

COMPARATIVE ANALYSIS OF EXISTING ENVIRONMENTAL CONTROL IN THE REPUBLIC OF KAZAKHSTAN AND FOREIGN COUNTRIES

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ABSTRACT

Environmental control promotes the rational use of natural resources and protection of the environment from adverse effects. It is an essential legal measure. Based on the relevance of the topic, the main objective of the work is to compare the existing environmental control in the Republic of Kazakhstan and countries far abroad. The authors found that the use of natural resources should be considered as a unified system. The authors show that such a perception of ecological systems inevitably leads to the fact that the issue of their safety appears in the framework of cooperation between two or more states. The novelty of the study is the provision that environmental control should be carried out, not only on the basis of generally accepted standards, but also to determine the feasibility of implementing administrative and economic cooperation mechanisms for the even development of ecological systems. Directions for further research are the possibility of organizing supranational regulatory and legal documents that will allow the allocation of shared environmental systems and determine the possibility of an even development of the territories.

Keywords: Environmental Control, Normative and Legal Documents, Legislative Regulation, Environmental Management, Sustainable Development.

INTRODUCTION

Analysis of modern research gives grounds to conclude that the significant obstacles to the implementation of existing legislation are the low level of environmental programs' financing, the lack of scientific research in this area, as well as the unsatisfactory level of scientific development of resource-saving technologies, neglect of domestic and foreign best practices. Particular attention in the understanding of ecological systems as a single component of the national ecological system and interstate relations is observed in the process of social production's ecologization (Yerezhepkyzy, 2014). The process of social production's ecologization should be carried out taking into account a fundamentally new ideology of nature

management in the context of implementing the foundations of resource-saving, resource-renewing technologies. For this purpose, the countries of the former USSR should harmonize the national environmental legislation and also adapt the requirements of environmental safety of economic and business activities to the standards of international space. Along with this, the ecological state of the environment, the level and character of nature use and environmental protection measures, the environmental safety of the technologies introduced, the level of entrepreneurship's ecologization must also correspond to the generally recognized principles of sustainable development (Artykbaeva, 2015).

Foreign countries use a considerable arsenal of economic levers and means of regulation. They are quite effective and diverse. As a result, considerable experience has been accumulated in the use of various economic methods and instruments to regulate the process of entrepreneurship's ecologization at macro and micro level economies in many economically developed countries of the world. In the US, as in Europe, priorities have changed in the fight against atmospheric pollution. The main programs are not aimed at the introduction of cleaning equipment, but on the creation of environmentally friendly technologies (Akopova, 2014).

In Germany and the countries of the European Union, a strategy for environmentally oriented management and environmental entrepreneurship has been developed and is being implemented as one of the important areas of environmental modernization (Dzhangabulova and Salihbaeva, 2014). This was facilitated by the growing role of environmental qualities and characteristics of goods and products on the market as prerequisites for their production and sales, increased public pressure on entrepreneurs who use natural resources, meet the environmental interests of the population and develop water legislation, increase the importance of environmental law and business.

LITERATURE REVIEW

In the progressive economically developed countries of the world, the value of the stimulating effect of economic instruments of environmental regulation on the economy and entrepreneurship development is growing (Allen, Fontaine & Garmestani, 2012). It is they that help to ensure the correspondence between the cost of production and natural resources; compensation of costs for damage to the environment; compensation of environmental damage by the polluter and not by the whole society (Dyke, McDonald-Gibson, Di-Paolo & Harvey, 2007). However, the share of environmental taxes of all taxes varies from country to country (Nie, 2008). In particular, in 2004 it constituted: In Cyprus-11.9%, in the Netherlands-10.3%, in Denmark-9.8%, in Latvia-9.1%, in Slovenia-8.7%, in Luxembourg-8, 2%, in Ireland-8.1%, in the Czech Republic-7.5%, in Finland-7.4%, in Great Britain-7.3%, in Poland-6.9%, in Italy-6.9%, in Greece-6.8% %, in Estonia-6.7%, in Germany-6.5%, in Lithuania-6.0%, in Spain-5.8%, in Austria-5.6%, in Belgium-5.3%, in France-4.9% .

Thus, the social and environmental-economic integration of the post-Soviet countries must necessarily take into account the foreign experience of environmental regulation mechanisms through systematic improvement and alignment with the international legal, regulatory and methodological and institutional framework for environmental management and safety (Kim, 2013). In our time, it is extremely important to increase budgetary financing and invest in innovative programs for the production's ecologization (Levin, Kimball & McDowell,

1984). The introduction of market environmental management regulators should be carried out not only by administrative pressure, but also by creating favourable business conditions in which it would be economically beneficial for economic entities to meet environmental requirements, achieve environmental and economic goals (Nilsson & Bohman, 2015). Therefore, the state-regulative mechanism for the ecologization of entrepreneurship requires unequivocal legal, financial and economic, organizational and information support (Bommarito & Katz, 2017).

The need for theoretical justification and implementation of practical steps in the environmental policy formation that includes care for nature preservation, the environment quality, the rational use of existing and potential natural resources, the maintenance of ecological balance in nature and finally, the provision of conditions for the human existence is recognized in all highly developed countries (Devos, Craig & Schiemann, 2013). Nowadays, national programs for the protection of the natural environment and the rational use of natural resources have been developed in many countries of the world (Stakhiv & Major, 1997). They are of a completely new nature in comparison with the past nature preservation policy, which had a limited scope and proceeded from the concept of eliminating the consequences of the natural environment violations, ignoring the causes and sources of these violations (Martínez & Calle, 2016).

METHODOLOGY

Combined methods of investigation are used in the work. If we talk about the possibility of studying transboundary ecological systems, then it is expedient to apply the geo-information method, which was used in the work to allocate the subject of research. The legal and legislative provision of the work's topic required the application of a historical, comparative and legal and integrated method. In this case, was considered the possibility of identifying block country entities, which, by common conditions, form an innovative environment that affects not only regulation of individual ecosystems, but also mechanisms for monitoring and forecasting individual environmental elements. And since all of the proposed measures have financial and economic consequences, the method of economic control was applied (for the integrated assessment) in the aspect of identifying the most rational economic decisions in regulating the management of transboundary ecological systems and specific natural components in general.

RESULTS AND DISCUSSION

An example of the practical implementation of ecosystem programs is the wetland conservation program adopted by the Government of Canada in 1991. The main objectives of this program are to create conditions for the nature exploitation, use of natural resources, territories, lands in such a way that it does not cause losses and deterioration of wetlands; renewal and reproduction of wetlands where their degradation continues or the existence of these territories is at a critical level. The main criteria that determine the direction of activity in the short term are prevention of further destruction of these natural lands and prevention of damage to natural resources, in the long run-increasing the quantity and quality of wetland resources (fish resources, provision of services, recreation, flora and fauna), so that the volume of environmental and economic losses is reduced and incomes are increased (Kelly, Duke & Harwell, 1987).

The policy of preserving the natural environment, new in its content, is embodied in the form of national programs, which provide for interaction between government bodies, the private sector, science and financial institutions. Codes of laws on nature protection and its separate components have been adopted in all countries, where the functions of the state for the regulation of environmental activities are fixed, as well as the rights and duties of nature users (Arruda, Nogueira, Cozzi & Costa, 2015). A number of the legislative pyramid is always crowned by a single general (main) law on nature protection, which defines the general principles and objectives of the policy and is designed to ensure the conceptual homogeneity and integrity of the legislative policy in the field of nature management.

Such laws in the United States are the Law on National Environmental Policy (1970), Japan-the basic law on pollution control (1967), Sweden-the Law on Environmental Protection (1969). The main law is applicable to legislative acts that regulate certain aspects of nature management for certain regions and zones, for the relevant sectors of the economy, for certain environment components (air, water resources), environmental disturbances (noise background, thermal radiation pollution), pollution carriers (petroleum products, pesticides) (Tsatsou, Elaluf-Calderwood & Liebenau, 2010). In foreign countries, in addition to specially authorized state bodies, including the sectorial ones, which are responsible for the state of the environment, central government bodies with high powers are created, responsible for the overall management of the national environmental policy, for coordinating the actions of other interested legal bodies and individuals, institutions and agencies, for participating in international cooperation programs. Such bodies in the USA are-the federal agency for environmental protection, Japan-the department for environmental protection, France-the ministry of quality of life (Vayena & Gasser, 2016).

In the basis of the environmental protection policy and financing of environmental measures lies the principle of the normative quality of the environment, the achievement of which is ensured either by the system of norms and standards for the maximum permissible levels of anthropogenic load, the composition of pollution, emissions, discharges or the taxation system of enterprises that violate established environmental management requirements. Both principles can be organically combined (La Point & Perry, 1989). Regulation of environmental protection in foreign countries is accompanied and supported by a system of economic levers of incentives and administrative sanctions. States use various means to stimulate private capital, encouraging it to implement new legislation. In the countries of the European Commonwealth as a whole, there are more than 200 such mechanisms (Kelly & Harwell, 1989). Among them there are such as a direct subsidy for the construction and operation of environmental equipment, the construction of urban and district water treatment facilities, which free businesses from excessive costs; preferential targeted lending to the private sector; system of tax benefits. Levers of compulsory nature are also being processed in parallel with stimulation, which are applied to violators of environmental norms and standards. First of all, it is a ban on the production of any chemicals with increased toxicity, the requirement to stop the emission of pollutants into the environment in cities and regions where a critical situation in the sanitary-hygienic state has developed. In some countries, a progressive tax for excessive emissions of pollutants and other harmful substances is established for enterprises that pollute the environment (Devos, Craig & Schiemann, 2012). A number of legislative systems provide for fines in case of non-compliance with established environmental standards and in some cases-imprisonment of law violators or

prohibition of enterprises' production activities. All developed countries take on the bulk of the costs of basic scientific research and training for the environmental protection sector and the rational use of natural resources, leaving the development and implementation of highly profitable applied scientific and technical works for private business (Trainar, 2013). The amount of annual state appropriations for research in the field of ecology and conservation of natural resources is constantly increasing. For example, spending on environmental programs in Australia has more than doubled since 1996.

Special programs for the creation and development of national monitoring systems have been adopted in developed countries (Umbetbayeva, Akhatov, Kuandykov, Umbetov & Kalkashev, 2016). The creation of a monitoring service means the allocation in all regions of the country where the concentration of sources of environmental pollution, the network of dosimetric and research stations, laboratories, points similar to hydro meteorological services (Banasiewicz, 2015). The incoming information is processed in special regional and national centres and brought to the attention of all citizens (Apitz, 2007).

The economic mechanism of nature management involves the inclusion of a significant portion of the total cost of restoring environmental quality in the state budgets' expenditures and public financial and credit institutions and also opens up ample opportunities for a profitable recovery of the total cost's portion that is included in private capital expenditure. In developed countries, the nature and extent of the policy of preserving the environment are determined by the comparison of environmental interests with the material interests of the management system. Environmental requirements that go beyond this framework are partially implemented or not implemented at all, which ultimately has a stimulating effect on environmental policy and increases its effectiveness (Nyssanbekova, Toktybekov, Yessetova & Zhanat, 2016). In Japan, legislation and management of environmental protection are focused on the development of primarily health standards, additional emission limits for individual industries. It is in Japan that the world's most severe sanitary and hygienic water quality standards are developed. The peculiarity of Japan's environmental policy is the widespread use of a system of compensation for environmental damage that is paid to victims from industrial firms-environmental polluters.

The inefficient economic system of the post-Soviet countries has led to inefficient use of resources and excessive energy consumption. In the system of state and regional management, incentive instruments for the conservation and economical use of natural resources were not created, the orientation toward extensive production and increasing gross indicators prevailed. A low level of environmental awareness of the society caused environmental degradation in post-Soviet countries, pollution of surface and groundwater, air and land, accumulation of harmful, including highly toxic, waste products in large quantities (Zhatkanbayeva, Tuyakbayeva, Jangabulova, Tasbulatova & Adilgazy, 2017). Considering this, it is important to establish optimal interrelations between the economy and the environment meet the needs of society and protect the environment.

In many countries, the state subsidizes the development of equipment, technologies, alternative sources of energy supplies, energy saving measures (Denmark, Norway, Sweden, the Netherlands and Canada). A type of subsidy such as tax incentives is common. Reducing taxes on more environmentally friendly cars is used in Germany, Austria, Norway, Sweden and the Netherlands. In the US, there is a kind of government subsidies, such as the withdrawal of the

total amount of taxes on dividends received on bonds. These sums of dividends are directed to combating pollution of water and land resources, atmospheric air, etc.

CONCLUSION

For several decades, internationally, there has been a clear trend towards addressing many environmental problems. And this is a positive moment, because both the post-Soviet countries and most foreign countries have many similar problems that arise because of insufficient regulation of the nature management system and the state's environmental function. Assessing the effectiveness of decisions taken by foreign countries in the field of environmental management, it is easier to imagine the problems that can arise if similar methods of state regulation are applied in the post-Soviet countries; and, consequently, to identify the most promising directions for reforming the environmental management system within the framework of understanding transboundary ecological systems as a single object in the human environment.

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