

The Law of Ukraine
On Environmental Protection

Date of Entry into Force:
July 1, 1991

Pursuant to the Law natural resources of Ukraine are property of Ukrainian people who have the right to own, use and dispose of natural resources of the country.

Subjects to state protection and regulation on the territory of Ukraine shall be:

- environment;
- natural resources (land, water, bowels, air, forest and other flora, fauna);
- landscapes;
- other natural complexes.

The Law sets ecological rights and duties of Ukrainian citizens.

It determines authorities of the following bodies in the sphere of environmental protection:

- the Verkhovna Rada of Ukraine;
- the Supreme Council of Autonomous Republic Crimea;
- bodies of local self-government;
- the Cabinet of Ministers of Ukraine;
- government of Autonomous Republic Crimea;
- specially authorized body of executive power on ecology and natural resources issues;
- public nature protection associations.

The system of state monitoring of environment in Ukraine is created with the purpose of ensuring collection, processing, storage and analysis of information about state of environment, prediction of its change and elaboration of scientifically grounded recommendations in order to make efficient administrative decisions. In order to calculate quality, quantity and other characteristics of natural

resources, volume, character and regime of their use the state cadastres of natural resources shall be kept.

Specially authorized central body of executive power on ecology and natural resources issues, bodies of local self-government, enterprises whose activity may negatively influence condition of environment, life and health of people, shall provide free access of population to information about condition of environment.

In Ukraine state, public and other kinds of ecological assessment are performed. Ecological assessment shall be compulsory in the process of legislative, investment, administrative and other activities that influence condition of environment. The state ecological assessment shall be compulsory conducted after its approval by the specially authorized central body of executive power on ecology and natural resources issues. The objects of ecological assessment shall be:

- projects of schemes of productive forces development and placement, general layout of settlements;
- projects for building and reconstruction of enterprises and other objects that can negatively influence condition of environment;
- drafts of documents regulating economic activity that negatively influences condition of environment;
- documents on creation of new technical equipment, technology, materials and substances;
- materials, substances, production, economic decisions, systems and objects, which implementation can break norms of ecological security and negatively influence condition of environment.

The Law regulates standardization and normalization issues in the sphere of environmental protection.

State control in the sphere of environmental protection shall be carried out by the bodies of local self-government, specially authorized central body of executive power on ecology and natural resources issues, other state bodies. The objects of state control shall be use and protection of lands, bowels, surface and underground waters, air, forests and other flora, fauna, sea environment and natural

resources of territorial waters, continental shelf and exclusive (sea) economic zone, natural territories and objects requiring special protection, condition of environment.

Natural resources of Ukraine shall be used in the procedure of general and special use. General use of natural resources satisfies people's vital needs (aesthetic, health, recreational, material etc.). Such use is free of charge. During special use natural resources are given to natural persons and legal entities in ownership, use, lease and payment on the basis of special permits.

According to the Law duties shall be imposed in Ukraine for:

- special use of natural resources;
- environmental pollution;
- worsening of natural resources quality.

Measures on environmental protection shall be financed by the specially established state, republican of Autonomous Republic Crimea and local funds for environmental protection.

The Law stipulates ecological requirements to placement, projecting, construction, reconstruction, putting in operation and exploitation of enterprises, buildings and other objects. It establishes the procedure of environmental protection during conducting of plant protective measures, use of chemical fertilizers, oil and oil products, toxic chemical agents and other. The Law regulates legal relations that arise during environmental protection due to:

- unregulated and harmful biological influence;
- acoustic, electromagnetic, ionizing and other harmful influence of physical factors and radiation pollution;
- waste pollution;
- harmful influence of transport vehicles.

To natural territories and objects requiring special protection refer:

- natural reserve fund of Ukraine;
- resort and health restoring areas;
- recreation areas;
- water and field protecting territories.

According to the Law rare and disappearing kinds of flora and fauna shall be recorded in the Red Data Book of Ukraine.

The Law determines legal regime of emergency ecological situations.

The Law also sets responsibility for violation of legislation on environmental protection.

Summary is prepared by Yaroslav the Wise Institute of Legal Information.

© 2002-2004. Yaroslav the Wise Institute of Legal Information.

All rights for the provided information are protected in accordance with the legislation of Ukraine.

Reference to Yaroslav the Wise Institute of Legal Information is obligatory when making use of these materials.

tel/fax (380-44) 254-00-00 www.welcometo.kiev.ua e-mail: ili@ili.kiev.ua
