

## LEGAL ASPECTS OF THE CONCEPT «WATER RESOURCES»

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*The article considers water resources as a legal category and proposals to improve the existing definition of the term.*

***Water resources, water, natural resources, agriculture.***

Water resources are very important in many areas of economic activity, and some without them simply can not exist. The latter involves agriculture, water in which (along with the ground) is the primary means of production, and no crop, no livestock can not be replaced by anything else. This in turn causes the need for effective regulation of water resources in the field of material production. The basis is an effective mechanism for regulation is clear categorical apparatus. **The purpose** of this paper will perform a review of existing scientific positions on the definition of "water resources" and develop proposals for its improvement.

The legal doctrine of water resources has repeatedly been the subject of attention of researchers. At the same time, we believe that existing at the time the concept of "water resources" needs some work, as it will be a question below.

First we note that the legal definition of water contained in Art. 1 Water Code of Ukraine: "water resources - the volume of surface, ground and marine waters relevant territory". In turn, the water under the same legal standard - a "all water (surface and underground, sea), which are part of the natural parts of the water cycle." The question is why the scientist says water only as an object of legal protection? Perhaps the water (as a special natural

resource) is the regulation, not only legal protection. Thus, water as an object of legal regulation of the use, protection and restoration: "a natural water reserves and artificial water management system within the territory of Ukraine, its exclusive (maritime) economic zone that interact with other components of the environment and registered in water records as an object of property rights, rights of use, management, protection and recovery".

In addition, as defined in the Water Code, the term "water resources" within the meaning of the term is synonymous with "water". The use of the two terms in the law to refer to the same phenomenon to be evaluated negatively.

On the doctrinal level definition of water resources as "all waters that are part of the natural water cycle links", also identified with the concept of "water".

Let us turn to the definition of the concepts under consideration in legislation CIS countries. Water Code of the Republic of Belarus in the art. 1 calls water "supplies of surface and groundwater certain territory"; Water - "all the water that is in the water bodies and bowels." Water Code of Kazakhstan in the art. 1 defines water as "the set of all water, concentrated in water bodies", and in art. 6 water resources as "reserves of surface and ground water, concentrated in water bodies that are used or could be used". Water Code of the definition of "water" does not contain, instead of water resources determines in Art. 1 as "surface water and groundwater that are in water bodies and used or could be used." As we see in Belarus water resources defined in fact as well as in Ukraine, but in Russia and Kazakhstan legislation is further indication of the possibility of their use.

Ukraine has defined the concept of water as a number of standards.

Considering all the above, we believe that define the concept of "water resources" to load based on semantic word "resource", which literally means "stocks anything that can be used if necessary", "source of consumption".

If we consider the use of water resources in agriculture for crop needs (eg irrigation of crops) or livestock (watering of livestock and poultry, aquaculture, feeding, etc.) as indicators of water resources play a crucial role in deciding may or may not be considered a given amount of water water resources in agriculture. The same approach can be applied to the use of water resources in other areas.

Therefore, analyzing and summarizing all the above, we propose to supplement the existing concept of water indication of their quality. In Art. 1 Water Code to identify water resources as a "volume of surface and groundwater of the area, as appropriate, that are or may be used in the future".