natural complexes and their components, organization of maintaining natural resources inventories and environmental monitoring within the national ecological network, creation of relevant data banks and geographic information systems.

The current status of Ukrainian natural landscapes only partly meet the criteria for their including with the Pan-European Ecological Network. The National Ecological Network includes a portion of the country's land where almost unaltered or partially altered natural landscapes have remained.

Implementation of the above Program for establishment of the eco-network is scheduled for the period through 2015 in two stages. At the first stage (2000–2006), it was planned to ensure expansion of the areas of individual elements of the national eco-network, application of economic instruments for promoting its establishment on lands of all forms of ownership, creation of a relevant regulatory and legal framework, performance of a set of necessary scientific studies and implementation of organizational measures. At the second stage (2007–2015), it is intended to bring the eco-network area up to a level necessary to ensure ecological security of the country, put in place a stable system of nature protection measures meant to conserve landscape and biological diversity (Law of Ukraine of September 21, 2000 № 1989 – III "On the National Program for Establishment of the National Ecological Network of Ukraine for 2000-2015").

National natural parks (NPPs) act as an essential element of the national ecological network. There are 40 NPPs in Ukraine as of 2011 with a total area of more than 10,000 km² (1.8% of the territory) located in 12 out of 24 regions and the AR of Crimea (Decree of the President of Ukraine "On the Ministry of Agrarian Policy and Food of Ukraine" 2011). In conformity with the Law of Ukraine "On the Nature Reserve Fund of Ukraine" (Art.20-22) (Law of Ukraine of June 16, 1992 № 2456-XII "On the Nature Reserve Fund of Ukraine"), the NPPs are nature protection, recreational, cultural and educational, and research institutions of national significance set up in order to conserve, restoration and efficient use of natural complexes and sites, which are of particular environmental, recreational, historical and cultural, scientific, educational, and aesthetic value.

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The present state of the NPPs, their operation and environmental efficiency are not yet at an appropriate level. There is a need for a package of measures aimed to improve and intensify their economic management. In this connection, an urgent problem arose to develop the basic principles for establishment of an eco-network with further possible account taken of the territorial features of various regions of Ukraine.

At the same time, the requirements of existing legislation concerning establishment of national natural parks (NPPs) are flouted in Ukraine: natural and historical and cultural heritage of Ukraine is looted and destroyed; non-fulfillment by the local authorities of the presidential decrees and objectives of the national program for establishment of the national eco-network and demands of the public as to creating NPPs.

In particular, the appeal sets forth a detailed analysis of the current situation concerning the newly created institutions of the nature reserve fund of Ukraine. Thus, presidential decrees established a series of NPPs whose territories include, in a statutory manner, government-owned lands made available for permanent use (including those withdrawn from land users) by NPPs: those of December 11, 2009 № 1036 – NPP “Kremenetski Hory”; of December 11, 2009 № 1038 – nature reserve “Drevlianskiy”; of December 11, 2009 № 1039 NPP “Dermansko-Ostrozkiy”; of December 11, 2009 № 1047 NPP “Slobozhanskiy”; of December 16, 2009 № 1057 NPP “Karmeliukove Podillia”; of February 10, 2010 № 156 NPP “Pivnichne Podillia”; of February 23, 2010 № 221 NPP “Dnistrovskiyi Kanyon” [7].

Item 2 of each of the said edicts charges the Cabinet of Ministers of Ukraine to prepare, within six months, appropriate materials and decide, in accordance with legislation, the issue regarding withdrawal of the hectares of the lands to be included in the above-mentioned conservation areas resulting in their assignment for permanent use to institutions of the nature reserve fund.

However, the land users mentioned in decrees still do not execute them and avow it. Two important aspects should be remembered here: a) at the time the above decrees were adopted all users had consented to integration of the said lands into the nature reserve fund, and b) the case refers solely to government-owned lands.

Consequently, a number of forestry enterprises did not give their consent to institutions of the nature reserve fund (NRF) to withdrawal of land areas for their integration into the NRF. This is evidenced by official letters of the Ministry of Ecology and Natural Resources of Ukraine (letter of 08.11.2013 № 16071/09/10-13). Such enterprises include government-owned enterprise (GOE) “Brodivske forestry” and GOE “Zolochivske forestry” (they did not transfer land to NPP “Pivnichne Podillia”); GOE “Kremenetske forestry,” Kremenets forestry enterprise “Kremlis” and nature reserve “Medobory” that is under the jurisdiction of the State Forest Resources Agency (they did not transfer land to NPP “Kremenetski Hory”); GOE “Buchatske forestry,” GOE “Chortkivske forestry” (they did not transfer land to NPP “Dnistrovskiyi Kanyon”); GOE “Ostrozkiy forestry,” GOE “Ostrozkiy state-owned special forestry,” GOE “Zdolbunivskiyi state-owned special forestry” (they did not transfer land to NPP “Dermano-Ostrozkiy”); GOE “Hutienske forestry” (it did not transfer land to NPP “Slobozhanskiy”); GOE “Chychelnytskyi forestry” (does not transfer land to NPP “Karmeliukove Podillia ”); GOE “Narodytskyi special forestry” and GOE “Narodytskyi forestry of the agro-industrial complex” (they do not transfer land to nature reserve “Drevlianskiy”).

The primary causes of such defiance of the said decrees are as follows: Kremenets District State Administration (DSA) announces that today it is agreed to transfer land areas of Kremenetskiy forestry, while Kremenets District Council consented to development of a land management plan (letter of Kremenets DSA dated 04.11.2013 № 02-1872/02-3.5). However, after three NPP’s appeals to the forestry, consent to withdrawal of lands was not yet obtained. The alleged reason behind it lies in the lack of an appropriate instruction from the State Forest Resources Agency’s management. Government-owned enterprise “Buchatske forestry” states that it does not plan to give its approval to transfer of lands to NPP “Dnistrovskiyi Kanyon” due to the fact that the State Forest Resources Agency of Ukraine is the manager of the GOE’s government-owned property (letter of GOE “Buchatske forestry” dated 04.11.2013 № 576). Government-owned enterprise “Brodivske forestry” informs that it did not transfer lands to NPP “Pivnichne Podillia,” since it did not receive instructions in that regard from the Agency’s

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management (letter of GOE "Brodivske forestry" dated 01.11.2013 № 1033). Government-owned enterprise "Zolochivske forestry" lets know that it did not agree upon transfer of land areas to NPP "Pivnichne Podillia," in that it does not have a written consent of the management of the State Forest Resources Agency of Ukraine (letter of GOE "Zolochivske forestry" dated 11.11.2013 № 1254) (Law of Ukraine of June 16, 1992 № 2456-XII "On the Nature Reserve Fund of Ukraine.").

All above-mentioned forestry enterprises form part of the system of the State Forest Resources Agency of Ukraine. In conformity with the Decree of the President of Ukraine № 458/2011 "On the Regulations on the State Forest Resources Agency of Ukraine," this agency shall be a central executive body, whose activities shall be directed and coordinated by the Cabinet of Ministers of Ukraine (CMU) through the Minister of Agrarian Policy and Food of Ukraine, form part of the system of central executive bodies and ensure implementation of national policy in the area of forestry and hunting. In its activities, the State Forest Resources Agency of Ukraine shall be guided by the Constitution and laws of Ukraine, acts issued by the President of Ukraine and the CMU, orders issued by the Ministry of Agrarian Policy and Food of Ukraine, other pieces of legislation of Ukraine, instructions of the President of Ukraine and the Minister.

Also, the Decree of the President of Ukraine of 23.04.2011 № 500/2011 "On the Ministry of Agrarian Policy and Food of Ukraine" (Decree of the President of Ukraine "On the Ministry of Agrarian Policy and Food of Ukraine") reads to the effect that this Ministry shall be guided in its activities by the Constitution and laws of Ukraine, acts issued by the President of Ukraine and the CMU, other pieces of legislation of Ukraine, as well as instructions of the President of Ukraine.

We consider that today, in the context of developing the nature reserve fund of Ukraine, the need to use advanced aspects of international practices in the above matters plays a major role in outlining thrusts of settlement of contemporary environmental issues.

We believe that today, in the context of development of natural reserve fund of Ukraine, an important role for regulation of modern environmental problem plays the necessity of use of the advanced aspects of international experience from the above depicted questions.

Thus, international cooperation in the field of natural environment protection can be global, regional, subregional and interstate (Marchyshyn S., 1972). The UN developed the Environment Program (UNEP) headquartered in Nairobi (Kenya). This program is a special international mechanism to coordinate cooperation of states in the field of natural environment protection. The UNEP's structure includes the Board of Governors, Secretariat and Environment Fund (Krysachenko, V. Environmental Literacy in the Context of Post-Industrial Development, 2006). It is headed by UNEP Director and Board of Governors composed of representatives of 58 countries. In addition to universal international organizations, many regional organizations with general and special competence deal with natural environment protection problems.

Thus, the Maastricht Treaty on European Union (EU) entrenches the environmental goals of this organization – to internationally promote measures addressing regional and global environmental issues. Three Declarations concerning environmental topics -- on the Directive of 24 November 1988 (Emissions); on assessment of the environmental impact of Community measures; and on the protection of animals -- are part of the Maastricht Treaty (Saltovskiy, 1997; Sokolovskiy O., Korduban V., Boichuk O., 2000).

Thus, the above depicted ignoring by the forestry enterprises of the existing Decrees of the President of Ukraine on the establishment of national parks and nature reserves and the lack of international cooperation, not only causes the violation of the State Agency of forest resources of Ukraine and Regulations of the Ministry of Agrarian Policy and Food of Ukraine, but also acts as a barrier towards European integration of Ukraine into the European Union as a whole (Chaplain I., 2015; Shvets, V., 2013; Marynenko, V.).

Then it is necessary to identify the reasons why forestry enterprises deem it necessary to obtain some extra-statutory approval from the State Forest Resources Agency of transfer of lands to institutions of the nature reserve fund.

Conclusions. Establishment of the national ecological network is for now an important priority in development of the national security system of Ukraine. The current ecological situation in Ukraine

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requires complex analysis of the problems associated with implementation of national environmental policy. In particular, it is necessary at this stage to primarily carry out a very thoughtful analysis of the status and implementation of the National Program for Establishment of the National Ecological Network of Ukraine for 2000-2015, which will enable to develop the basic principles for establishment of this network with further possible account taken of the territorial features of various regions of Ukraine and identify the priority tasks in the new program for both the short term and the long run with specific deadlines for their performance.

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