

LEGAL PROVIDING OF QUALITY OF WATER RESOURCES IS ON LEGISLATION OF UKRAINE AND EUROPEAN UNION

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In the article position of legislation of Ukraine and European Union is analysed in relation to providing of quality of water resources. The modern state of adaptation of legislation of Ukraine is found out to the legislation of European Union in the probed sphere.

Legal providing, water resources, quality of water resources, water legislation.

Among global world ecological problems most actual are problems in the field of the use and guard of water resources. Presently humanity realized the necessity of the careful handling water resources, maintenance and proceeding in their quality. The positive decision of problems in relation to quality of water resources depends on introduction of mechanisms of the legal providing of the rational use and guard from contamination and exhaustion of water resources. Special attention development and realization of measures of providing of quality of water resources spared at the level of European Union. The European ecological legislation is the system which dinamically develops under act of international processes. Direct influence has such development of the European ecological law on a national law for all European states, including Ukraine. A collaboration in the field of providing of quality of water resources is examined as one of priority directions as between Ukraine and European Union, bases of which are stopped up in Agreement about partnership and collaboration in 1994.

The purpose of the article is research of the legal providing of quality of water resources on the legislation of Ukraine and European Union.

The basis of the EU legislation in the sphere of water protection, rational use and conservation of water resources, prevention and reduction of water pollution is the Directive of the European Parliament and of the

Council 2000/60/EC establishing a framework for Community action in the field of water policy of 23 October 2000 (amended by the Decision 2455/2001/EU, the Directive 2008/32/EU) [1], the so-called Water Framework Directive (hereinafter – WFD). WFD defines the basic principles of water management and the ways to achieve safe condition of water objects, in particular, by preventing the further deterioration, protection and improvement of the water resources state, as well as stimulation of reproductive water use.

The main purpose of WFD is to prevent deterioration of the status of all water objects in order to reach the «good» status to 2015. For water objects «a good condition» is defined as «good» ecological condition and «good» chemical status [2, p. 182]. The object of the directed actions of WFD is all surface, groundwater, transitional and coastal waters (up to 1 nautical mile from the coastline, and to assess the chemical status – to 12 nautical miles) within each river basin. The basic structural unit, for which these purposes are established, is «a water body», which is a subunit of an integrated river basin and is treated as a biological habitat groups [3, p. 17].

In addition, the WFD was enshrined the principle of the integrated basin water management model in which the object of management should act with the basin of it belonging to the hydrographic network and its surrounding ecosystem. This principle requires each state-party to conclude the River Basin Management Plan, which is a strategic document that lets to implement the environmental goals in river basins – achieving a «good» water status, prevention of its further deterioration, increasing protection and improvement of the aquatic environment [4, p. 28]. The ultimate plan is to create a program of activities, emerging from the analysis of characteristics of the river basin and review of the impact of human activity on the status of water bodies [4, p. 32].

By the decision of the European Parliament and the Council № 1600/2002/ES from July, 22 in 2002 the founded Sixth program of actions of European Community on questions an environment. The program speaks to the primary ecological purposes which are based on the evaluation of the state of environment and its tendencies. In the article 7 Program, that for achievement of the safe use and high quality of water resources, necessary are providing of such levels qualities of subsoil and superficial waters, which do not increase harmful influence and risks for an environment and human health; achievement of high level of defence of superficial and ground waters, warning of contamination and assistance the permanent use of waters; development of measures, directed on stopping

of up casts, extrass of hazardous substances; providing highly of level of defense of water is for bathing; providing of integration of conceptions and approaches of WRD and other directives is in the field of guard of water resources in other spheres of policy of European Community [5, p. 23].

It follows to pay regard to legal providing in EU of quality of water of the special setting, in particular, drinking-water, water, intended for bathing, flow waters. On June, 16 in 1975 by Council of European Economic Community Directive was accepted № 75/440/EEC in relation to requirements to quality of surface-water, intended for a fence lead drinkable in the states-members of Concord [6]. Directive touches requirements qualities of reservoirs, which a fence lead drinkable is from. A document is carried out by distributing of surface-water in accordance with maximum values on three categories, which are answered the standard methods of treatment are certain. Directive is set the obligation of states-members to accept all measures, necessary for providing of accordance of quality of surface-water a value, set in accordance with positions a document.

Probing a question about quality of water, intended for a consumption, necessarily it follows to remember Directive № 80/778/EC from July, 15 in 1980 in relation to quality of water, intended for a consumption a population [7]. This document, more known under the name «Directive in relation to a drinking-water», became one of base in a water legislation states-members of EU. The primary purpose of Directive is standard-setting, which water, intended for a consumption, must answer. In a document 66 parameters are resulted qualities of drinking-water, which part on a few groups. EU sets for most parameters two levels maximum possible concentration. A level of G is an of long duration purpose which the states-members of EU must attain in a prospect. Level of I – it obligatory implementation all states order of sizes which determine quality of water. In Directive these norms are fastened as Maximum Admissible Concentration. States-members of EU are under an obligation at legislative level to set norms qualities of water, not worse than size of the MAC. In 1998 by Council of EU was accepted new Directive № 98/83/EC [8]. In Directive the list of the parameters required for control is brief, but maximum indexes for majorities from them became harder.

By a basic document which carries out the legal providing of quality of water for bathing of EU there is Directive № 76/160/EEC from December, 8 in 1975 in relation to quality of water which is used for bathing [9]. Physical, chemical and microbiological parameters, which are used for the decision

of quality of water, intended for bathing, are certain in Directive, and the values of which must be set countries-members for all regions or every separate bathing regions. On April, 5 in 2006 the European Parliament and the Council was the accepted Directive № 2006/7/EC in relation to the quality management of water for bathing [10], which must replace Directive № 76/160/EES in 2014.

The legal providing of handling flow waters in EU is provided Directive № 91/271/EEC from May, 21 in 1991 in relation to cleaning of flow waters of cities [11]. A document was accepted for the sake of avoidance of negative influence of the cleared not enough waters of cities on water resources and environment on the whole, in fact the insufficient cleaning of waters in one of states-members of EU can entail worsening of quality of water in other states-members.

Ukraine is actively attracted in the process of intergration of water legislation of EU. A water legislation of our state is ramified enough and developed. One of main documents in the field of providing of quality of water resources there is the Water code of Ukraine from June, 6 in 1995 [12]. In obedience to Water code of Ukraine all the water (water objects) on territory of Ukraine is national acquisition of people of Ukraine, one of natural bases him economic development and social welfare. Water resources provide existence of people, animal and vegetable kingdom, and are the limited and vulnerable natural objects. Water code of Ukraine in a complex with the measures of organizational, legal, economic and educate influence instrumental in forming water-ecological to the law and order and to providing of ecological safety of population of Ukraine, and also to more effective, scientifically grounded, use of waters and their guard, from contamination, obstruction and exhausting, provides inhibition of quality of water resources.

With the purpose of decision of basic directions of public policy in the field of water economy, maintainance and recreation of water resources, increase of their quality, introduction of the system of computer-integrated water control, on pool principle the row of Laws was accepted in Ukraine, in particular: the Law of Ukraine «On the Approval of the State Program of Water and Environmental Rehabilitation of the Dnepr River Basin until 2021» [13], the Law of Ukraine «On a drinking-water and drinkable water-supply» [14], the Law of Ukraine «On the National having a special purpose program «drinking-water of Ukraine» on 2011–2020» [15] and other.

Analysing national legislations of Ukraine, which determines the basic aspects of the rational use and guard of water resources, providing of their quality, and legislations of EU in this sphere, it follows to establish

accordance of the most noted positions of the Ukrainian legislation European. The main programs in the field of water policy and water economy of European Union and Ukraine are directed on: providing of maintainance, rational use and recreation of water resources, guard of water resources from contamination, obstruction and exhausting, conditioning for passing to the permanent and effective functioning of ekosistem in water pools, and main, providing of quality of water resources improvement of their state. Next to it, for subsequent harmonization of legislation of Ukraine and EU industry of guard of water resources and providing of their quality a necessity has development of new normatively legal acts and improvement of operating in accordance with requirements, set the European legislation.

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