УДК 349.42
DOI: 10.31359/1993-0909-2019-26-4-165

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ЗАСТОСУВАННЯ ДЕЯКИХ ЗАХИСНИХ ЕКОЛОГІЧНИХ ЗАХОДІВ У СІЛЬСЬКОГОСПОДАРСЬКОМУ ВИРОБНИЦТВІ ЗА ЗАКОНОДАВСТВОМ ЄС

Анотація. *Досягнення консонансу між збереженням довкілля та забезпеченням продовольчої безпеки, з одного боку, й інтенсифікацією залучення природних ресурсів у сільськогосподарське виробництво в контексті перманентного збільшення населення визнається стратегічним напрямом при вирішенні глобальних проблем, що обумовлює актуальність дослідження. Одним із механізмів, спрямованих на досягнення вказаного завдання є забезпечення екологічно сталої практики ведення сільського господарства. Тому основною метою роботи є правовий аналіз застосування екологічних захисних заходів у сільськогосподарському виробництві за законодавством ЄС. Для реалізації поставленої мети у роботі були використані такі методи наукового дослідження: діалектичний, історичний, формально-юридичний, герменевтичний, порівняльно-правовий, структурно-функціональний методи та метод абстрагування. Встановлено, що використання екологічних заходів у сільському господарстві стимулюється для фермерів економічним механізмом реалізації агроекологічних програм. Досліджено еволюцію реформування Спільної аграрної політики в контексті екологізації аграрного виробництва ЄС. Проаналізовано особливості таких екологічних заходів як: диверсифікація сільськогосподарських культур, підтримка постійних пасовищ та встановлення екологічних пріоритетних територій. Досягнення цілей сталого розвитку можливе через кореляцію оновленої практики ведення сільського господарства, інтенсифікації виробництва сільськогосподарської продукції за рахунок застосування інноваційних технологій в аграрному секторі економіки та необхідністю захисту довкілля, збереження цінних властивостей природних ресурсів та екосистем.*

Ключові слова: екологізація сільськогосподарської діяльності, екологічні заходи, Спільна аграрна політика, охорона довкілля, збереження біорізноманіття.

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THE APPLICATION OF SOME PROTECTIVE ECOLOGICAL MEASURES IN AGRICULTURAL PRODUCTION UNDER EU LEGISLATION

Abstract. *The consensus between environmental protection and food security, on the one hand, and the intensification of the involvement of natural resources in agricultural production in the*

context of permanent population growth, is recognised as a strategic direction in solving global problems, which makes the research relevant. One of the mechanisms aimed at achieving this goal is to ensure environmentally sustainable farming practices. Therefore, the main purpose of the paper is a legal analysis of the application of environmental protection measures in agricultural production under EU law. In order to achieve this goal, the following research methods were used in the work: dialectical, historical, formal-legal, hermeneutical, comparative-legal, structural-functional and abstraction methods. It has been established that the use of environmental measures in agriculture is stimulated for farmers by an economic mechanism for the implementation of agroecological programs. The evolution of the reform of the Common Agricultural Policy in the context of the greening of EU agricultural production has been explored. The features of such environmental measures as the diversification of crops, the maintenance of permanent pastures and the establishment of ecological priority areas have been analysed. Achieving sustainable development goals is possible through the correlation of renewed agricultural practices, the intensification of agricultural production through the use of innovative technologies in the agricultural sector and the need to protect the environment, to preserve the valuable properties of natural resources and ecosystems.

Keywords: greening of agriculture, ecological measures, Common Agriculture Policy, nature conservation, preservation of biodiversity.

INTRODUCTION

In the context of globalisation processes in the European space, the question arose of reforming the EU Common Agricultural Policy (hereinafter – the CAP) and replacing the focus on the predatory uncontrolled use of natural resources, especially agricultural land aimed at increasing the volume of agricultural production with environmentally balanced use aimed at preserving the unique properties of land, water and forest resources, which are the most important components of life ecosystems. At the European level, the conceptual foundations of a new vision of the economy through the prism of stability, competitiveness, socio-financial growth are laid down in the Europe 2020 Strategy, which establishes additional incentives for farmers to apply green farming practices, which go beyond the basic requirements of the norms necessary to receive EU assistance and complement existing agroecological programs [1]. Seven key areas of cooperation are in place for the implementation of the priorities set out in the Strategy, including the Resource Efficient Europe Initiative, which seeks to support change towards a resource efficient, low carbon and green economy, as well as to balance links between growth and use of natural resources and energy [1].

The key provisions for the strategic development of EU economic and environmental relations are set out in the EU Eight Framework Programme for Research and Innovation "Horizon 2020", in which food security, sustainable agriculture and bioeconomy, safe, clean and efficient energy, climate change, efficient the use of resources and raw materials are recognized as major priorities among social challenges [2]. The mechanism of implementation of the principle of greening of agricultural production in European policy is provided by the Resolution of the European Parliament of

23.06.11 "Common Agricultural Policy 2020: Food, Natural Resources and Territorial Challenges"[1]. The European Community has recognised that the inclusion of renewed and ambitious goals in the CAP, including those related to consumer protection, environmental protection, animal welfare and regional cooperation, are the highest standards to be protected at the international level [3; 4]. Long-term productivity and food security depend on the proper care of natural resources, especially soil, water use and biodiversity. The agrarian sector of the economy is critical to combat climate change, especially by reducing greenhouse gas emissions, carbon sequestration and biomass production. Thus, the integration of environmental issues into the CAP is aimed at reducing the risks of environmental degradation and improving agro-ecosystems.

Agriculture makes a significant contribution to the support of unique rural areas. Agricultural land management has been a positive force for the development of a wide variety of landscapes and animal habitats, including wetlands, afforestation, and extensive open country areas [5]. In addition, agricultural development contributes to combating climate change, creating new jobs by stimulating economic growth with environmentally efficient use of natural resources and the use of renewable energy. On the other hand, the pristine nature and the landscape value of landscapes have made rural areas more attractive for business, housing, tourism and recreational businesses[2]. Many animal habitats in Europe are supported by extensive agriculture, and the survival of a wide range of wildlife is dependent on farming practices. However, improper farming and land use can have an adverse effect on natural resources: soil, water and air pollution, fragmentation of wildlife habitats, and loss of biodiversity. All of the above dictated the need for accelerated "green" development through the introduction of innovations, the implementation of new technologies, the development of new products, changes in the production process and support the nature of demand, especially in the context of the emergence of the bioeconomy[3].

The CAP identified three priority areas of the updated agricultural policy: 1) conservation of biodiversity, development of farming and forest systems, as well as traditional agricultural landscapes; 2) use of water resources; 3) climate change related area. These rules are in line with environmental requirements and the CAP measures will promote the development of agricultural practices while preserving the environment and protecting the countryside[4]. The support of agrotechnical methods aimed at protect-

[1] The CAP towards 2020: Meeting the food, natural resources and territorial challenges of the future. European Parliament resolution. (2011, June). Retrieved from https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011IP0297&rid=1

[2] *Ibidem*, 2011.

[3] The CAP towards 2020: Meeting the food, natural resources and territorial challenges of the future. European Parliament resolution. (2011, June). Retrieved from https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011IP0297&rid=1

[4] Council decision 2006/144/EC on Community strategic guidelines for rural development (programming period 2007 to 2013). (2006, February). Retrieved from https://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX%3A32006D0144

ing the environment, preserving the countryside and improving the livelihood of animals are essential elements in achieving the goals of agricultural and environmental policies. Such support should provide: a) ways of utilising agricultural land in accordance with the objectives of the environment, landscapes, natural resources, soil and genetic diversity; b) ecological extensification of agricultural production and management of low-productive pastures; c) the use of environmental planning in agricultural activities; d) improvement of the conditions of keeping animals[1].

1. MATERIALS AND METHODS

In order to achieve the goals and objectives of the work, a comprehensive approach was used to identify the features of legal regulation and implementation of environmental measures, as well as to find out their effectiveness for environmental conservation during agricultural activities in the EU, which involves the use of a conglomerate of both general scientific and special methods of scientific cognition: dialectical, historical, formal-legal, hermeneutical, comparative-legal, structural-functional and method of abstraction. These methods were used in their interconnectedness and interdependence, which allowed a comprehensive and objective solution to the task of work and to formulate scientifically sound conclusions. The dialectical method of cognition has allowed: on the one hand, to identify the interdependence of the existence of (common link) environmental and agricultural policies in the context of environmental security requirements, biodiversity conservation and enhancement of the agricultural sector of the economy through the production of competitive agricultural products in the EU; on the other hand, this method contributed to the identification of the genesis of the application of environmental protection measures in agricultural production in EU legislation. In addition, the dialectical method has contributed to the comprehensive justification of the laws governing the formulation of EU legislation in the field of research, as well as its constant updating and dynamics.

Using the historical method, the genesis of the substantive essence of such a phenomenon as greening in agricultural production has been elucidated. In particular, at the initial stage of birth, greening was dispositive, that is, applied to agricultural operators only if environmental requirements were met in particularly vulnerable areas. Subsequently, such measures were envisaged by agroecological programs and were of an imperative nature. The use of the formal-legal method has allowed to obtain reliable information on the state of legal regulation of crop diversification, maintenance of permanent pastures and establishment of ecological priority areas, as well as to determine the internal construction of EU legislation in the field of greening agricultural

[1] Council Regulation 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations. (1999, June). Retrieved from https://op.europa.eu/en/publication-detail/-/publication/c70dfc8c-6243-4b1a-817e-4673042024c4/language-en

production. The explanation and interpretation of EU norms on the legal regulation of the application of environmental protection measures in agriculture were carried out using the hermeneutical method. The use of a comparative legal method of scientific cognition has made it possible to carry out a comparative analysis of the effectiveness and feasibility of using environmental protection measures in some EU countries. In particular, this method contributed to the conclusion that the effectiveness and success of the implementation of these measures directly depends on the level of development of the state, its political and legal orientations and economic ambitions and economic stability of the country. The most widespread use of agroecological programs, their positive impact on the achievement of the Sustainable Development Goals, is observed in the most economically advanced countries with high standards of living, while some countries are pursuing agrarian policies to increase the economic attractiveness of the country rather than the introduction of greening into agriculture.

The structural and functional method was crucially important in achieving the goals of this scientific article; it has helped to identify the characteristics of environmental protection measures used in agricultural activities as structural elements of a single interdependent system of measures for the implementation of greening principles. In addition, this method helped to identify the place of these measures in the EU agricultural policy system, as well as their uniqueness and features among the system of all environmental measures. The method of abstraction has made it possible, among all the variety of means of ensuring the implementation of the principle of greening agricultural activities on the European continent, to identify specific features of such environmental measures as diversification of crops, the maintenance of permanent pastures and the establishment of ecological priority areas. Using the method of analysis, it has been possible to conclude on the axiological role of each type of environmental action in agriculture and its impact on overcoming the ecological crisis, preserving natural ecosystems, improving the status of water, land, forest resources, combating climate change and maintaining biodiversity. It is established that the implementation of the investigated means can not only contribute to the achievement of environmental goals, but also to ensure the economic prosperity of the country.

2. RESULTS AND DISCUSSION

2.1 Greening of agricultural production

The CAP reform process should include a comprehensive approach to addressing the development of the agricultural production sector and, at the same time, the environmentally balanced use of natural resources during agricultural activities. Greening is considered as a modern line of activity of agricultural producers, which is based on the use of ecological and economic management methods in order to ensure comprehensive restoration of natural resources by forming a sustainable ecological and economic system, increasing the production of competitive and environmen-

tally safe products, creating an agricultural system through the use of environmental methods [6]. The first series of agroecological measures in the CAP was integrated in the 1980s and was aimed at making payments to farmers involved in the process of protecting green areas[1]. The concept of "agroecology" was first applied in the UK, but later this agroecological tool was extended to other member states and towards the end of the 1980s [7]. The 20th century has acquired a contractual form of cooperation between public authorities and farmers who have applied green land management practices for agricultural land.

In the 90s of the 20s century agroecological programs have been extended to compensate for lower control prices and mandatory acreage reduction. Measures aimed at reducing production residues that began with the introduction of dairy quotas in 1984 were introduced to the CAP in 1992 in order to pay compensation for arable (field) crops. In this context, the second wave of agroecological programs was aimed at providing compensation for the lower guaranteed price and the implementation of mandatory acreage reduction [8]. Today, all EU Member States have their own agroecological programs, prioritising rural development plans and achieving environmental goals. In general, the richer EU countries (Finland, Ireland, the United Kingdom, Austria, Sweden and Denmark) place far more priority on agroecological programs than the poorer countries (Bulgaria, Romania and Malta) that focus on socio-economic and social cohesion. Thus, the advantage given to agroecological programs in a country or region is not only a reflection of the ecological status of agricultural landscapes, but also their formation is influenced by the socio-economic situation [8]. According to the European Parliament Resolution of 23.06.11 "Common Agricultural Policy 2020: Food, Natural Resources and Territorial Challenges", the list of measures that can be applied in the agricultural sector also includes: 1) support for low carbon emissions and measures to reduce greenhouse gas emissions; 2) support for low energy consumption and promoting energy efficiency; 3) creation of anti-erosion strips (buffer zone around industrial zones), hedges, etc.; 4) the existence of permanent pastures and the like (paragraph 34)[2].

In modern foreign literature, greening in agriculture is considered through three innovative models: 1) new scientific bases and generalised technologies with environmentally friendly potential (biotechnology, information and communication technologies, bioproduction and biofortification; 2) the implementation of economic management integrated methods of pest control without the use of poisonous chemicals, organic farming, integrated nature management system, urban agro ltura and suburban agriculture); 3) national integrated greening regime (biofuel production, agritourism, use of

[1] Council Regulation 797/85 on improving the efficiency of agricultural structures (1985, March). Retrieved from https://op.europa.eu/en/publication-detail/-/publication/8d0c3365-8447-455b-9ecb-7d08622db2c6/language-en

[2] The CAP towards 2020: Meeting the food, natural resources and territorial challenges of the future. (2011, June). Retrieved from https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011IP0297&rid=1

renewable energy sources in agricultural production, etc.) [9]. The reform process of the EU Common Agricultural Policy should cover all available instruments, taking into account the best of them, as provided for by the regulatory documents of the European institutions. Today, European public institutions oblige agribusiness representatives to apply environmental measures within the direct payment system, which are considered to be a mechanism for integrating greening into agricultural activities, including: 1) crop diversification; 2) maintaining permanent pastures; 3) establishment of ecological priority areas.

2.2 Certain types of environmental measures in agricultural production according to EU law

2.2.1 Diversification of crops

The purpose of this environmental event is, first and foremost, to protect and defend the soil and to improve its quality, since sowing monocultures in one area for a considerable time can lead to soil disturbance, poor quality, as well as drying and re-compacting. The implementation of this measure by farmers is also aimed at providing environmental public benefits and mitigating the effects of climate change. According to p. 1 of Art. 44 of Regulation (EC) No 1307/2013 of 17.12.2013 "On establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy", farmers holding arable land with an area of 10 to 30 ha must grow at least two cereals, and farms with more than 30 ha – 3 cereals. Main grain crops should not cover more than 75% of the land[1].

Although the said rule is imperative in the activities of agricultural producers, several flexible provisions are permitted in the field of application of crop diversification rules [10]. Thus, the norm of p. 1 of Art. 44 of that Regulation does not apply, for example, to holding companies where more than 75% of the eligible arable land is permanent pasture and used for the production of grasses, other plant fodder or crops under water for a considerable part of the year or agricultural cycle provided that arable land covered by these uses do not exceed 30 ha[2]. In 2016, 75% of arable land in the EU was subject to such an environmental measure as crop diversification, with up to 63% the rule of planting three crops was applying and 12% of arable land being diversified by two crops. The percentage of arable land that is diversified in every European country also differs: for example, in the Czech Republic and Hungary 90% of the land is subject to this environmental measure, while in Greece or Malta – less than 50% [11].

Member States should ensure a list of nitrogen-fixing crops established in accordance with established principles, the cultivation of which will contribute to the achieve-

[1] Regulation 1307/2013 of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009. (2013, December). Retrieved from https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32013R1307

[2] *Ibidem*, 2013.

ment of biodiversity goals. The number of landings of such crops is allowed within 4-19 units. The most popular are broad beans, peas, alfalfa, lupines and clovers, which are to be presented during the growing season [12]. EU Member States should also lay down rules where nitrogen-fixing crops can be grown in order to avoid the increased risk of leaching in the fall. These rules should take into account the requirements of Directive 91/676/EC on the protection of waters against pollution caused by nitrates from agricultural sources (Directive on Nitrates)[1] and the Water Framework Directive 2000/60/EC establishing a framework for Community action in the field of water policy [13].

In some countries, alternative crop diversification practices are being applied to the practice of greening agricultural production. For example, France has a certification system for maize producers. Farmers who are members of this system are allowed to place winter ground cover with the help of plant cover from the sown crops on all their arable land, which is a very similar measure of crop diversification. The essence of this measure is that maize producers have to grind and mulch their residues, which can have a positive impact on the environment, achieving the goal of greening, since such residues provide coverage, guarantee the presence of nitrogen fixers and organic matter in the soil and allow control of pests and pests.

2.2.2 Support of permanent pastures

Permanent pastures should be understood as land used for the cultivation of grass plants or forage naturally or through cultivation and which have not been included in crop rotation for 5 years or more [14]. The definition of permanent pasture is first provided in EU Regulation 2017/2393 of the European Parliament and of the Council of 13.12.2017[2], as amended by Regulation 1305/2013. The legal regime of permanent pasture is laid down in EU Regulation 1307/2013 of 17.12.2013 "On establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy". Thus, according to Part 2 of Art. 45 of this Regulation, Member States shall provide at least 5% of permanent pasture in relation to the total area of agricultural land[3]. In the same case, if the share of

[1] Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources. (1991, December). Retrieved from https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A31991L0676

[2] Regulation (EU) 2017/2393 of the European Parliament and of the Council amending Regulations (EU) No 1305/2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD), (EU) No 1306/2013 on the financing, management and monitoring of the common agricultural policy, (EU) No 1307/2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy, (EU) No 1308/2013 establishing a common organization of the markets in agricultural products and (EU) No 652/2014 laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material. (2017, December). *Retrieved from* https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32017R2393

[3] Regulation 1307/2013 of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and

permanent pasture at regional or national level is less than 5%, the Member State concerned shall be obliged to return the land previously transferred to them for other uses and to grant the status of permanent pasture to those lands. This rule does not apply where the reduced percentage of permanent pasture is the result of arable planting in accordance with environmental requirements and does not include short rotation plantations, Christmas trees or fast growing trees for energy production[1]. Establishing a proper conservation regime for such pastures is of conceptual importance for ensuring the integrity of the ecosystem functions of natural resources and preserving biodiversity. For example, permanent pastures perform important functions for the protection of water resources.

For example, a study of the effectiveness of permanent pastures and their impact on water resources, conducted on the example of Poland, in which such pastures cover 21% of agricultural land and 13% of the total area of the state, indicates their ability to prevent soil erosion. This is due to the fact that the pollutants remaining on the surface of the pasture or alkali decompose rapidly due to the intensive biological activity of soil microorganisms associated with the pasture ecosystems and the saprophytic activity of the mesofauna, thereby making the pasture the role of biofauna [15]. As the problems of biodiversity conservation in the current context of globalisation processes, on the one hand, and the requirements for greening the agrarian sector of the economy, need correlation, some EU Member States are embarking on an integrated approach to addressing these problems based on relevant European legislation and common protection instruments, including through the system of specially protected natural areas, the legal regime of which is determined by Council Directive 92/409 / EEC of 2.04.1979 on birds and Council Directive 92/4 3 EEC of 21.05.1991 on the protection of the natural habitats of wild fauna and flora (Directive on Habitats).

Thus, according to Part 1 of Art. 45 of EU Regulation No 1307/2013 of 17.12.2013, Member States should designate permanent pastures which are specially protected areas within the meaning of Directive 92/43/EEC, including peat and wetlands located in these territories and in need thereof enhanced protection to achieve the objectives of the Directives[2]. This means that EU Member States are obliged to establish permanent pastures, which are specially protected areas in the territories defined by the Directives, including peat and wetlands located in those territories, which need strict protection to achieve the objectives of these Directives[3]. Such specially protected areas are defined

repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009. (2013, December) *Retrieved from* https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32013R1307

[1] *Ibidem*, 2013.

[2] Regulation 1307/2013 of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009. (2013, December). Retrieved from https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32013R1307

[3] Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources. (1991, December). Retrieved from https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A31991L0676

within the Natura 2000 network and are prohibited from ploughing the soil. As of 2015, 48% of permanent pastures included in the Natura 2000 network were designated as Protected Areas (6.99 million hectares), and in 2016 – 51% (7.71 million hectares) [11].

At the same time, a study of the effectiveness of the use of such an environmental measure by the EU's CAP as establishing permanent pastures in Germany by the Federal Environment Agency has made it possible to observe that Germany has limited use of the possibility of creating permanent pastures in specially protected areas under conversion restrictions. Only pastures that are habitats (under the Habitats Directive) are designated as protected areas. The area of pastures established under this Directive amounts to about 666 thousand hectares, which is about 14% of the total area of pasture in Germany [16].

EU Regulation No 1307/2013 of 17.12.2013 establishes sufficiently flexible rules for the maintenance of permanent pastures, allowing Member States to introduce the equivalent of greening practices: regulating the use of grasslands or pastures [17; 18]. In doing so, farmers are required to maintain permanent pasture and take any of the following measures: mowing mode, maintaining landscape features of permanent pasture and shrub control, applying a sowing regime to restore depending on the type of pasture without reducing its natural value, purification of hay and feed, fertiliser and pesticide use restrictions; 2) the use of an extensive grasing system: sheep or cattle breeding and the use of local or traditional breeds for grazing on pastures[1].

2.2.3 Establishment of ecological priority areas

The implementation of this environmental measure is aimed primarily at protecting and improving the state of biodiversity on land used by farms, as well as obtaining other environmental and climate benefits [11]. Farmers with more than 15 ha of cultivable land must provide at least 5% of their land as an ecological priority area in order to protect biodiversity[2]. Within the framework of this measure, agricultural producers may grant the status of ecological priority territories to one or more types of land (steamed land; terraces; landscape elements adjacent to arable land; nitrogen-fixing cultures, etc.). At the same time, at the level of each EU Member State, farms take into account the economic factor (that is, choose the least costly but most effective type and political and administrative factors) when deciding on the selection of a particular type of environmental priority area [19-21]. Ecological

[1] Regulation 1307/2013 of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009. (2013, December). Retrieved from https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32013R1307

[2] Regulation 1307/2013 of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009. (2013, December). Retrieved from https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32013R1307.

and economic studies of the possible potential impact of this environmental measure have shown a positive impact on biodiversity. At the same time, the elements of the landscape and the land under steam are the most valuable for the environment. The former have an effective impact on invertebrates, birds and terrestrial plants, while fallow land contributes to the conservation of reptiles and amphibians. The reduction of the effects of climate change is ensured by the increased use of legumes and the displacement of nitrogen fertilisers [22].

However, the environmental benefits of greening agricultural production, including through explored environmental measures, are significantly limited, as a large proportion of land and farms are exempted from environmental measures [23-25]. In addition, an analysis of the implementation of greening at the national level indicates that the domestic policy of each EU country is oriented towards avoiding negative economic impacts on farmers rather than achieving positive environmental impacts [22]. Achieving the modernised goals of the common agricultural policy requires coordinated cooperation at both the regional and local levels and involving all actors that can affect the outcome. Of course, such cooperation should be based on a wide range of legal mechanisms. Against this background, the environmental measures under study should not conflict with other key legal instruments in the field of greening agricultural production. In particular, it is about adherence to the system of norms required for EU assistance, as well as agro-climatic measures, afforestation and agroforestry, organic farming, protection of areas with natural limitations [11].

CONCLUSIONS

A comparative legal study of the mechanism of application of environmental measures in agricultural production has shown that the effectiveness and success of the implementation of these measures depends directly on the level of development of the state, its political and legal orientations and economic ambitions and economic stability of the country. The most widespread use of agroecological programs, their positive impact on achieving the Sustainable Development Goals, is observed in the most economically advanced high-living countries (Finland, Ireland, United Kingdom, Austria, Sweden and Denmark), while countries such as Bulgaria, Romania and Malta aim agrarian policy at more enhancing the economic attractiveness of the state, rather than introducing greening into agricultural production.

Diversification of crops, as one of the measures to introduce the principle of greening into agricultural production, is possible and flexible. Thus, the practical significance of the results is to outline the prospects for reforming Ukraine's agricultural policy in the context of the Europeanisation of political and legal reality and compliance with our country's international legal obligations to introduce the principles of "green economy" (greening production), improving the environmental situation not only both nationally and globally. At the same time, the mechanism of application of environ-

mental measures in agricultural production is complex and requires careful independent study of the implementation features of each environmental measure. In this regard, these issues require further research and scientific-theoretical substantiation.

To summarise, it is worth to mention the words of the prominent American philosopher and founder of theory of transcendentalism Ralph Waldo Emerson, "Nature cannot be caught up with the untidy and half-dressed, it is always beautiful. Nature does not tolerate inaccuracies or errors."

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Cited suggestion: Stativka, A. M. (2019). The application of some protective ecological measures in agricultural production under EU legislation. *Journal of the National Academy of Legal Sciences of Ukraine,* 26(4), 165–178.

Submitted: 24/07/2019
Revised: 21/10/2019
Accepted: 06/12/2019