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THEORETICAL-METHODICAL AND NORMATIVE-LEGAL PRINCIPLES OF PUBLIC ADMINISTRATION MECHANISMS IN THE SPHERE OF ECOLOGICAL SECURITY AND RESILIENCE OF TERRITORIES

The article defines the theoretical and methodological principles of public governance mechanisms in the field of ecological security and resilience of territories. The essence and content of public governance in the field of ecological security and resilience of territories are determined. The mechanisms of public governance in the field of ecological security and resilience of territories are substantiated and highlighted. The problems and contradictions of the regulatory and legal support of public governance in the field of ecological security and resilience of territories in Ukraine are identified. The main directions of improving the regulatory and legal support of public governance in the field of ecological security and resilience of territories in Ukraine are considered.

Keywords: *public governance and administration, mechanisms of public governance, ecological security, resilience of territories, mechanisms of public governance in the field of ecological security and resilience of territories.*

Problem setting. The formation of territorial resilience is a complex and multifaceted process that involves ensuring the ability of regions to effectively withstand various challenges, quickly recover from negative impacts (in particular, social, economic, environmental or security) and at the same time adapt to new development conditions. Such an ability of territories to resilience and transformation is one of the key factors in ensuring national security and sustainable development of the country, which is also ensured by building an effective and efficient public administration system and appropriate mechanisms for its formation and implementation. That is why the issues of increasing the effectiveness and

efficiency of public administration mechanisms for the resilience («viability») of territories are becoming particularly relevant in modern conditions.

Recent research and publications analysis. The following scientists have devoted their publications to the study of the issues of determining the essence and content of theoretical, methodological and regulatory principles of public management mechanisms in the field of environmental safety and resilience of territories: Filipova N., Keeling D., Kondratenko M., Lazor O., Mamatova T., Borisenko V., Pakhnenko O., Pfifner J., Presthus R., Shevchenko I., Tamm V., Viktor P. and others [1; 2; 3; 8; 9; 12; 13; 16; 17].

However, many issues regarding the determination of theoretical, methodological and regulatory legal principles of public management mechanisms in the field of environmental safety and resilience of territories remain insufficiently researched.

Paper objective. The purpose of the article is to determine the theoretical, methodological and regulatory legal principles of public management mechanisms in the field of environmental safety and resilience of territories.

Paper main body. In modern science, despite the fact that the concept of resilience has been studied from various perspectives, the lack of understanding of its conceptual complex aspects creates serious limitations for spatial planning and the adoption of public policies and programs to measure and achieve it. In addition, in the field of public administration, there is a lack of thorough domestic research in which resilience is considered through the prism of the need for its formation at the territorial level in the context of ensuring their environmental safety.

Resilience in the field of economics and public administration is considered as the ability of a system (such as a territory, community or society) to absorb destructive influences and preserve its basic functions and structure. Ensuring resilience involves conscious management of the process of adaptation of the system in order to preserve certain of its characteristics, allowing others to change, while preserving the essence or “identity” of the system [14].

Mamatova T. and Borisenko V. characterized resilience as a category of the field of knowledge “Public Administration” and as the ability of a system (territory, community, community) to absorb destructive influences and at the same time maintain the main functions and structure, is a quality that must be acquired, developed and continuously improved within the state, region or community” [9].

Scientists emphasize the need to ensure the resilience of territorial communities in the conditions of martial law and post-war reconstruction in Ukraine. Researchers consider two technical approaches (concepts) to resilience as a key strategic imperative for complex adaptive systems to be the most appropriate. The first approach is resilience as the opposite of “fragility” (“permissible extensibility”), which provides additional adaptive capacity. The second approach is “resilience as a network architecture”, which supports the ability to adapt to future risks, challenges and traumatic events. In the conditions of the legal regime of martial law and post-war reconstruction, during the implementation of public administration processes, it is necessary to take into account six fundamental foundations of community resilience: people (community members); systems thinking; adaptability; capacity for transformation; sustainability; courage [9].

Pakhnenko O. interprets the concept of resilience (stability) of local communities and analyzes its constituent elements. The main attention is paid to how communities can effectively adapt to changes and challenges, ensuring sustainable development and well-being of the population [12].

Kondratenko M. emphasizes the presence of manifestations of two types of resilience of territories – national and local [3].

Analyzing the evolution of the meaning of the concept of resilience of territories, we can argue that in today’s conditions, resilience is considered in different contexts and has an interdisciplinary nature, combining different areas of knowledge.

Accordingly, we offer the author’s definition of resilience of territories as an adaptive dynamic process of their sustainable development, the return of territories to their initial state after a period of maladaptive functioning due to disorganizing actions and factors (global instability, constantly changing realities, environmental disasters and wars, etc.).

The resilience of territories is a crucial factor in ensuring their ecological security, sustainable development and well-being of the population. The implementation of integrated approaches to the management of natural and anthropogenic threats will allow preserving the functionality and stability of ecosystems, providing a healthy and safe environment for the life of future generations [16].

Ecological security is a state of protection of the natural environment and humans from the negative impact of anthropogenic and natural factors, which can lead to a disruption of

the ecological balance, health and life of people. It ensures the stability of ecosystems, the preservation of biodiversity, the rational use of natural resources and the reduction of the impact of harmful factors on nature and humans [8].

Ecological security plays a key role in increasing the resilience of territories, i.e. their ability to resist and recover from negative environmental impacts. Clean air is the basis of human and ecosystem health. Air quality control and reduction of pollutant emissions contribute to the resilience of territories to climate change and reduce health risks. Ensuring clean water and sustainable water management are important for preventing droughts, floods and pollution, which significantly increases the sustainable development of agriculture and infrastructure. In turn, preserving fertile soils and preventing their degradation ensures the stability of food systems and supports their biodiversity, and preserving forests helps prevent soil erosion, conserve water resources, absorb carbon dioxide and provide a habitat for many species of flora and fauna. Each of these types of environmental security contributes to ensuring the resilience of territories to various environmental and anthropogenic loads.

Building effective and efficient public administration in the field of ecological safety and resilience of territories requires a clear theoretical and methodological definition of the main conceptual categories.

Let us consider the essence and content of the above-mentioned concepts.

The term “public administration” was first used by the English civil servant D. Keeling, according to whom public administration is a search for the best way to use resources to achieve priority goals of state policy [2].

Foreign scientists J. M. Prifiner and R. Pristius believe that “public administration is the management of the organization and direction of human and material resources to achieve desired goals” [13].

Filipova N.V. notes that public administration is more than just a set of general management tools, public administration studies the interaction between the political system, the public sector, the ratio of municipal, state and people’s interests with the involvement of society in the mechanism of control of all authorities [1].

That is, in a general sense, the concept of “public administration” reflects an integral systemic mechanism, the subsystems and elements of which are political program guidelines and priorities, regulatory regulation, procedures, centralized and decentralized organizational

and management structures financed by the state or local governments and their personnel, which are responsible for administering activities in a certain area of public relations at the national, subnational and local levels.

In our opinion, public administration in the field of environmental security and resilience of territories is a purposeful, systematic, predictable, consistent public activity of state authorities, local governments, other public administration entities in accordance with public interests in the field of environmental protection, minimizing environmental risks, adapting to climate change and increasing the ability of territories to resist, respond and recover after emergencies of a military, man-made, natural and social nature.

In the current conditions of intensive development of the science of “public management and administration”, the concept of “mechanism of public management” is quite often used. However, this concept is not clearly defined, especially in relation to the sphere of ecological security and resilience of territories.

We believe that the mechanism of public management in the sphere of ecological security and resilience of territories is a system of tools, means, methods and organizational and legal procedures by which state authorities, local governments and other public administration entities implement policies on environmental protection, minimization of environmental risks, adaptation to climate change and increasing the ability of territories to resist, respond and recover after emergencies of a military, man-made, natural and social nature.

In our opinion, public governance in the field of ecological security and resilience of territories should be implemented through the appropriate application of political, legal, administrative, economic and information mechanisms.

The political mechanism of public governance in the field of ecological security and resilience of territories is a system of institutions, procedures and means by which political decisions in this area are formed and implemented, and its functioning is based on the cooperation of authorities, civil society, political parties, international organizations and other stakeholders.

The legal mechanism of public governance in the field of ecological security and resilience of territories is a system of legal norms, principles, instruments and procedures that determine the procedure for the activities of state bodies and local self-government bodies.

The administrative mechanism of public governance is a set of organizational and legal

administrative and legal means of influence, instruments and procedures by which executive authorities and local self-government bodies exercise their powers in the field of ecological security and resilience of territories.

The economic mechanism is a set of methods, means and instruments of economic influence, with the help of which the state forms, regulates and stimulates environmentally safe activities and ensures the resilience of territories.

The information mechanism of public administration is a set of means, systems, channels and processes that ensure the collection, processing, storage, protection, transmission and use of information in the field of environmental safety and resilience of territories.

An extremely important prerequisite for the effectiveness and efficiency of public administration mechanisms in the field of environmental safety and resilience of territories is appropriate regulatory and legal support.

It should be noted that regulatory and legal support serves as the basis for the implementation of public administration mechanisms in the field of environmental safety and resilience of territories, which should regulate the powers of state authorities and local self-government bodies, determine planning, coordination and response tools, and create conditions for interaction between different sectors and subjects of public administration.

The basis of the regulatory and legal support of public administration in the field of environmental security and resilience of territories in Ukraine are such legislative acts as: the Law of Ukraine “On National Security of Ukraine”; the Law of Ukraine “On the Legal Regime of Martial Law”; the Law of Ukraine “On Local Self-Government in Ukraine”; the Law of Ukraine “On Environmental Protection”; the State Strategy for Regional Development for 2021–2027; the National Environmental Strategy of Ukraine until 2030; Resolution of the Cabinet of Ministers of Ukraine No. 328-r “On Approval of the Action Plan for the Restoration and Development of Affected Territories” and others [3; 4; 5; 6; 7; 10; 11].

An analysis of these regulatory and legal acts shows that the issue of resilience is still being considered in the context of security, restoration or regional development, and not as a holistic system. The absence of a single regulatory act that would integrate the concept of “resilience” as a mandatory criterion for the formation and implementation of state policy complicates strategic planning at the national and local levels.

First of all, national laws create a basic legal framework within which the principles

of security, the powers of local authorities, as well as response mechanisms in martial law conditions are determined. These acts provide an institutional basis for the formation of resilient territorial structures.

By-laws, in particular resolutions of the Cabinet of Ministers of Ukraine, are more applied in nature and aimed at solving specific tasks – for example, financing the restoration of infrastructure or implementing development programs for affected territories. They demonstrate a gradual transition from declarative norms to practical mechanisms for implementing resilience policy.

It is important to include in this list a strategic document – the State Strategy for Regional Development, which outlines a long-term vision of sustainable development of territories and emphasizes the need to strengthen the institutional capacity of local authorities [15].

Despite the existence of the above-mentioned regulatory legal acts, legal regulation in the field of public management of territorial resilience remains fragmented. Currently, there is no single comprehensive legislative act that would systematically determine the principles of forming and implementing territorial resilience policy. Existing regulatory acts only partially cover certain aspects of this issue – such as civil protection, emergency management, environmental safety, territorial defense, decentralization, etc.

At the same time, in recent years, positive dynamics have been observed, in particular in the direction of:

- adaptation of legislation to the conditions of martial law and hybrid threats;
- development of strategic planning at the regional and local levels;
- development of state and local programs aimed at increasing the resilience of territorial communities;
- activation of interdepartmental cooperation and involvement of international experience [17].

Thus, although the regulatory framework still needs to be finalized, today we can already note its gradual evolution in the direction of systematization, integration of resilience principles into security and development policy, as well as the formation of conditions for a holistic approach to territorial management in conditions of instability.

Despite the existing positive developments in the field of regulatory and legal support for public management of the resilience of territories, an analysis of key legislative and regulatory

acts indicates a number of significant shortcomings that hinder the formation of an effective and systemic resilience model [17].

In particular, the legal framework still does not provide a holistic approach that would take into account all aspects of risk management, adaptation, recovery and development at the level of territorial communities. This requires a deeper consideration of the main gaps that complicate the implementation of modern policy in this area.

In addition, the term “resilience” in the current Ukrainian legislation is actually absent or mentioned episodically, without a clear definition of its content and components. This leads to uncertainty in the interpretation of the concept by various authorities, specialists and participants in the public administration process. The lack of a common understanding complicates the formation and implementation of a unified state policy, planning measures and assessing the achieved results. That is why it is necessary to officially enshrine the term “resilience” in the legislation, taking into account international approaches and the Ukrainian context by adopting an appropriate legislative act.

So, legal regulation in the field of public management of resilience in Ukraine, although it is at the stage of formation, already has certain elements of systematicity. At the same time, to achieve integrity, it is necessary to ensure better coordination between acts at different levels, develop a specialized law on territorial resilience, and strengthen institutional and financial support for the implementation of relevant measures. In general, improving regulatory and legal support in Ukraine is a necessary step towards creating truly resilient territories that are able to effectively adapt to changes and recover from crises.

Conclusions of the research and perspective of further development in this direction. Thus, the analysis of the regulatory and legal support for public management of territorial resilience in Ukraine revealed both positive aspects and significant gaps that require improvement. The regulatory and legal framework, although demonstrating a gradual evolution towards systematization and integration of resilience principles into security and development policies, still has a number of shortcomings that complicate effective territorial management in conditions of crises and natural or social shocks.

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