

Ecological aspects of environmental management as the most important national priority

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Abstract

The article examines the economy and legal aspects of rational environmental management in the Russian Federation as its most important national priority. The methodological basis of the study was formed by the dialectic method, which enabled us to know, in inseparable unity and in general connectedness, the essence of rational environmental management. As a result, rational environmental management is associated with an increase in the sustainability and productivity of ecological systems. As a conclusion, legal incentives can induce economic actors to incur additional costs to increase the sustainability of ecological systems.

Keywords: Rational Environmental Management, Reproduction, Resources.

Aspectos ecológicos de la gestión ambiental como prioridad nacional más importante

Resumen

El artículo examina la economía y los aspectos legales de la gestión ambiental racional en la Federación de Rusia como su prioridad nacional más importante. La base metodológica del estudio se formó mediante el método dialéctico, que nos permitió conocer, en unidad inseparable y en general, la esencia de la gestión ambiental racional. Como resultado, la gestión ambiental racional se asocia con un aumento en la sostenibilidad y la productividad de los sistemas ecológicos. Como conclusión, los incentivos legales pueden inducir a los actores económicos a incurrir en costos adicionales para aumentar la sostenibilidad de los sistemas ecológicos.

Palabras clave: Gestión Ambiental Racional, Reproducción, Recursos.

1. Introduction

According to the Forecast of the Scientific and Technological Development of the Russian Federation (hereinafter referred to as the RF) for the Period up to 2030, the environmental management has been declared one of the priority directions in the development of science and technology. In this document, the development of environmental management systems in urban areas and agglomerations is recognized as a promising trend of scientific research in the field of preserving the favorable environment and ensuring environmental safety (Ben and Steven, 2018).

A rigorous approach to environmental management is caused by the environmental degradation in several regions of Russia. According to the Environmental Security Strategy of the Russian Federation for the Period up to 2025, the quality of environment in its territory, where the bulk of the country's population is concentrated, and its production capacity is assessed as

unfavorable by its environmental features. At the same time, the tightening of international environmental standards for product quality, as well as the innovative technologies used for its production, predetermines the relevance of studying the environmental and legal aspects of environmental management in Russia as a state with significant reserves of various natural resources. The purpose of this paper: to reveal the field of environmental management as a national priority of Russia from the position of economic and legal aspects (Bennett, 2016).

2. Methodology

The study of environmental and legal aspects of environmental management as the most important national priority was carried out on the basis of an analysis of international documents, judicial practice and works of lawyers specializing in the most effective use of the natural environment. In addition, the study was based on the works of some economists, as well as representatives of the various natural sciences (Budnikova, 2014).

The methodological basis of the study was formed by the dialectic method, which enabled us to know, in inseparable unity and in general connectedness, the essence of rational environmental management. Logic techniques in the form of analysis and synthesis, induction and deduction, comparison and synthesis, analogy and typology also contributed to the achievement of the purpose set in the introduction. Formal legal reception contributed to the understanding of the essence and significance of environmental legal norms aimed at increasing productivity and sustainability of ecological systems (Durán, 2018).

3. Results

The term rational environmental management is relatively widely used both in natural resource legislation and in the science of environmental law. Due to the lack of a legal definition of the category under consideration, the scientists understand its content in different ways. We believe that rational environmental management covers only the use of the natural environment, which is associated with an increase in the qualitative and quantitative parameters of the ecological system, that is, leads to an increase in its sustainability and productivity with the most careful use of non-renewable natural resources. The science also recognizes that one of the features of the rationality of the environmental management is the transformation of ecological system (its improvement, qualitative and quantitative enrichment). It is not by chance that the environmental management is considered as a way of ensuring the human right to a favorable natural environment in jurisprudence. Rational environmental management is a guarantee of the implementation of these rights (France, 2017).

Thus, in the present study we will proceed from the fact that rational environmental management is associated with an increase in the sustainability and productivity of ecological systems. Simple reproduction, which does not lead to positive qualitative and quantitative dynamics of ecological systems, corresponds not to rational, but to inexhaustible environmental management (the use of natural goods, which do not cause ecological harm, but at the same time, which is not characterized by maximum efficiency). The researches on the legal aspects of such analogues of environmental management as resource conservation and energy efficiency are mainly carried out abroad. The legal issues of rational environmental management are only partially addressed. For example, there are disputes about knowledge, which is more important for the legal regulation of

relations in the field of environmental management - legal (positivist) or traditional environmental. In order to ensure legal rational use of natural resources, it is introduced some restrictions on the rights of private owners of natural resources. Privately owned natural resources should also be used in the most eco-efficient way. The rights of nature users-owners are limited to various quotas (Goldemberg and Rei, 2018).

4. Discussion

Rational environmental management as the most ecologically-efficient option of using the nature requires significant costs on the part of business executives. Therefore, there is an acute issue of legal incentives in the environmental legal regulation of the area of public relations under consideration. The fact is that the dynamics of economic relations are significantly ahead of the development of the regulatory framework in the field of environmental management. Unfortunately, there is a minimal incentive for employees of those enterprises that have succeeded in the rational use of natural resources and compliance with all environmental standards in legal science (Kadomtseva, 2014).

In economics, it is fairly recognized that economic measures should provide both economic and environmental benefits. This raises the question: how to combine the profit with the rational use of natural resources and the desire with the minimal cost to get the greatest effect from their exploitation, which is also accompanied by an increase in the productivity of ecological systems? It is necessary to create such legal conditions in order for business executives to benefit from the reproduction of natural-ecological potential. The challenge is not only to maximize the expected net worth of the flow of benefits from the use of resources and to minimize the expected discounted flow of losses and pollution costs. Additional expenditures on environmental actions will also be required, aimed at ensuring the positive dynamics of the qualitative and quantitative features of ecological systems.

Rational environmental management cannot be provided with sanctions. Only legal incentives can induce economic actors to incur additional costs to increase the sustainability of ecological systems. It is recommended to establish legal liability not for violation of the requirements of rational use of natural resources and other natural benefits, but for violation of the requirements of non-exhaustive environmental management. There is no distinction between rational environmental management and non-exhaustive environmental management in the Russian legislation. This fact affects the judicial practice. For example, when considering a complaint about the repeal of acts on bringing to administrative responsibility for violation of the requirements for rational subsoil use, the courts come to the conclusion that Article 23 of the Law of the Russian Federation On Subsoil defines criteria for the rational use, therefore the violation of its provisions indicates irrational use. It follows from the interpretation by the courts of this rule that the law-enforcer, according to the current legislation of Russia, should immediately apply sanctions in case of violation of the rational subsoil use. It is seen that there are only two extreme types of environmental management in environmental and legal reality: rational and irrational. However, the need for an intermediate option between them — the non-exhaustive use of natural resources — was long overdue (Heffron et al., 2018).

Separation of public relations to ensure environmental management as the most efficient use of the natural environment is reflected in the Concept of Ecosystem Services. Allocation of various features of the ecosystem services of renewable and non-renewable natural resources is fully

consistent with the legal criteria of rationality of their use. An approach to rational environmental management as the preservation of natural objects and natural resources is of great interest. Indeed, the preservation of unique and rare natural attractions contribute to the creation of specially protected natural areas. At the same time, the Russian legislator is allowed to use them for recreational, tourist and sports activities. Ecotourism, with the right balance of measures to ensure the protection of rare ecological systems and measures to stimulate these entrepreneurial activities, can be not only a significant factor in the economic development of state nature reserves and national parks, but also a means of ensuring environmental management. In this case, the entrepreneurs are interested in improving the qualitative and quantitative features of attractive natural places for the ecotourists (Kupryushin and Martynov, 2017).

To determine the qualitative and quantitative improvements of the ecological system, special methods are needed for calculating the rationality of its operation. They can include techniques for assessing technologies for the efficient use of aquatic, climatic, soil and biological resources. The balance methods, which are primarily based on the compilation and analysis of material and energy balances, united by the concept of ecobalances, are usually used to assess the environmental perfection of production processes. At the same time, the complexity of evaluating the effectiveness of innovations in environmental management is caused by the fact that any human activity leads to changes in the quantitative and qualitative balance in the ecosystem, however, as a rule, not in a positive way (Luneva, 2017a; Luneva, 2017b; Luneva, 2017c).

According to the Decree of the Eurasian Intergovernmental Council No. 2 dated March 7, 2017 On the Economic Fields with Integration Potential in the Eurasian Economic Union and Measures Aimed at its Use, The leading countries in THE environmental management are China, Japan and France. At the same time, the countries of the Eurasian Economic Union are beginning to actively engage in working out the most effective models of public-private partnerships and their implementation in large-scale complex projects in the field of environmental management (Passport of the Eurasian Technology Platform Environmental Development Technologies) to the Council of the Eurasian Economic Commission No. 32 dated October 18, 2016 On the Formation of Priority Eurasian Technological Platforms (LARIVIERE et al., 2018).

The decision of the CIS Council of Heads of Government On the Provision on the Operator of the Interstate Program of Innovation Cooperation of the CIS Member States for the Period until 2020 (www.consultant.ru) has specified that the environmental management is one of the activity areas in research and innovation. Not accidentally, considering the approach to studying and forecasting the promising markets for environmental management, Russian scientists come to the conclusion that the total volume of domestic products and services will be from 0.2 to 2% of the world market of the studied field by 2020, therefore, it is required increased interaction of innovative organizations in the framework of cluster initiatives (O'donnell, 2018).

5. Conclusions

In the environmental and legal regulation of relations in the field of environmental management as the most eco-efficient way of exploiting nature, the issue of legal incentives is acute. Legal incentives can induce economic actors to incur additional costs to increase the sustainability of ecological systems. It is recommended to establish legal liability not for violation of the requirements of rational use of natural resources and other natural benefits, but for violation of the requirements of non-exhaustive environmental management.

Balance methods are usually applied to assess the environmental perfection of production processes. To ensure rational environmental management, we need special methods for calculating the rationality of using the ecological system to determine its qualitative and quantitative improvements (in the form of methods for evaluating the environmental effectiveness of its use).

6. Summary

Rational environmental management through increasing the sustainability of ecological systems contributes not only to the maintenance of an environmentally friendly environment, but also in some cases to its reproduction and restoration. The provision of rational environmental management is associated with the sustainable development of the Russian people, therefore, it is declared to be the most important national priority of the Russian Federation.

7. Conflict of interest

The author confirms that the data presented does not contain any conflict of interest.

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