

The problems of legal regulation of the environmental policy of the resource-producing region

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Abstract. The article deals with the features of management of environmental processes and the specifics of the law enforcement of environmental standards in the resource-producing region in the context of modern socio-economic transformations. The solution of environmental safety problems is due to the presence of an integrated approach to the management of legal entities involved in production and information processes in the region. The position is substantiated an integrated approach, including mechanisms for managing environmental and social processes should be formalized in a regional environmental doctrine with an effective and relevant regulatory framework. The key principle of such a regulatory system is the ability to take into account and coordinate the main trends of global processes, regulatory requirements and development goals of the state, as well as the characteristics of the region and the needs of its inhabitants. The issues of law enforcement of environmental standards and their impact on the ecosystem in order to cause the least harm to environment, health and genetic fund of person (society), leveling its consequences are considered. The need to take into account the socio-cultural characteristics and value orientations of the inhabitants of the region when developing regulatory practices is emphasized. It is substantiated the regional environmental doctrine with relevant normative content will be a system-forming factor ensures the practical implementation of mechanisms for effective regulation of the activities of subsoil use entities and the development of safe infrastructure in the resource-producing region. **Keywords:** resource-producing region, environmental safety, environmental doctrine, environmental standards, environmental policy, environmental law, environmental risks.

1 Introduction

The development of any region, and especially a (resource-producing) region with powerful industrial base, is determined by many different factors, both external and internal. External factors, as a rule, are associated with the possibilities of marketing, diversification, etc. of extracted resources, and internal - with the implementation of socio-economic policies

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aimed not only at maximizing profits for the region and owners, but also at preserving a favorable environment for present and future generations.

In the global world space, there is simultaneously a manifestation of centripetal and centrifugal processes that are associated with powerful geopolitical transformations, affecting, at the same time, all of key areas of development of individual regions today. This determines, on the one hand, the processes of integration and synthesis of various areas of the political and economic space, on the other hand, stimulates fragmentation and regionalization with pronounced tendencies towards isolation and an emphasis on the internal development of certain areas. Such contradictions cause tension, which is expressed in various crises and bifurcation fault lines that manifest themselves in all spheres of development of the world community.

In these conditions, development of a particular region is associated with the need to take into account all of existing contradictory processes. Resource-producing regions with developed coal and mining industries have a special need for effective regulation of environmental processes, balanced management of socio-economic sector and the formation of regulatory framework.

2 Materials and methods

The solution of environmental problems of resource-producing regions in the state regional policy today has acquired extreme importance and have become leading in development of the state. The unresolved nature of these problems, their intensity and the negativity of their manifestations hinder the course of economic reforms, distort their content, complicate ethno-social and national relations, and aggravate economic problems. The state of environment has a direct impact on the person's Life Quality and the realization of his constitutional rights.

Regulation of satisfaction of needs and law enforcement in the field of environmental safety depends on the socio-cultural characteristics of the region and is due to the peculiarities of political-legal, socio-economic, medical-biological, demographic, technological and other aspects [1, 2, 3, 4]. The solution of problems of environmental safety and the application of environmental standards is reflected in the current legal acts, state standards and other regulatory documents. Various aspects related to law enforcement were touched upon in the framework of a comparative analysis of the legal/non-legal nature of economic self-regulation (V. V. Lapaeva), the study of the judicial system (V. L. Rimsky), as well as in the works of the Institute for Law Enforcement Problems at the European University (V. Volkov, K. Titaev) [5, 6]. The main task in the formation of regulatory documents for environmental safety management is to develop a system of legal norms taking into account the socio-cultural characteristics of the region, the economic interests of various subjects of production activity and ensuring the implementation of constitutional human rights to a safe environment. This is the core value of the enforcement of environmental standards and norms.

3 Results and Discussion

Radical changes that have occurred in world politics and the economy in recent months stimulate the need to adapt the resource-producing region to new conditions. A particularly acute consequence of global tensions is environmental issues, which in the context of political transformations and economic changes are becoming the most vulnerable sphere and require the formation of new mechanisms for ensuring safety in environmental management. A significant impact on solving the problems of the resource-producing

region is exerted by the everyday socio-cultural environment, within which the subject's worldview, the specifics of norm-setting and the models of its practical activities are formed.

It is worth noting that the increase in crisis situations as a result of external factors is associated with existing, and quite acute, problems in the social sphere. Based on the results obtained by the NAFI analytical center, it was revealed that "the low level of health of many Russians is due to the fact that 60% of the population works on an irregular schedule in Russia, 48% eat incorrectly and irregularly, 45% experience stress, 39% suffer from bad habits (smoking, alcohol, drugs) and 22% have unstable families" [7, P. 37]. In this regard, Kuzbass due to its geographical and economic specifics, is naturally included in the system of global industrial interaction, experiences a serious socio-economic burden and needs to edit the political and legal framework in the regional management system, where the various needs of inhabitants of the region could be taken into account.

Thus, management in a resource-extracting entity should be an eco-oriented system, the work of which would be ensured by a well-coordinated, verified ideological, political and legal framework necessary for the effective interaction of various spheres of life in the region and aimed at a comprehensive improvement in the person's Life Quality. The basis for such a management system should be the environmental policy of the region, optimized in accordance with new economic, socio-political realities. First of all, this determines the need to create new conditions for reducing economic and technological risks, as well as development of new standards and procedures relating to the protection of human life and health.

Regional environmental policy, which is an integral part of the state policy, is system of organizational, legal and other measures to ensure environmental protection, rational nature management and environmental safety in the regions. As the main element of regional environmental policy, V. V. Kruglov singles out the managerial activity of state executive bodies in the region [8]. The effectiveness of environmental policy is ensured by its viability and realism, which implies the degree of its involvement in the current problems of the region. For example, on the basis of Order No. 917 of 20.12.2021 of the Federal Service for Supervision of Natural Resources "On Approval of Programs for the Prevention of Risks of Harm (Damage) to Legally Protected Values by Types of State Control (Supervision)" [9] and the information provided in it, for 2020-2021 the dynamics of reducing the level of violations of environmental standards was recorded. To further reduce environmental risks, it is planned to strengthen state supervision, as well as intensify government activities agencies in such areas as:

- identification of causes, factors and conditions contributing to the violation of mandatory requirements in field of environmental protection, determining ways to eliminate or reduce the risks of their occurrence;
- assessment of existing preventive measures and development of new forms and methods of preventing environmental risks;
- development of mechanisms to stimulate law-abiding behavior of subjects of nature management, increasing the level of their legal literacy and motivation for conscientious behavior, etc., which can be done through the effective use of educational and other mechanisms of socialization.

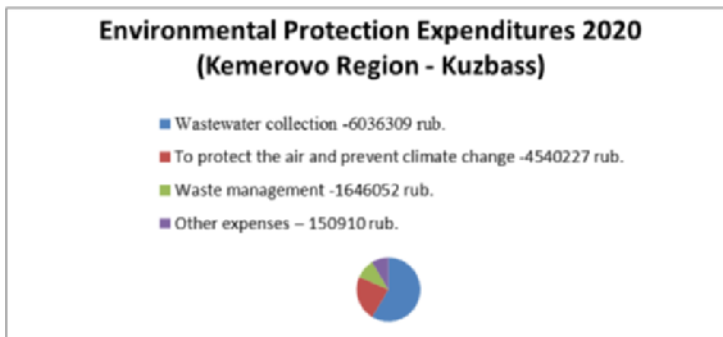
At the same time, it should be emphasized that in most countries, including Russia, environmental policy exists on the basis of principle of "ecological unitarism", a concept that determines the management of environmental activities in the state on the basis of centralized environmental quality control [10]. But often, as practice shows, the vulnerability of the concept of environmental unitarism is expressed in a catastrophic increase in the number of both global environmental problems and regional ones. A 1990 report by the EPA Scientific Advisory Board noted an aggravation of environmental

problems, which cast doubt on the effectiveness of centralized environmental safety control [10]. The reasons for such negative consequences are the lack of sufficient legal authority in the region to solve local problems, as well as the complexity and cumbersomeness of the bureaucratic apparatus in the central government, which limits the speed and accuracy of making the right decisions during crisis situations [11, 12, 13].

Thus, the environmental policy that ensures the security of the resource-producing region, on the one hand, should certainly be focused on the political center - the state national development strategy of Russia, on the other hand, take into account the needs of the region in all dimensions - from socio-cultural to industrial and economic. Thus, the goal of modern environmental policy of the region will be implementation of a model of relations that ensures the safe and harmonious interaction of nature, society and man, taking into account the dynamics of various elements of local subsystems of the socio-economic sphere, as well as to focus on the dominant trends in world development.

One of the priorities should be considered the principle of "green financing", the main tasks of which is the financial support of projects that contribute to the development of environmental sustainability [14, P. 64]. Green bonds, which promote transparency standards, are intended for market participants and are designed to stimulate the provision of information necessary to increase investment in green projects [15].

For example, according to Rosstat, the costs of environmental protection at the regional level (Kemerovo region - Kuzbass) in 2020 were as follows: for the protection and rehabilitation of land, surface and groundwater - 182131 thousand rubles, for waste management - 1646052 thousand rubles, for wastewater collection - 6036309 thousand rubles, for the protection of air and the prevention of climate change - 4540227 thousand rubles. [16]



At the same time, the most important activity of the authorities in Russia will be to determine the effectiveness of business practices of "green financing" and check non-financial reporting. In regional budgets, from September 1, 2022, marking ("coloring") of environmental payments began. As the head of the Ministry of Natural Resources of Russia A. Kozlov emphasized, "The final results are still being summed up, but we already see that for three months of this standard, more than 7 billion rubles have been received in the "piggy bank" of regional environmental payments." [17] For the period of late January and early February 2023, the regions form plans according to which they will direct funds to the environmental agenda. Today, Russia is one of the countries, has joined the Kunming-Montreal Global Biodiversity Framework. As part of this agreement, it is planned to reduce the excessive amount of food waste by half, since, to date, "the volume of food waste is estimated at about 17.9 million tons annually," where on average one Russian throws away about 88 kg of food per year." This is about 40% of all solid municipal waste. Most of the food waste falls on end users - people - 71%. Another 29% is waste from retail and catering organizations." [17].

An important direction in field of environmental regulation in the resource-producing region can be the stimulation of the use of electric vehicles, both in the coal mining sector and in the passenger's transportation and cargo. The use of electric vehicles is becoming not only an environmentally, but also an economically attractive means of transportation, and also determines the transition to a new economic way of life (new charging infrastructure, increasing the level of logistics of cargo transportation and the organization of movement, the transformation of eco-consciousness in the socio-cultural environment) [18, 19, 20].

Given the diversity of the main trends in world development, a science-based environmental doctrine should be developed in the mining region with clearly formulated goals and specific tasks that contribute to minimizing environmental damage. "Disparate causing damage to property, harm to nature cannot be accurately calculated," the decision of the appeal commission of the Supreme Court of the Russian Federation says [21]. Based on the constitutional provision on the unconditional protection of natural resources as the basis for life and activities of peoples, it should be noted that any harm is presumed as unlawful when "environmental management objectively entails the infliction of environmental harm" [22, 23, 24]. The problem of assessing the harm (damage) caused to the environment and human health, as well as its compensation, is an actually serious legal and socio-economic problem. So, to date, in world practice there are no universally recognized and universal algorithms for calculating harm and effective mechanisms for compensating for damage caused by subjects of production and economic activity.

To eliminate such negative consequences, the basis of the environmental doctrine should define the universal humanitarian and environmental meanings of the planetary scale, reflect the interests and goals of the state, the needs of the region, and also take into account the interests of individuals.

One of the conditions for development of effective environmental policy is a systematic study of its most important principles and sufficient evidence base. The starting point in its design can be the definition of goal of the environmental policy of the region, where an image of ideal state of socio-natural relations should be presented, concretized in various aspects, taking into account the needs of various actors in the region, analytically worked out and scientifically based. Such an example is the environmental program in Kemerovo region "Ecology, subsoil use and rational water use" for 2017- 2024 [25]. The main goal includes creation of conditions for the harmonious interaction of society, nature and man, which implies the need to increase the environmental safety level, preserve natural systems in the region and create conditions for the socio-economic development of the region; improving the state of the atmosphere, water quality, soil in major cities and the region as a whole; constant provision of the economy of Kemerovo region with reserves of mineral raw materials and other resources for production and agriculture; ensuring the protection of population and economic facilities from the negative consequences of nature management; constant monitoring of various processes affecting the ecological state of the region, as well as collection of information on possible risks and points of tension for subsequent analysis and decision-making.

Detailed specification should be formulated in the tasks that take into account the current state of the eco-environment and forecasts of the industrial, economic, socio-cultural potential of the region, taking into account various options for development of the region. Such tasks include: - reducing the overall anthropogenic load on the environment by increasing the environmental efficiency of the production sector; - ensuring effective functioning of the regulatory and management system in the field of environmental protection and environmental safety; - meeting the needs of the construction industry of Kemerovo region in resources and materials.

Of particular importance for the industrial region is also the increase in the operational reliability of ownerless and municipal hydraulic structures (ponds, reservoirs, hydraulic systems) located within federally owned water bodies and (or) ensuring the safety of the population and economic facilities from the negative impact of water [26].

The ideological basis of regional eco-policy should be a system of worldview that includes values, ideals, norms, traditions that are capable, on the one hand, of preserving the existing positive and effective developments in this area, fixing the guidelines that cement society, and also take into account unchanging archetypes in the structures of collective unconscious, focusing on imperatives as moral incentives. Thus, a certain conservatism and adherence to traditional attitudes rooted in the mass consciousness will ensure the integration of the inhabitants of the region and will stabilize tensions in a number of areas.

On the other hand, the ideological core of eco-policy should stimulate openness in the public consciousness to adoption of innovative eco-oriented strategies related to the use of information technologies, artificial intelligence in the industrial sphere and social space. Tangible results in the implementation of the goals and objectives of eco-policy can be achieved by involving the cultural, scientific, educational spheres and relying on the regulatory and legal system. It is also important to take into account the expectations of society, changing needs of various social groups, to predict trends and directions for the transformation of the interests of individuals. To do this, constant monitoring of the processes that ensure the development, dissemination and adaptation of the principles of environmental consciousness in society should be established, which will make it possible to record changes in the consciousness of citizens of the region, predict bifurcation points in sociological processes and flexibly approach the management of subjects of environmental relations.

The development of the region's ecodocctrine should be based on a system of mutually agreed mechanisms of political and legal regulation, which will take into account all the aspects of the functioning of public space. At the same time, it is important to ensure equal opportunities for the disclosure of social capital for all subjects of subsoil use and consumers [27]. When implementing environmental safety standards, development of human (social) capital becomes a key factor, since the creation of conflict-free relations between society and nature involves the development of personal qualities of individuals and raising the level of ecoculture. It will make it possible to more effectively involve residents of the region in the processes of greening, reduce the degree of social tension and ensure the effectiveness of environmental policy [28].

It should be noted that modern environmental policy programs, both in Russia as a whole and in the regions, are rather declarative in nature, and often do not contain well-developed instructions and specific measures to ensure the solution of environmental problems. In this regard, it is important to correlate the development of an effective environmental doctrine at the regional level with the main functions of political ideology, which are the basis for the implementation of relevant ideas in modern society [27, pp. 56-58].

These functions can become the basis for the formation of criteria for assessing the effectiveness of managing the system of relations of the socio-natural sphere. These include a number of them.

The ability of the ecological doctrine to take into account the specifics of the ecosocial space, already existing models of relations and possible vectors of transformation in the context of the dynamics of global and national processes, industrial and economic features and points of growth.

Ability to predict human and natural potential, alternatives in development and limits to growth, taking into account the principles of sustainable development.

The ability to mobilize society to implement a model of safe and sustainable development, based on the ideals and norms of regional ecodotricity and through mechanisms to control and stimulate various actors.

The ability to orient and integrate various social strata of society, which will become a condition for leveling social crises. "The host society should be represented as open and friendly towards new members, but only towards those who are sufficiently prepared to be included in the typical forms of activity for the receiving population" [29, p. 600]. Thus, the implementation of environmental standards is interrelated with the level of social tension in the region and depends on the general ideological and socio-cultural attitudes that dominate society.

The ability to reduce the negative consequences of various kinds of crises: from financial and economic to geopolitical and social (pandemic, globalization processes, international conflicts, economic sanctions, etc.). We are talking about creating conditions within the region for compliance with environmental standards and mechanisms to ensure environmental safety for the population.

The ability to ensure the coordinated interaction of various industries in the region to achieve common environmental goals and taking into account the possibility of an individual development trajectory for market entities.

4 Conclusion

Ensuring the environmental safety of the region is due to peculiarities of the socio-economic development of the region, the centralized policy of the state and, at the same time, depends on global processes. In these conditions, the modernization of environmental management in resource-producing regions becomes a paramount task. The basis of the regional environmental policy should be an environmental doctrine that has an orientational and motivational potential for inhabitants of the region, as well as providing an opportunity for dynamic socio-economic development of the region, taking into account the interests and rights of all subjects. In its structure, it is important to coordinate various elements and mechanisms for managing socio-natural relations. The effectiveness of environmental policy will be determined by its ability to organically combine traditional socio-cultural attitudes characteristic of the region, environmental imperatives and moral priorities, as well as innovative developments in field of IT, technical and technological innovations, which together will effectively prevent environmental and socio-economic crises, ensure the resolution of problems that have already arisen and neutralize their consequences. The most important tool for the formation and implementation of environmental standards in the constituent entity of the Russian Federation will be the regulatory framework, which should be based on the political strategy of the state, take into account the specifics of regional development and the state of its environmental problems, as well as global trends in the development of society.

The regulatory system should form a legal basis for the practical implementation of environmental standards in the production and industrial sphere, as well as provide guarantees for observance of the constitutional rights of citizens to a favorable environment in the current socio-economic situation. One of the criteria for legal effectiveness of environmental policy is existence of a working system of mechanisms for compensating for harm caused to environment and human health as a result of violation of environmental standards by economic entities.

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