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DIRECTIONS FOR IMPROVING THE ADMINISTRATIVE AND LEGAL MECHANISM FOR ENSURING FOOD SECURITY IN UKRAINE

Oleksiy Kuzmichev¹

Annotation. The author emphasises that Ukrainian legislation does not contain a comprehensive legal regulation of public administration in the area of ensuring food security of Ukraine. That is why there is an urgent need to reform, first of all, the regulatory support of this function of public administration. The main directions of such reform should be: 1) adoption of a specialised law which would lay down a new legal basis for public administration in the area of food security of Ukraine; 2) improvement of the mechanism of strategic planning of the relevant area of state policy; 3) introduction of European principles and standards of public administration in this area; 4) improvement of interaction between civil society institutions and public administration in the course of public administration in the area of food security of Ukraine.

In conclusion, it is emphasised that the new law on food security of Ukraine should clearly define the system of goals and objectives of public administration in the field of food security of Ukraine, delimit the powers and competence of public administration entities within this functional area of their activities, and determine the mechanism for guaranteeing physical and economic access to food and essential goods for everyone. In addition, the Food Security Strategy for the period up to 2030 should be adopted, which should: include the principles of food security generally recognised in the EU; regulate Ukraine's participation in ensuring global food security; involve digital technologies in agricultural production; and expand cooperation with civil society institutions in the implementation of state policy in this area.

Key words: food safety, food products, legislation of Ukraine, public administration, public interest, public administration, european standards.

Problem statement. The Ukrainian state performs many public functions. One of them is to ensure the food security of the state. Within the framework of this function, Ukraine must ensure that everyone has access to food, drinking water and other food products of the quality, range and quantity necessary and sufficient for physical and social development.

¹ Lawyer, managing partner of BA «KB Partners», postgraduate student of the Private Higher Education Institution «University of Modern Knowledge»,
ORCID 0000-0002-4802-7435

An analysis of Ukrainian legislation in the area of ensuring food security reveals a number of practical problems in this area: it was created without due regard for global trends and peculiarities of ensuring national food security; Ukrainian legislation does not create mechanisms for reliable protection of people from hunger, lack of drinking water and other food threats; the strategy and tactics of state policy in the area of ensuring food security of Ukraine are not properly regulated; the formation of state food policy is not based on the principles of the international law.

All this is the basis for a thorough reform of the administrative and legal mechanism for ensuring food security in Ukraine. In this study, we would like to focus on the most important.

Analysis of recent research and publications. The theoretical basis of the study is the works of domestic and foreign legal scholars devoted to General and Special Administrative Law, as well as to the problems of legal regulation in the field of ensuring the food security of the State, namely V.B. Averyanov, O.M. Bandurka, O. Bachof, V.M. Bevzenko, Y.P. Bytyak, I.V. Boyko, M.Y. Vilgushynskyi, G. Wolf, V. V. Galunko, V.M. Garashchuk, S.T. Honcharuk, P.V. Dikhtievskyi, I.V. Kovbas, M. Koziubra, T. Kolomoyets, V. Kolpakov, A. Komziuk, N. Krestovska, M. Kravchenko, O. Kuzmenko, E. Legeza, P. Lyutikov, R. Melnyk, R. Myroniuk, S. Mosyondz, I. Paterilo, E. Petrov, D. Pryimachenko, V. Tymoshchuk, Y. Stein, E. Schmidt-Assmann, R. Stober, A. Oskirko, A. Shkolik, V. Yurovska and other scientists.

The purpose of the article is to identify and analyse the areas of improvement of the administrative and legal mechanism for ensuring food security in Ukraine.

Summary of the main material. The analysis of Ukrainian legislation and practical problems of implementation of the State policy in the area of ensuring food security of the State allows us to talk about the following areas of improvement of the administrative and legal mechanism for ensuring food security of the State: 1) adoption of a specialised law which would lay down a new legal basis for public administration in the area of ensuring food security of Ukraine; 2) improvement of the mechanism of strategic planning of the relevant area of State policy; 3) introduction of European principles of public administration. Let us consider these areas in more detail

I would like to start with the fact that there is currently no specialised law on food security in Ukraine [1, 2, 3, 4]. The Ukrainian legislative system contains some provisions that regulate some aspects of food security.

In our opinion, the future law on food security of Ukraine should clearly define the purpose and objectives of public administration in this area; the competence and powers of public administration entities involved in administration in this area; the system of European-oriented principles on which public administration should be based to ensure food security of Ukraine; lay down the legal basis for Ukraine's cooperation with EU member states and at the international level to ensure European and international food security. Special attention should be paid to guaranteeing the availability of food and essential goods to everyone. In this part, it is worth noting that it is not only about state regulation of pricing, determination of the subsistence minimum and support for the poor. It is about

the state's task to ensure the proper functioning of the food system of Ukraine, the well-coordinated functioning of which should provide a sufficient amount of food to meet all the basic needs of the population.

Improvement of the mechanism of strategic planning for the implementation of the state policy in the field of food security. First of all, it should be noted that Ukraine currently lacks a specialised strategy that would define the strategic goals and objectives of implementing this area of state policy. To date, the Ministry of Agrarian Policy has only developed a draft Food Security Strategy for the period up to 2030 [5]. In our opinion, this draft Strategy has enshrined many progressive ideas. However, there are some ideas that could be borrowed from the experience of public administration in this area, for example, the Federal Republic of Germany. These include: transformation of global agricultural and food systems; increase in agricultural production; fair distribution of food and an integrated approach to its quality; combating the effects of the climate crisis and biodiversity loss [6]. In our opinion, these areas should also be taken into account in the Food Security Strategy until 2030.

Implementation of European principles and standards of public administration in the area of food security. The analysis of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002; Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004; Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 allows us to state that public administration in the field of food security in the European Union is based on the following system of principles responsibility (good faith) of the producer; traceability; state control over food and feed safety; risk prevention; independent, scientifically based risk assessment; separation of risk assessment and risk management procedures; transparent risk communication [6, 7, 8]. At present, these principles are not reflected in the legislation of Ukraine that regulates public administration in the field of food security in Ukraine. We are convinced that these principles should lay the ideological foundation for public administration in this area and should be enshrined in the future law on food security of Ukraine.

A separate area of reform should be the improvement of interaction between civil society institutions and public administration in the course of public administration in this area. It should be noted that the scientific literature and legislation of Ukraine define quite generally how civil society and public administration should interact [9, 10, 11, 12]. Currently, the basic regulatory acts that define the interaction of civil society with the public administration are: the Decree of the President of Ukraine "On the National Strategy for Promoting the Development of Civil Society in Ukraine for 2021-2026" [13]; Resolution of the Cabinet of Ministers of Ukraine "On Ensuring Public Participation in the Formation and Implementation of State Policy"[14]; Resolution of the Cabinet of Ministers of Ukraine "On Approval of the Procedure for Holding a Competition to Identify Programmes (Projects, Events) Developed by Civil Society Institutions for the Implementation of which Financial Support is Provided" [15] etc.

In our opinion, the involvement of civil society institutions in the implementation of this area of state policy requires a thorough reform. In

our opinion, the experience of the Federal Republic of Germany can serve as a guide in implementing this reform. First of all, it is about creating new or developing existing independent, non-governmental institutions whose main responsibility should be to conduct scientific research on the problems of food security in Ukraine and to bring them to the attention of the general public. Such organisations will be able to be involved in public councils at executive authorities involved in ensuring food security in Ukraine in order to convey to them the content of public interests that exist in this area of life of Ukrainian society and the state.

Thus, summarising the above, we should note that the administrative and legal mechanism for ensuring food security in Ukraine should be strengthened through: the adoption of a new law on food security of Ukraine should clearly define the system of goals and objectives of public administration in the field of food security of Ukraine, delimit the powers and competence of public administration entities within this functional area of their activities, determine the mechanism for guaranteeing physical and economic access to food for everyone. In our view, this Strategy should include the principles of food security generally recognised in the EU; and should also regulate issues related to Ukraine's participation in ensuring global food security; the involvement of digital technologies in agricultural production; and the expansion of cooperation with civil society institutions in the implementation of state policy in this area.

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