

Comparative characteristics of the legislation of the Russian Federation and European countries in the field of ecology

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Abstract. The article gives a brief overview of legislative normative acts of the Russian Federation and European countries in the field of ecology and environmental protection. The classification of legislative acts of the Russian Federation in the sphere of ecology is given, as well as their structuring with the use of the process approach. A comparative analysis of the main provisions of the environmental legislation of Russia and the EU countries has been carried out. The following can be named as promising areas of cooperation between Russia and the EU countries in the field of ecology: prevention of environmental pollution, information support of environmental problems and their solutions, preservation of natural biodiversity, elimination of pollution consequences and compensation for environmental damage. Key words: Ecology, environment, legislation, pollution

1 Introduction

Environmental legislation and the activities of governmental and non-governmental environmental organisations are one of the key directions of the modern strategy of sustainable development of countries around the world [1-3]. Global environmental problems associated with anthropogenic impact on the natural environment cause climate change, depletion of the atmospheric ozone layer, etc. In this regard, overcoming the negative consequences of climate change and their prevention becomes one of the main problems for the world community.

The countries that are members of the European Union (EU) perceive the protection of the global environment as a target, so the EU's environmental policy is not limited to the territory of a particular state. As for the environmental policy of the Russian Federation, it reflects the needs of the Russian society and is influenced by a number of factors: public opinion, activities of public organisations, business interests, global environmental policy, etc. These characteristics are certainly reflected in the legislation of the Russian Federation and the EU countries in the field of ecology and environmental protection [4-7].

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2 Problem statement

By the end of the twentieth century, environmental problems had become global, environmental problems became a threat to mankind, which prompted almost all the states of the world to formulate their own environmental policies.

If we analyse the historical prerequisites for the formation of environmental problems in Russia, the greatest damage to the environment was caused during the industrial revolution (the second half of the XIX century) and during the Second World War, when production in the USSR developed particularly intensively [8-10]. These periods were characterised by a lack of interest in controlling and stabilising the environment both on the part of the government and the majority of citizens. In the last decades of the twentieth century, new environmental problems, also predominantly related to the industrial development of the country, became more relevant [11, 12]. The Russian Federation holds leading positions in many branches of machine building, shipbuilding, as well as in oil, gas and oil refining industries [13, 14]. All this has an extremely negative impact on the ecology of both the country itself and the entire planet. The key problems in this sphere at present are air pollution and climate change. In this regard, it is relevant to reflect the key processes of environmental protection and ecology in the legislative policy of the Russian Federation. The main principles of

environmental policy of the Russian Federation: development of environmental legislation, establishment of ministries, agencies and non-governmental organisations in the environmental sphere [15].

The EU countries play a leading role in the development of conceptual environmental provisions of environmental legislation of foreign countries, introduction of environmental principles into policy and are a reference point for the rest of the world. Historically, the formation of environmental policy of the EU countries was carried out in several stages. Accession to international conventions on environmental protection (1979, 1983) and amendments to the Rome Treaty (1986) can be considered as the beginning of the formation of legislative policy in the field of ecology for the EU countries. Since 1992, the most productive period in environmental lawmaking of the EU countries began. Responsible attitude to the planet's ecology on the part of the EU countries can be conditioned by the small size of the EU countries' territories and, as a consequence, limited natural resources and energy dependence on other countries. Thus, while solving environmental problems of the planet, the EU countries first of all solve their economic problems. The main provisions of the EU environmental legislation are aimed at the development of rational nature management, information co-operation in the field of environmental protection, prevention and compensation of environmental damage inflicted.

Thus, we can conclude that the EU countries are more oriented towards cooperation in the field of ecology. In order to organise such cooperation it is necessary to overlap on legislative acts in the field of ecology. In this regard, it is relevant to identify similarities and differences in the legislative policy of Russia and the EU countries in order to identify prospects for further cooperation in this area.

3 Research questions

The objectives of the study are to:

- 1) review, systematisation and classification of regulatory acts of the Russian Federation in the field of ecology;
- 2) comparative analysis of the main provisions of the regulatory acts of the EU countries and the Russian Federation in the field of ecology.

4 Purpose of the study

The aim of the study is to identify promising areas of co-operation between Russia and the EU countries in the field of ecology.

5 Research methods

A process approach is used as a research method, in which environmental legislation is considered as a set of certain elements performing certain functions (having a certain purpose).

5.1 Review, systematisation and classification of regulatory acts of the Russian Federation in the field of ecology

Let us classify the spheres of application of environmental legislation:

- 1) counteracting environmental pollution;
- 2) rational use of natural resources;
- 3) environmental protection;
- 4) organisational and personnel support of the environmental sphere;
- 5) responsibility for violation of the requirements of environmental legislation.

Russian environmental legislation includes the following: federal laws; acts of the Government of the Russian Federation; and standards.

Let us consider the elements of anthropogenic environmental impact management processes (Fig. 1).

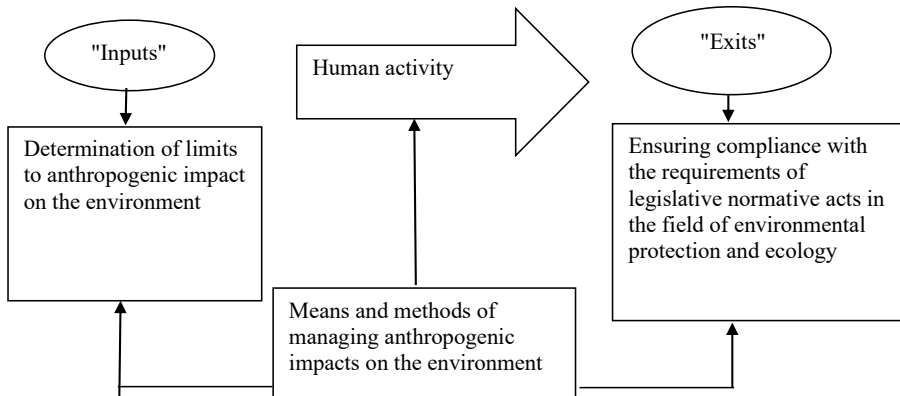


Fig. 1. Elements of the anthropogenic environmental impact management process

Legislative acts in the field of environmental pollution control, rational use of natural resources, and environmental protection are responsible for determining the limits to anthropogenic impact on the environment:

- Federal Law No. 7-FZ of 10 January 2002 "On Environmental Protection" (regulates relations in the sphere of interaction between society and nature, arising in the course of economic and other activities related to the impact on the natural environment);

- Federal Law No. 96-FZ of 04 May 1999 "On Atmospheric Air Protection" (establishes the legal basis for the protection of atmospheric air and is aimed at implementing the constitutional rights of citizens to a favourable environment and reliable information on its condition);
- Federal Law No. 136-FZ "Land Code of the Russian Federation" dated 25 October 2001;
- Federal Law No. 74-FZ of 03 June 2006 "Water Code of the Russian Federation";
- Federal Law No. 52-FZ "On Wildlife" of 24 April 1995;
- Law of the Russian Federation of 21 February 1992 No. 2395-1 "On Subsoil";
- Federal Law No. 166-FZ "On Fishing and Conservation of Aquatic Biological Resources" dated 20 December 2004;
- Federal Law No. 200-FZ of 04 December 2006 "Forest Code of the Russian Federation", etc.

The following legislative acts are responsible for ensuring the fulfilment of the requirements of legal regulations in the field of environmental protection and ecology:

- Federal Law No. 89-FZ of 24 June 1998 "On Production and Consumption Waste" (defines the legal basis for the treatment of production and consumption waste in order to prevent harmful effects of production and consumption waste on human health and the environment, as well as the involvement of such waste in economic turnover as additional sources of raw materials);
- Federal Law No. 174-FZ of 23 November 1995 "On Environmental Expertise" (aimed at implementing the constitutional right of citizens of the Russian Federation to a favourable environment by preventing negative impacts of economic and other activities on the environment);
- Federal Law No. 52-FZ of 30 March 1999 "On the sanitary and epidemiological well-being of the population" (aimed at ensuring the sanitary and epidemiological well-being of the population as one of the main conditions for the implementation of the constitutional rights of citizens to health protection and a favourable environment) and others.

In addition to the Federal laws, there is a group of state standards aimed at environmental protection and reflecting the following topics:

- ✓ product life cycle;
- ✓ pollution control;
- ✓ environmental protection in general;
- ✓ environmental impact assessment;
- ✓ environmental protection projects;
- ✓ environmental management;
- ✓ ecolabelling;
- ✓ environmental economics.

For example, GOST 17.0.0.01-76 "System of standards in the field of nature protection and improvement of natural resources use. Main provisions" establishes the main provisions of the system of standards aimed at nature protection and improving the use of natural resources.

Legislative acts responsible for organisational and personnel support of the environmental sphere are the Federal State Educational Standards in the field of training specialists in the environmental sphere, as well as professional standards establishing requirements for knowledge and skills of environmental specialists.

Let's take a look at what educational standards are currently available in the field of environment and labour protection:

- 1) FSES 20.03.01 Technosphere Safety (approved by Order No. 680 of the Ministry of Science and Higher Education of the Russian Federation dated 25 May 2020). This educational standard contains requirements for training in Bachelor's degree programmes.
- 2) FSES 05.03.06 Ecology and Nature Management (approved by Order No. 894 of the Ministry of Science and Higher Education of the Russian Federation dated 07 August 2020). This educational standard contains requirements for training in Bachelor's degree programmes.

The following educational standards have been approved for the "Master's degree" level of training:

- 1) FSES 05.04.06 "Ecology and Nature Management" (approved by the Order of the Ministry of Education and Science of the Russian Federation dated 23 September 2015 N 1041);
- 2) FSES 20.04.01 "Technosphere Safety" (approved by the Order of the Ministry of Science and Higher Education of the Russian Federation from 25.05.2020 N 678).

These educational standards are used to design educational programmes for training specialists in the field of ecology and occupational health and safety.

On 7 September 2020, the professional standard "Environmental Safety Specialist (in industry)" was approved by Order N 569n of the Ministry of Labour and Social Protection of the Russian Federation. The standard contains requirements for the knowledge and skills of specialists who plan, organise, control and improve environmental protection activities in organisations in various industries (environmental technician, laboratory technician, environmental safety department technician, environmental engineer, ecologist).

On 22 April 2021, the Ministry of Labour and Social Protection of the Russian Federation approved the professional standard "Specialist in the field of occupational safety and health" by Order No. 274n. The standard contains requirements for the knowledge and skills of specialists who plan, organise, control and improve the labour protection management system. Possible job titles: "Labour Protection Specialist", "Chief (Leading) Labour Protection Specialist", "Head of Labour Protection Service", "Head of Labour Protection Department", "Head of Labour Protection Department", "Head of Labour Protection Management", "Expert on Labour Conditions and Labour Protection".

5.2 Comparative analysis of the main provisions of regulatory acts of the Russian Federation and EU countries in the field of ecology

The main provisions of legislative normative acts of Russia and EU countries are summarised in Table 1. It is shown whether this or that principle is reflected in the legislation of the countries.

Table 1. The main provisions of legislative normative acts of Russia and EU countries

Main provisions of legislative acts in the field of ecology	EU countries	Russia
Protecting and enhancing natural capital	+	+
Building a resource-efficient and low-carbon economy	+	-
Prevention of environmental pollution	+	+
Dissemination of information on environmental problems and their solutions	+	+
Protecting biodiversity	+	+
Remediation of pollution consequences and compensation for environmental damage	+	+

Based on Table 1, it can be concluded that there is overlap between EU countries and Russia on most legislative policy principles. Creating a resource-efficient and low-carbon economy is not a priority for Russia, as Russia has sufficient natural oil and gas reserves on which the country's economy is based. In this regard, the following can be named as promising areas of co-operation: prevention of environmental pollution, information support of environmental problems and their solutions, preservation of natural biodiversity, elimination of the consequences of pollution and compensation for environmental damage.

The environmental legislative policy of the Russian Federation covers quite a lot of spheres. However, to date, there are unexamined aspects. For example, the world community is increasingly interested in the search for new, most environmentally friendly energy resources. This direction has not received much development in Russia, as the Russian economy is oriented on the development of oil and gas production industry. Of course, in the future, the situation may change, as oil and gas are not infinite natural resources. However, to date, the EU countries are leaders in the development of this area, including in terms of legislative policy.

6 Conclusion

The environmental policy of the Russian Federation, which is based on relevant legislation, is constantly changing.

Legislation, is constantly changing. It reflects the needs of society and is influenced by a number of factors: public opinion, activities of public organizations, business interests, etc. The Russian state and society have been successful in solving a number of environmental problems, but continue to face new challenges. With the emergence of new technologies [16-39] and equipment as a result of increasingly increasing scientific and technological progress, there is a need to update and actualize existing legislative acts in the field of ecology. In this regard, it would be productive to join efforts with other countries to jointly develop new solutions to environmental problems and new legislative acts in this area. The existence of overlaps in the legislative policies of Russia and the EU countries gives grounds to assert that co-operation between Russia and the EU countries in the environmental sphere is possible.

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