УДК 342.92: 342.7

Iryna Lychenko
Lviv Polytechnic National University,
Educational and Scientific Institute of Law,
psychology and innovative education
Head of the Civil Law and Procedure Department
iryna.o.lychenko@lpnu.ua
ORCID ID :http://orcid.org/0000-0002-4838-3579

THE FUNCTION OF THE STATE TO PROTECT PROPERTY RIGHTS: ADMINISTRATIVE AND LEGAL ASPECT

http://doi.org/10.23939/law2023.39.096

The article is devoted to the problem of theoretical substantiation of the function regarding the protection of property rights and the definition of the administrative and legal basis for its implementation. Theoretical studies in this area are the key to making balanced practical decisions.

Special attention is paid to the historical and philosophical and legal foundations of the formation of the state's function regarding the protection of property rights, the determination of the role of legislative support of this function at various historical stages of the formation of our state, the role of the state in the field of property in view of the historical realities of the past.

It was established that with the declaration of Ukraine's independence there was a need to carry out radical structural changes in the sphere of property rights protection. The new economic conditions demanded the abandonment of the priority protection of the state form of property, the creation of public-law regulators that would effectively oppose encroachments on the right to own, use and dispose of property.

The proper definition of the function of the state in the protection of property rights is proposed and the administrative and legal aspect of its implementation is reflected. The peculiarities of the regulatory and legal consolidation of this function in Ukraine and foreign countries are given.

The concept of administrative-legal protection of property rights is defined and it is stated that the state has an obligation to create a system of legal methods and means for maintaining the regime of property rights protection.

It was determined that the complex of administrative-legal orders regarding the performance of legally significant actions and legal prohibitions in the sphere of property determine the essence of the administrative-legal regime of protection in the sphere of property. Separate ways of protecting the rights and legitimate interests of citizens in the field of property are characterized.

The priority tasks of the Ukrainian state within the framework of improving the administrative and legal support for the implementation of the function regarding the protection of property rights have been clarified.

Keywords: property; right of ownership; function of the state; administrative-legal protection; administrative-legal measures; subject of power.

Formulation of the problem. In modern conditions, the implementation of the function of the state regarding the protection of property rights requires the regulation of social relations in the sphere of property, their introduction into the appropriate legal framework with the help of administrative law norms and the entire set of administrative and legal measures. In view of this, the study of the administrative and legal aspect of the implementation of the function of the state in the protection of property rights deserves special attention. The legislative establishment of effective procedures for the protection of legal relations in the field of property has extremely great practical value and requires scientific justification. Detailed regulation of the procedure for addressing a subject of authority with a statement, complaint or petition; consideration of citizens' appeals; making a decision on the case; his appeal; practical implementation of influence measures to stop violations in the sphere of property, restoration of legitimate interests of citizens regarding ownership, use and disposal of property; the responsibility of civil servants for the improper performance of their official duties in this regard is an important guarantee of proper protection of property rights in Ukraine and requires a thorough theoretical study.

Analysis of the study of the problem. Solving the problems of the state's implementation of the function regarding the protection of property rights is impossible without the formation of a scientific basis for the necessary reforms. Theoretical studies in this area are the key to making balanced practical decisions. The works of such scientists as E. Borysenko, O. Voloh, V. Galunko, I. Hrybok, R. Denchuk, V. Ivanov and others should become the basis for further research on the features of the state's implementation of the function of property rights protection. Research in this area should be continued in view of the need to overcome new challenges and threats in the field of property caused by military actions in Ukraine and other new factors for Ukraine.

The aim is the theoretical justification of the function regarding the protection of property rights and the determination of the administrative and legal basis for its implementation.

Presenting main material. Transformational processes in the economy, deep state-legal and socio-economic transformations on the way to the formation of a legal state require proper protection of property rights. Achieving a high level of economic and social development is impossible without well-established activities on the part of the state in the field of property rights protection.

The formation of the institute of administrative and legal protection of property rights is a consequence of the evolution of the Ukrainian state as a subject of protection of property rights.

Philosophical views of representatives of Ukrainian scientific thought regarding property and the state's influence on it were formed on the basis of ideas developed by mankind throughout its centuries-old history.

A person's perception of property, methods of state influence on property relations, state activity in the field of property protection changed – at all stages of the development of human civilization, they underwent a significant transformation.

Confucius, the Chinese philosopher, while recognizing the right to the existence of various forms of property, called for ascetic self-restraint and detachment from property. In his opinion, a sense of justice should prevent a person from excessive enrichment. A follower of Confucius, Mo-tzu considered the relationship between the state and its people as an idealistic relationship between the owner and property [1, p. 9]. He assigned a special role to material incentives, he considered poverty to be the source of disorder in the state.

The classics of antiquity also paid considerable attention to property issues. The ancient Greek philosopher Plato, modeling an ideal state, also idealized the proprietary powers of its rulers, endowing the latter with altruistic views and actions in relation to property. He tried to justify the advantages of public property with moral ideals. According to his teaching, ownership of private property is unacceptable for rulers and leads to the destruction of the ruling elite [1, p. 9].

Aristotle held the opposite point of view. In his opinion, private property originates from the very nature of man, from his natural love for himself. He disagreed with Plato regarding his ideas about property, while not denying that it is a source of inequality between members of society [1, p. 9].

According to the ideas of antiquity, the state, its property, financial resources were considered the private property of the rulers [2, p. 17].

The idea that connected private property with natural law was formed in the writings of representatives of the New Age. J. Boden, T. Hobbs, and J. Locke played a key role in this. Investigating property as a legal category, John Locke in his works "Two Treatises of Government", "On Property", "Experience of the Human Mind" and others argued that from birth a person is endowed with three natural rights: the right to life, the right to liberty, the right on property Locke proceeded from the postulate, according to which justice cannot exist without the recognition of private property.

Representatives of domestic philosophical thought made their contribution to the study of the property issue.

The works of H. Skovoroda do not contain a direct condemnation of the right of private property, a critical understanding of private property relations. The philosopher turned his attention to exposing the spirit of selfishness, profiteering, love of money, extortion, etc. He believed that the ideal of human society should be based on the principles of love and common property [3, p. 41–43].

The economic and political views of I. Franko and M. Hrushevsky reflect the complex process of assimilation of models of world economic and political thought.

I. Franko recognized capital as an enemy force opposing the worker.

The socialist views of M. Hrushevsky became the basis for the adoption by the Central Council of social programs regarding the liquidation of ownership of landed property and other non-labor income, the transfer of land to the people without redemption.

The search for methodological conditions for resolving contradictions based on ownership was carried out by V. Lypinsky [4, p. 205].

Certain historical periods of the existence of the Ukrainian state testify to the leveling of the right to private property, the absence or deformation of legal means and ways of protecting the right to property. This determined the general approach to the study of the activities of the Ukrainian state in the sphere of property rights protection.

Considering the historical aspects of the development of the Ukrainian state as a subject of the protection of property rights, it should be noted that references to the protection of property rights are contained in the sources of the princely era – "Ruska Pravda" and "Lithuanian Statute". Based on these sources, we can conclude that at that time the prince, having concentrated all the power in his hands, with the support of his wife, ensured the protection of property from foreign invaders and was the arbiter of these relations within the feudal society [5, p. 15].

The protection of property rights during the time of B. Khmelnytskyi was carried out by the system of courts based on customary Cossack law, for the protection of property Cossack roads and bypasses of local communities were used.

The 10th volume of the Code of Laws of the Russian Empire contained separate provisions on the regulation of property rights, where this right was defined, the general principles of ownership, the specifics of restrictions on property rights and its protection were laid out. The concept of property rights was defined as the right to own, use and manage forever and for posterity [6, p. 188].

The protection of property rights was also regulated by the 15th volume of the Code of Laws of the Russian Empire entitled "Provisions on Criminal and Correctional Punishments", which was adopted in 1845 and was in effect until the Bolshevik coup [5, p. 22].

Cases of theft, fraud, logging, embezzlement were considered by justices of the peace in accordance with the "Statute on Punishments Imposed by Justices of the Peace", approved on November 20, 1864.

The period of the formation of statehood at the beginning of the 20th century was characterized by an ambiguous attitude to property and methods of its protection. The Central Rada announced its intention to pursue a policy of socialization and liquidation of large private property. On January 18, 1918, it adopted a land law, which legalized the expropriation of land from large private owners, but already on April 29, 1918, changes were made to this law, which provided that land ownership up to 30 desyats was not subject to expropriation ("socialization") [7 , p. 8].

The legislation of the Ukrainian state during the time of the Hetmanate was to some extent aimed at the protection of private property. Having canceled the law of the Central Council on the socialization of land, the Hetmanate took measures to prepare a new land law and equalize the position of peasants and landowners. However, according to the land reform project approved in November under the pressure of the Ukrainian National Union headed by V. Vynnychenko, all large land holdings were to be compulsorily bought by the state and distributed among the peasants no more than 25 desyats per each. In fact, there was a return to the law on land socialization with some modernization [8, p. 277].

State building in the western Ukrainian lands that were part of Austria-Hungary began on November 1, 1918, when the Ukrainian state was formed. On November 13, 1918, the state was named the Western Ukrainian People's Republic (ZUNR). In the light of the political events of that time, the question of property acquired special importance in the newly created state. A number of legislative acts related to land ownership were adopted: Laws of the Ukrainian People's Republic "On Expropriation of Large Tabular Estates" [9, p. 26–28], "On land reform" and a number of orders of the State Secretariat and the State Secretariat of Land Affairs. The adopted law "On land reform" was of a compromise nature: the lands of large landowners, owners who fought against the Ukrainian state with weapons in their hands, and lands that were state property of the Austro-Hungarian monarchy were confiscated [10, p. 14–15].

Analyzing the role of the state in the sphere of property in the Soviet period, it should be noted that in Ukraine, as in other republics of the former Soviet Union, the real subject of appropriation was the state. It was believed that the alienation of workers from the means of production, the product they create, is eliminated by establishing public ownership of the means of production. It was a generally accepted opinion that the state should mediate as much as possible, and ideally – all processes of appropriation [11, p. 260].

With the declaration of Ukraine's independence, it became necessary to carry out radical structural changes in the sphere of property rights protection. The new economic conditions demanded the abandonment of the priority protection of the state form of property, the creation of public-law regulators that would effectively oppose encroachments on the right to own, use and dispose of property.

In contrast to European states, which have developed centuries-old practices regarding the effective protection of property rights, national history has conflicting experience in this area. In the conditions of the totalitarian regime, the process of property rights protection was under the control of the administration of enterprises and law enforcement agencies [5, p. 22], and in the crisis conditions of the nineties acquired spontaneous features. The processes of theft of state property were massive, and the state policy in this area was to reduce administrative pressure, the state of legislative acts adopted back in the USSR did not meet the needs of the time.

At present, the formation of the legal framework for the protection of property rights is a rather complex, unsystematized, sometimes not sufficiently effective, slow process. The positive thing in this direction is the involvement of many bodies of state power and local self-government, the formation of norms of various branches of law (administrative, civil, criminal, labor and others) in this regard.

The function of the state to protect property rights includes the recognition of property rights; guarantee of ownership; determination of the procedure for acquisition and implementation of the right of ownership; maintaining the property rights protection regime; application of coercive measures in this area; determination of the status of participants in property rights protection relations; creation of a system of public authorities whose competence includes maintenance of the regime of protection and protection of property rights, definition of their competence; creation of a system of prevention and termination measures directed at the protection of property rights; definition of exclusivity and special order of nationalization, requisition, reprivatization.

An analysis of the main provisions of the Constitutions of various states allows us to conclude that the state's role in the protection of property rights has been normatively established in most of them.

The Constitutions of the Republic of Albania dated October 21, 1998, the Republic of Hungary dated August 18, 1949, and the Swiss Confederation dated April 18, 1999 indicate that property in these states is "recognized and protected." Property is "protected" ("is under protection", "is subject to protection") according to the Constitutions of Greece dated 11 July 1975, Sweden dated 27 January 1974, the Basic Law of Finland dated 11 July 1999.

Normative and legal regulation of property relations is not without certain shortcomings. The structure of natural resource property management is distant from the owner, who cannot in any way influence the improvement of the efficiency of natural resource management, the prevention and termination of illegal encroachments on property rights.

Administrative and legal protection is one of the components of the general function of the state regarding the protection of property rights.

Analyzing the problems of administrative-legal protection of communal property rights, R. Denchuk noted that administrative-legal protection of property is possible with the use of an arsenal of coercive measures and organizational-legal measures to alienate property, the formation of security organizations and the expansion of the use of technical means of administrative-legal protection [12, p. 74].

V. V. Galunko understands the legal protection of property as the creation and organization by the state of relevant institutions, which aim to detect the possibility of committing offenses, to carry out their prevention and to take effective measures to influence property violators, i.e. to ensure the owner's unhindered right to own, use, manage property, the right to receive income and alienate property, as well as to determine specific additional powers in accordance with current legislation [13, p. 68-72].

Administrative-legal protection of property rights, in our opinion, should be understood as a system of legal methods and means for maintaining the regime of protection of property rights, ensuring the activities of participants in administrative-protection relations in this area, implementing legal norms aimed at protecting property rights and contributing to the restoration violated rights of owners.

The state's activity in the field of administrative-legal protection of property rights is aimed at creating administrative-legal norms regarding the establishment of a general regime for the protection of property rights, determining the administrative-legal status of participants in administrative-protection relations; prevention and termination of violations of property rights; bringing to administrative responsibility for violation of property rights and others.

The state is tasked with creating a system of legal methods and means for maintaining the property rights protection regime. The administrative-legal regime of protection in the field of property is a special order of administrative-legal regulation that reflects a set of legal and organizational means used to establish the legal status of relations regarding ownership, use and disposal of property and the material status of objects of property rights and aimed at ensuring their sustainable functioning.

The complex of administrative-legal orders regarding the performance of legally significant actions and legal prohibitions in the sphere of property determine the essence of the administrative-legal regime of protection in the sphere of property. The administrative-legal regime for the protection of property rights concerns the establishment of mandatory rules for property owners and other persons to ensure their maintenance, property protection in case of emergency, prohibition of activities that harm the rights of owners.

An effective way to protect the rights and legitimate interests of citizens in the field of property is to stop actions that violate the rights of a person or create a threat of violation, and to restore the legal interests of the owner. Relevant officials of the Antimonopoly Committee of Ukraine, the specially authorized central executive body in the field of ecology and natural resources of Ukraine, the specially authorized central executive body in the field of water management, forestry have the right to terminate and suspend activities that violate these rights in the sphere of property. the State Architectural and Building Inspection of Ukraine and its territorial bodies, bodies of railway, sea and river transport, bodies controlling the use and protection of land, objects of intellectual property rights and other authorities within their competence on the basis of legislative acts that regulate their activities .

For example, the state commissioner of the Antimonopoly Committee of Ukraine has a wide range of powers to stop illegal activities related to the improper use of intellectual property rights, which harms the legitimate interests of citizens and violates antimonopoly legislation. In particular, this body has the right to provide binding recommendations to authorities, local self-government, administrative and economic management and control bodies, economic entities, associations regarding the termination of actions or inaction that contain signs of violations of antimonopoly legislation, and the elimination the causes of these violations and the conditions that contribute to them [14].

Carrying out state control over land use, State inspectors in the field of state control over land use and protection have the right to check documents on land use and protection; to give mandatory instructions (prescriptions) on the use and protection of land and compliance with the requirements of the legislation of Ukraine on land protection in accordance with their powers, as well as on the obligation to restore the land plot to its previous state in cases established by law, at the expense of the person , who committed the relevant offense, with compensation for the damages caused to the owner of the land plot [15].

Cancellation or recognition of fully or partially invalid (invalid) decisions of the authorities, the obligation of the authority to take certain actions or to refrain from taking them in order to ensure the realization of the legitimate interests of citizens regarding the possession, use and disposal of property as a way of protecting the rights and legitimate interests of citizens in in the field of property is the result of challenging decisions, actions or inaction of subjects of authority and is carried out in a judicial and administrative manner. The method of appeal (administrative or judicial) must be determined by the person making the appeal.

Administrative-legal protection of rights and legal interests in the field of property is sometimes not inferior to judicial protection in terms of its effectiveness. In particular, among the advantages of administrative and legal protection, V. Hrybok attributed the possibility of prompt response to the violation of the rights and freedoms of a specific person in the absence of material expenses of the person making the complaint (it is not necessary to pay a state fee for filing a complaint with an executive authority, but material expenses that related to the consideration of the case, rely on the bodies that carry out this consideration), and the fact that the administrative appeal is simpler in form and makes it possible to evaluate the contested actions not only from the point of view of legality, but also from the point of view of expediency and social justice [16, p. 63].

In any case, the decision of the executive authority considering the complaint cannot be final (in the sense of the impossibility of cancellation) and can be challenged in court [16, p. 31].

Applying the judicial method of challenging the acts, actions and inaction of subjects of authority, the citizen counts on a higher level of professionalism of the subjects of the case review and a higher degree of objectivity of the decision made.

Conclusions. The primary tasks of the Ukrainian state within the framework of administrative reform are the proper determination of the administrative-legal status of participants in administrative-security relations, the development of an organizational form of management in the field of property rights protection, which should provide for a rational distribution of powers in the field of property rights

protection between state bodies and local self-government bodies for implementation of community interests. In modern conditions, our state is entrusted with an important duty to carry out effective changes and optimal reform of legislation in the field of administrative and legal protection of property rights. The improvement of the legislation regarding the prevention and termination of violations of property rights deserves special attention on this path; bringing to administrative responsibility for violation of property rights.

REFERENCES

1. Borysenko Ye. O. (2004). ***Sotsial'no-filosofs'ka paradyhma vlasnosti yak motyvatsiynoyi osnovy zhyttyediyal'nosti osobystosti v postradyans'komu suspil'stvi*** [Socio-philosophical paradigm of property as a motivational basis for the life activity of an individual in the post-Soviet society] : avtoref. dys. na zdobuttya nauk. stupenya kand. filosof. nauk : spets. 09.00.03 "Sotsial'na filosofiya ta filosofiya istoriyi". Kharkiv. 19 p. [in Ukrainian].

2. Nechay A. A. (2005). ***Pravovi problemy rehulyuvannya publichnykh vydatkiv u derzhavi*** [Legal problems of regulation of public expenditures in the state] : avtoref. dys. ... d-ra yuryd. nauk : spets. 12.00.07 "administratyvne pravo i protses; finansove pravo; informatsiyne pravo". Kyyiv. 40 p. [in Ukrainian].

3. Skovoroda H. S. (1973). ***Knyzhechka o chtenyy svyashchennoho pysaniya, narechenna zhena Lotova*** [Knyzhechka, a book about reading the sacred scriptures, Lotov's bride]. Kyyiv : Naukova dumka. (zibrannya tvoriv v 2-kh t. / H. S. Skovoroda; T. 2.) 486 p. [in Ukrainian].

4. Lypyns'kyy V. (1926). ***Lysty do brativ – khliborobiv*** [Letters to brothers – farmers]. Ch. 3. Viden'. 470 p. [in Ukrainian].

5. Halun'ko V. V. (2006). ***Administratyvno-pravova okhorona sub"yektiv prava vlasnosti v Ukrayini*** [Administrative and legal protection of subjects of property rights in Ukraine]: [monohrafiya]. Kherson : VAT KhMD. 356 p. [in Ukrainian].

6. Muzychenko P. P. (2001). ***Istoriya derzhavy i prava Ukrayiny*** [History of the state and law of Ukraine] : [navchal'nyy posibnyk]. Kyyiv : T-vo "Znannya", KOO. 429 p. [in Ukrainian].

7. Volokh O. V. (2002). ***Istoriya kryminal'no-pravovoyi borot'by z posyahannyamy na vlasnist' v Ukrayini*** [History of the criminal-legal fight against encroachment on property in Ukraine] : avtoref. dys. na zdobuttya nauk. stupenya kand. yuryd. nauk : spets. 12.00.01 "Teoriya ta istoriya derzhavy i prava; istoriya politychnykh i pravovykh vchen'". Kyyiv. 19 p. [in Ukrainian].

8. Ivanov V. M. (2007). ***Istoriya derzhavy i prava Ukrayiny*** [History of the State and Law of Ukraine]. Kyyiv : MAUP. 552 p. [in Ukrainian].

9. ***Tsentral'nyy derzhavnyy istorychnyy arkhiv Ukrayiny u m. L'vovi*** [Central State Historical Archive of Ukraine in Lviv]. F 581. Op. 1. Spr. 96. P. 26–27 [in Ukrainian].

10. Kobylets'kyy M. M. (1998). ***Utvorennya ZUNR, yiyi derzhavnyy mekhanizm ta diyal'nist' (1918–1923 rr.)*** [Formation of ZUNR, its state mechanism and activity (1918–1923)] : avtoref. dys. na zdobuttya nauk. stupenya kand. yuryd. nauk : spets. 12.00.01 "Teoriya ta istoriya derzhavy i prava; istoriya politychnykh i pravovykh vchen'". L'viv. 22 p. [in Ukrainian].

11. Dzera O. V. (1997). ***Tsyvil'ne pravo*** [Civil law] : [pidruchnyk]. Kyyiv : Venturi. 544 p. [in Ukrainian].

12. Denchuk R. O. (2005). ***Administratyvno-pravova okhorona komunal'noyi vlasnosti v Ukrayini potrebuye udoskonalennya*** [Administrative and legal protection of communal property in Ukraine needs improvement]. Pravo Ukrayiny. No. 9. P. 73–76 [in Ukrainian].

13. Halun'ko V. V. (2006). **Pravova okhorona vlasnosti** [Legal protection of property]. Personal. No. 11. S. 68–72 [in Ukrainian].

14. ***Pro Antymonopol'nyy komitet Ukrayiny*** [About the Antimonopoly Committee of Ukraine] : zakon Ukrayiny vid 26.11.1993 r. No. 3659-XII. Vidomosti Verkhovnoyi Rady Ukrayiny. 1993. No. 50. St. 472 [in Ukrainian].

15. ***Pro derzhavnyy kontrol' za vykorystannyam ta okhoronoyu zemel'*** [On state control over the use and protection of land] : zakon Ukrayiny vid 19.06.2003 # 963-IV. Vidomosti Verkhovnoyi Rady Ukrayiny. 2003. No. 39. P. 350 [in Ukrainian].

16. Hrybok I. O. (2006). ***Oskarzhennya rishen' orhaniv vykonavchoyi vlady v administratyvnomu poryadku*** [Appealing decisions of executive authorities in administrative order] : dys. ... kand. yuryd. nauk: 12.00.07. Kyyiv. 220 p. [in Ukrainian].

Дата надходження: 08.07.2023 р.

Ірина Личенко
Національний університет "Львівська політехніка",
завідувач кафедри цивільного права та процесу
Навчально-наукового інституту
права, психології та інноваційної освіти
доктор юридичних наук, професор
iryna.o.lychenko@lpnu.ua
ORCID iD :http://orcid.org/0000-0002-4838-3579

ФУНКЦІЯ ДЕРЖАВИ З ОХОРОНИ ПРАВА ВЛАСНОСТІ: АДМІНІСТРАТИВНО-ПРАВОВИЙ АСПЕКТ

Стаття присвячена проблемі адміністративно-правового забезпечення екологічної безпеки, адміністративному механізму, основною метою якого є регулювання суспільних відносин щодо збереження здоров'я та життя людей, запобігання заподіянню шкоди навколишньому середовищу, погіршення здоров'я населення.

Особливу увагу надано визначенню ролі чинного законодавства, сучасних екологічних програм у структурі адміністративно-правового забезпечення екологічної безпеки.

Сьогодні назріла потреба принципово нового ставлення держави до проблем охорони навколишнього середовища та екологічної безпеки, трансформація адміністративно-правового забезпечення екологічної безпеки відповідно до сучасних умов життя суспільства. Констатовано, що забезпечення екологічної безпеки і підтримання екологічної рівноваги на території України є не лише стратегічною ціллю, але і обов'язком держави. А особливістю адміністративно-правового механізму забезпечення екологічної безпеки є і те, що застосування засобів адміністративно-правового характеру є прерогативою владних органів.

З'ясовано, що адміністративно-правове забезпечення екологічної безпеки в Україні є сукупністю адміністративно-правових гарантій і функціональних (діяльнісних) засобів підтримання стану захищеності еколого-правових можливостей населення та держави, безпечного стану довкілля, за якого гарантується необхідні умови для захисту права окремого індивіда на здорове та безпечне навколишнє середовище.

Особлива увага присвячена пошуку шляхів трансформації сучасного адміністративного законодавства в умовах посилення захисту екологічної безпеки України. З'ясовано основні напрями Підвищення ефективності адміністративно-правового забезпечення екологічної безпеки в Україні.

Наголошено на доцільності прийняття Екологічного кодексу, створення екологічної поліції як правоохоронної інституції в сфері екології в системі Національної поліції України, практичній значущості посилення адміністративної відповідальності за проступки в екологічній сфері.

Ключові слова: екологічна безпека; забезпечення екологічної безпеки; адміністративно-правове забезпечення; адміністративно-правовий механізм; правове регулювання.