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## Development of regulatory framework for public administration in the post-war situation in Ukraine in the context of the implementation of the Paris Agreement 2015

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### Abstract

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The relevance of the study is due to the fact that the post-war reconstruction of Ukraine requires a developed financial, political and economic strategy. In turn, the latter should be strengthened by effective legal regulation. The aim of the article was to study of the possibility of using international cooperation enshrined in relevant treaties as one of the factors for further development of public administration in Ukraine and law as an effective factor in its post-war reconstruction. The study used formal logical, comparative legal and legal hermeneutic methods. Highlighted the need to bridge the gap between legal goals and results of public administration in the context of European integration and post-war reconstruction of Ukraine. At the same time, international treaties signed by Ukraine and domestic projects being developed in the country to regulate the public administration sector, as well as Ukraine's fulfilment of its obligations under them, play an important role. First and foremost, we are talking about those related to economic issues, namely the functioning of the energy sector, which has suffered the most from the military aggression of the Russian

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Federation against Ukraine. This task can be accomplished by expanding the areas of cooperation between Ukraine and other states, as well as by strengthening forecasting and analytical activities to overcome possible risks in this sector. This will help ensure effective legal regulation in this area. It is also necessary to clearly define the boundaries of Ukraine's international cooperation and develop an appropriate legal framework for the adoption and implementation of the necessary legislation in the economic and administrative spheres, taking into account Ukraine's national interests in post-war reconstruction. The practical significance of the study lies in the fact that it proposes steps to improve the legal regulation of public administration in the period of post-war reconstruction in the context of implementation of an important international legal agreement

**Keywords:** public administration; international cooperation; legal regulation; climate agreement; financial assistance; European values

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## Introduction

Post-war reconstruction primarily hinges on the nation's economic recovery. This can be achieved not only through implementing domestic measures aimed at improving various facets of state and societal activity, including public administration, but also by utilising external tools such as international cooperation. A crucial aspect of the latter at the present juncture is active collaboration in environmental protection and global ecological improvement. Furthermore, the impact of environmental factors on national economies, as well as on their public administration sectors, are also pressing concerns.

According to A. Khrebtova (2024), administrative law plays a crucial role in enhancing the effectiveness of regulatory oversight in public administration. The relationships that exist in society are regulated by public governance, and the aim of such directed action is, firstly, to ensure a stable state and thus improve public interests. Secondly, it is to implement public administration in such a way that society continues to function optimally and develop for the public good and state interests. The scholar emphasises that administrative law norms implement state governance. This is because they directly regulate the activities of public

administration entities and simultaneously serve as the basis for governance in all other spheres of public and state life. At the same time, the scholar notes that state governance is realised in two main forms: the adoption and execution of administrative acts. The latter are legally significant decisions or actions taken by an administrative body to resolve a specific case, and therefore have an individual character. Administrative acts are aimed at acquiring, changing, terminating, or realising the rights and/or obligations of an individual or individuals.

M. Puzko (2024) supports a different position, noting that in the sphere of regulatory oversight of public administration, the approximation of Ukrainian legislation to similar existing EU legislation is more significant than the norms of Ukrainian law. The scholar stresses that the implementation of modern European principles into Ukrainian legislation can contribute to the effective development of the state and public sectors, integrating them into the European economic, social, and political space. In this regard, a comprehensive approach to harmonising Ukrainian legislation, which takes into account pan-European standards and national peculiarities, is the most correct and balanced.

Furthermore, improving the regulatory framework for public administration is one of the main factors for economic growth and social welfare, as well as a basis for further improvement of national legislation in these areas.

Important conclusions regarding the results of international cooperation in the field of ecology and climate change are highlighted in the scientific works of W. Liu *et al.* (2019) and M. Aanesen *et al.* (2024). W. Liu *et al.* (2019), in particular, noted that during the Paris Conference, countries submitted national plans outlining the goals they planned to achieve for reducing greenhouse gas emissions or related targets, and which public administration tools they would use for this purpose. The implementation of these National Plans will have a number of environmental and economic consequences for participants over the coming decades.

N. Goncharuk and A. Cherednychenko (2022), in their scientific work, emphasise the importance of European values and principles in Ukraine's public administration. The researcher stresses that the orientation towards these values plays a key role in the development of modern Ukrainian society. This is due to the need to form a society where the rights and freedoms of individuals and citizens are a priority, which is characteristic of democratic, legal, and human-centred countries of the European Union. At the same time, the author focuses on the importance of taking into account current trends in the development of public administration in EU countries, especially in the context of Ukraine's post-war reconstruction.

The text addresses the urgent need for state organisations to promote a positive value transformation of society, otherwise situational values will prevail over strategic ones. It is also important to consider the gradual nature of the life cycle of social transformations, due to the unequal sensitivity of different age groups to them. Among the key trends, one can note the negative impact of

individualisation on processes regulated by public administration. Despite this, in most non-EU countries, there is an evolutionary change in value orientations, which are gradually approaching European standards. I. Kryvoruchko (2023) holds a similar position, emphasising that the formation of Ukraine's administrative system should begin with the creation of an effective institutional environment. This environment should be oriented towards laying a new value vector for society as a whole, as well as for each individual.

However, as A. Tymokha (2024) notes, at the current stage it is difficult to implement an effective public administration system, as there is a discrepancy between Ukraine's current legislative framework and the challenges of wartime, particularly in the sphere of coordinating the actions of various levels of government, financial support, prioritising infrastructure restoration, and public engagement. The scholar stresses that there are gaps and conflicts in the legislative framework that hinder effective state governance in Ukraine.

The aim of the study was to examine the possibility of using international cooperation instruments on the example of the Paris Agreement (2015) as one of the factors for further development of public administration in Ukraine and its legal regulation as an effective factor in its post-war reconstruction. The objectives of the study were:

- ▶ to analyse legislation in the field of public administration as an important factor in the post-war reconstruction of Ukraine;
- ▶ to determine the impact of the Paris Agreement (2015) on the economies of the participating states on the basis of statistics and analytical reports of the analysed countries;
- ▶ identify problems and challenges facing public administration in Ukraine in the context of fulfilling the Agreement's obligations, including environmental safety, energy efficiency and climate change adaptation.

## **Materials and Methods**

To achieve the goals and objectives of the study, the following regulatory and legal acts were analysed: the Paris Agreement (2015), the Constitution of Ukraine (1996) and Law of Ukraine No. 555-IV “On Alternative Energy Sources” (2003), Law of Ukraine No. 1391-XIV “On Alternative Types of Fuel” (2000), Law of Ukraine No. 2019-VIII “On the Electricity Market” (2017), Law of Ukraine No. 1264-XII “On Environmental Protection” (1991), the National Action Plan for Environmental Protection for the period up to 2025 (Order of the Cabinet of Ministers of Ukraine No. 443-p, 2021), Order of the Cabinet of Ministers of Ukraine No. 880-p (2007) and others. The analysis of the above-mentioned regulatory and legal acts was carried out in order to determine whether the current legal regulation of environmental relations in Ukraine is sufficient from the perspective of its transition to renewable energy in terms of ratification of the Paris Agreement (2015), as well as in which areas environmental legislation in Ukraine could be improved in the future.

The following methods were used in the study: formal-logical, comparative-legal and legal hermeneutics. The use of the formal-logical method in the study of the Agreement in terms of its impact on the sphere of public administration and the study of this normative-legal act as a consensus of the international community on the transition to low-carbon development made it possible to analyse the provisions of the Agreement and a number of existing normative-legal acts of Ukraine regulating the sphere of ecology. Environmental legislation in the field of public administration was analysed as an important factor in the post-war reconstruction of Ukraine, ensuring the proper legal regulation of a necessary element of national security – the environmental security of Ukraine. The use of the method of legal hermeneutics in the study was due to the need to take into account, when regulating environmental

relations, the complex nature of the interaction between humans and the natural environment, the historical preconditions that influenced it, and the trends that shape their influence on each other in modern conditions.

Using the comparative legal method, the impact of the Agreement on countries with developed economies that have a long history of successful development of alternative energy and countries that are developing and are only beginning to use the possibilities of renewable energy was compared. The use of the comparative legal method made it possible to compare the impact on the economies of the countries participating in the Agreement.

## **Results**

The modern world is characterised by global political and social crises, such as the Covid-19 pandemic and military conflicts. The latter are ongoing in Ukraine and many other countries around the world and are causing negative social changes. Some of these are directly related to processes in the global economy and the economies of individual countries. Thus, numerous global crises, including the pandemic, climate change and the war between Russia and Ukraine, are interrelated in terms of their significant scale and destructive effects, but the reasons for this connection remain insufficiently researched (Lawrence *et al.*, 2024). In addition, the above-mentioned negative phenomena are accompanied by the need for countries to respond to the challenges of globalisation, which has not only a positive impact on economic processes and the sphere of public administration in countries around the world. In this regard, legal regulation plays an important role, serving as a stabiliser and guarantor for the latter, as well as a protective mechanism for the rights and interests of economic actors.

In addition, politicians around the world have embraced the universality offered by such regulation; they are actively experimenting with

innovative regulatory interventions and turning to civil society and the private sector to support them in developing and actively implementing new tools in the field of public administration (van der Heijden, 2021). The field of public administration, in turn, involves the coordinated use of private and public law instruments to achieve a correlation between legal regulation and economic activity. First and foremost, the role of an effective regulatory framework is to promote economic growth and development (Karkalakos, 2024). Such a relationship can contribute to Ukraine's rapid recovery and further financial prosperity. An example of this is the adoption of Law of Ukraine No. 2982-IX (2023). It created a favourable environment for small and medium-sized businesses by reducing the financial and time costs for entrepreneurs who needed to obtain a licence to act as intermediaries in employment abroad. The law abolished this instrument of public administration, which is no longer effective in today's market conditions.

Social relations in the sphere of interaction between society and nature are regulated by normative acts of various legal force – the constitution, laws, government subordinate and departmental normative acts, as well as acts of local authorities. The main sources of environmental law in Ukraine are the Constitution of Ukraine (1996) and Law of Ukraine No. 1264-XII (1991). In addition, the Cabinet of Ministers of Ukraine approved the National Action Plan for Environmental Protection for the period up to 2025 (Order of the Cabinet of Ministers of Ukraine No. 443-p, 2021). The peculiarity of this document is that it became the first document of this level that was planned, created and approved in accordance with all European environmental standards, as well as the Concept of the National Environmental Policy of Ukraine for the period until 2020 (Order of the Cabinet of Ministers of Ukraine No. 880-p, 2007). The goal of the national environmental policy is

to stabilise and improve the state of Ukraine's environment by integrating environmental policy into its socio-economic development to ensure an ecologically safe environment for the life and health of the population, the implementation of an ecologically balanced system of nature use and the preservation of natural ecosystems. The normative legal act defining Ukraine's national environmental policy is Law of Ukraine No. 2697-VIII (2019). According to the provisions of this law, the priority principles of Ukraine's national environmental policy are as follows:

1) strengthening the role of environmental management in Ukraine's public administration system in order to achieve equality between the three components of development (economic, environmental and social), which determines the focus on sustainable development priorities;

2) taking into account environmental impacts when making management decisions, developing documents containing political and/or programmatic principles of state, sectoral, regional and local development;

3) cross-sectoral partnership and stakeholder engagement;

4) prevention of natural and man-made emergencies, which involves the analysis and forecasting of environmental risks based on the results of strategic environmental assessment, state environmental expertise, and state monitoring of the natural environment;

5) ensuring environmental safety and maintaining environmental balance in Ukraine; overcoming the consequences of the Chernobyl disaster;

6) the responsibility of the current generation to preserve the environment for the benefit of future generations;

7) the participation of the public and economic entities in the formation and implementation of environmental policy, as well as the consideration of their proposals in improving environmental legislation;

8) the inevitability of liability for violations of environmental legislation;

9) the priority of the requirement that “polluters and users of natural resources pay the full price”;

10) the responsibility of executive authorities for the accessibility, timeliness and accuracy of environmental information;

11) the accessibility, accuracy and timeliness of environmental information;

12) state support and incentives for domestic economic entities that modernise their production with a view to reducing their negative impact on the environment.

In turn, it can be concluded that the Concept of National Environmental Policy of Ukraine for the Period until 2020 (Order of the Cabinet of Ministers of Ukraine No. 880-p, 2007), which updates many provisions of state environmental policy, has undergone a certain reorientation towards market and public mechanisms of environmental activity (compared to previous regulatory and legal acts in the field of ecology), provides that the national environmental policy of Ukraine is aimed at achieving the following strategic goals: (1) raising public environmental awareness; (2) improving the environmental situation and increasing the level of environmental safety; (3) achieving a state of the natural environment that is safe for human health; (4) integrating environmental policy and improving the integrated environmental management system; (5) halting the loss of biological and landscape diversity and forming an environmental network; (6) ensuring environmentally balanced nature use; (7) improving regional environmental policy.

To achieve these goals, the Cabinet of Ministers of Ukraine approved the National Action Plan for Environmental Protection for the period up to 2025 (Order of the Cabinet of Ministers of Ukraine No. 443-p, 2021). Regulatory control is an ideal social phenomenon, although it is essentially a systematic set of rules of conduct that makes it possible to regulate relations in society and create

conditions for meeting the needs of all its members (Kostruba, 2020). The economic sphere of society is one of the most important, given how the mechanism of regulatory control has effective means of influencing all members of society. The various stages of Russia's armed aggression against Ukraine have caused uneven changes in its public administration. The latest have been large-scale transformations in this area, linked to the need to update legal regulation to adequately address the challenges of the imposed martial law (Prymak, 2023). In the period of post-war reconstruction of Ukraine, the state of its economy will depend on a number of factors, in particular, on effective legal regulation of social relations. The mechanism of the Agreement as a whole reflects a kind of compromise between its participating countries on climate change issues. This is a reconciliation of the interests of the participating states between the real and desired models of forming global, coordinated and fair activities in the environmental field to prevent and eliminate the negative consequences of climate change.

The post-war system of administrative regulation in Ukraine should provide for coordinated cooperation in various areas of interaction between business and the state. Despite the complexity and controversy of reconciling public and private interests, the vector of such interaction should be noted as a source of legal influence on public administration. The Paris Agreement (2015) demonstrated a new approach to international cooperation, as it is structured hierarchically, combining the preservation of the national interests of its participating states. The hierarchical principle applied in this international regulatory act can be used in the development of strategies in the field of public administration in Ukraine in the field of ecology. Firstly, the main financial risks in the energy sector concern fuel producers, so the efficiency of fuel use will inevitably increase and fuel consumption to meet

previous needs will decrease, which will curb demand growth. The second reason is that the conditions of competition between economic agents using different types of fuel will change. Thus, the leading positions will be occupied by those participants who use cleaner types of fuel – renewable sources, partly nuclear energy, and to a lesser extent natural gas. The above requires new approaches and strategies in the field of public administration in terms of the Agreement. In addition, it should be noted that for Ukraine, the primary importance of ratifying the Agreement lies in expanding opportunities for the development of the renewable energy sector.

At the current stage, issues of environmental, economic and social development are as important as the existence of humanity as a whole. The formation of an eco-centric worldview, as well as strategies for the further development of modern society, are impossible without a profound rethinking of the nature of the interaction between society and nature. The signing of the Paris Agreement. (2015) demonstrates the search for optimal ways to solve humanity's environmental problems and its transition to sustainable development, which requires legal regulation of various aspects of society's environmental sphere. Modern regulation of relations in the field of environmental protection is focused on solving the tasks of ensuring the reduction of negative anthropogenic impacts and forming guarantees for the realisation of human rights to a safe environment. The role of international cooperation in the environmental sphere is growing on the basis of international legal principles and norms governing relations between subjects of international law regarding environmental protection, rational use of natural resources, ensuring environmental safety and observance of environmental human rights. The issue of legal regulation in this area at the national level also requires special attention. The main reason for this is that countries

want to protect their markets and national producers from competitors who don't have to deal with "greenhouse" costs, expand foreign markets for low-carbon technologies, and put pressure on countries that don't control greenhouse gas emissions, which cancels out the global effect.

The previous Kyoto Protocol to the United Nations Framework Convention on Climate Change (1997) was marked by the problem of the principle of common, rather than differentiated, responsibility. It provided that responsibility for reducing emissions rested with developed countries and countries with economies in transition, without any obligations for developing countries (India and China). In turn, this shortcoming was eliminated in the Agreement. The goals of the Agreement on collective management of climate change can only be achieved if all parties to the Kyoto Protocol (1997) commit to paying nationally determined contributions. The Paris Agreement (2015) was concluded in a hybrid form: it is legally binding, i.e. it requires ratification by the participating countries, but does not contain any specific references that could complicate this process in any way. In addition, the agreed amount of international "climate" assistance is not specified in the Agreement, but is determined by the decisions of the Paris Conference. The Agreement should become a new stage in the development of renewable energy for Ukraine and other countries, in which the national economy will be oriented towards a low-carbon model of further development. At the same time, it is important for the countries participating in the Agreement to adhere to their stated commitments to reduce greenhouse gas emissions, because in the future, all countries of the world must achieve a zero balance between emissions and their absorption.

In the field of environmental protection, specific social relations are formed that are qualitatively different from other areas of social development. They themselves are a special object of regulatory

control, the legal status of which differs from the similar status of man-made objects and is characterised by a special legal regime as an object of property rights, use and protection. This implies that the legal regulation of social relations arising in the sphere of interaction between society and nature should be primarily aimed at ensuring public interests. Paris Agreement (2015) created a new management model, namely: if the new climate regime can be characterised as polycentric, in which international institutions transfer the dominant role to other lower-level participants:

states, subnational units (regions, municipalities), companies, non-governmental organisations. It is also worth noting that the Agreement is likely to be relevant directly in disputes over its application or interpretation, or indirectly in informing the interpretation of other international agreements, such as the European Convention on Human Rights (1950) or the United Nations Convention on the Law of the Sea (1982). Based on the above, the strengths and weaknesses of the Agreement for the field of public administration can be identified (Table 1).

**Table 1.** Strengths and weaknesses of the Paris Agreement for public administration

Strengths of the 2015 Paris Agreement	Weaknesses of the 2015 Paris Agreement
The Paris Agreement, more than previous international agreements in the field of environmental protection, meets the current political and economic realities.	The main goal of the Paris Agreement is to limit the rise in global temperatures to no more than 2 °C (preferably 1.5 °C). According to the WMO report, (the World Meteorological Organisation) projected that the global average near-surface temperature for each year between 2024 and 2028 will be 1.1 °C to 1.9 °C above the 1850–1900 baseline.
The Paris Agreement does not divide countries into those with climate obligations and those exempt from them, but applies equally to all states.	The voluntariness of the nationally determined contributions to the achievement of the Paris Agreement goals does not contribute to the effectiveness of the measures taken. According to the international platform Climate Action Tracker, the national contributions of any of the parties to the agreement are not in line with the Paris Agreement's goals, and the contributions of the major emitters, collectively responsible for 60% of emissions, are assessed as insufficient in the case of the United States, and extremely insufficient in the case of India and China.
In accordance with the Paris Agreement's implementation mechanism, all states parties to the Paris Agreement must formulate their own emissions reduction commitments to jointly achieve the common goal of limiting global temperature rise to 1.5-2°C.	Flexibility in building their own climate action plans, as permitted by the Paris Agreement, in accordance with nationally determined targets, allowing a number of countries (including China, Canada, Brazil) to continue to increase emissions relative to current levels.
Plans for the implementation of voluntary commitments of the Paris Agreement states parties are subject to review and revision once every 5 years, taking into account the potential of each state to solve the collective problem.	The Paris Agreement does not provide for a system of accounting for the historical responsibility of countries for previously produced greenhouse gases. Developing countries started the process of industrialisation later than developed countries, which have been emitting harmful substances into the atmosphere for more than a century.
The Paris Agreement pays particular attention to creating mechanisms for absorbing CO <sub>2</sub> without causing damage. This means achieving a balance between anthropogenic emissions and the potential of natural objects to absorb them completely, which can be achieved, for example, by increasing the area of forest cover.	The goal of the 2015 Paris Agreement is to provide developed countries with USD 100 billion annually to help developing countries combat climate change and adapt to its effects. At the same time, there is no clear list of donor and recipient countries, nor are there quotas for the distribution of funding between countries, which in most cases is perceived as a cost.
The Paris Agreement recognises the irreversibility of climate change, so its provisions include not only curbing the rise in global temperatures but also developing measures to adapt to climate-related problems that are inevitable for the traditional way of life.	

**Source:** developed by the author based on analysis Global temperature is likely to exceed 1.5°C above pre-industrial level temporarily in next 5 years (2024), Climate Action Tracker (2025) and K.A. Mulatu *et al.* (2023)

Environmental lawmaking by public administration bodies in Ukraine is a process provided for by the Constitution of Ukraine for the development and adoption of legal norms that regulate social relations in the sphere of interaction between society and nature with the aim of creating an effective legal mechanism for regional environmental protection and rational use of natural resources, taking into account the geographical, natural and socio-economic characteristics of a particular region, ensuring equal rights for everyone to a favourable environment and access to natural resources. The specificity of environmental law-making by Ukrainian entities is determined by both the peculiarities of regional environmental problems and the specifics of the period of post-war reconstruction, as well as the constitutional obligation to resolve them at the regional and interregional levels. The current regulatory and legal acts of Ukraine, which define the main directions of environmental policy, are largely outdated and do not adequately promote or take into account the role of alternative energy in Ukraine as one of the main elements of its security, including economic security, the current environmental situation in the world, the provisions of EU legislation, as well as the transformations taking place in the system of environmental protection authorities.

One way to solve the above-mentioned problems in the field of public administration, which are weaknesses of the Agreement, is as follows. The flexibility of the regulatory framework allows regulators to adapt to various social challenges. In the context of Ukraine's post-war reconstruction in this area, it seems appropriate to identify three groups of national and international projects and other programme documents for its recovery in the specified area, namely: human capital, a comfortable living environment and economic growth. Given the trend towards globalisation, the rule of law can be considered both an internal characteristic

of the legal system and a transnational category. Accordingly, it is also advisable to use the idea of developing a strategy for social, economic and political reforms at the macro level, which can be applied to the revision of the relevant legal framework of Ukraine in accordance with European standards and values to ensure the full protection of human and civil rights in the field of ecology. At the same time, it should be noted that the legal regulation of economic relations also involves the interaction of national and international law. This is particularly evident in the conclusion of international regulatory acts by states, since the application of the former requires consistency with the provisions of national legislation.

Improvements to the regulatory framework for public administration in Ukraine in the post-war period in the context of the Agreement should be made in three main areas, namely the selection of objectives and optimal solutions for achieving them, flexible legal support, and the identification and elimination of legal risks. The most important goal is the rapid economic recovery of Ukraine in the post-war period in order to maximise the satisfaction of society's needs and ensure a decent standard of living for its members. The optimal solution for the further economic development of Ukraine is to adopt decisions in the field of public administration that would respond to the challenges and realities of a country in the process of recovery after the end of armed conflict on its territory, while ensuring their compliance with European standards in the field of law and the values of the European community itself. At the same time, it is advisable to use the tools of international cooperation and expand its areas of focus.

The stability of natural resource use and civil law protection of natural resource and other rights of citizens in Ukraine, as well as property security for the interested fulfilment of their environmental protection obligations for the benefit of society as a whole, are pressing issues for

contemporary environmental law. At the same time, the state does not abandon administrative means of organising natural resource use, and in a number of cases even strengthens their application to protect natural resources and the environment. The further development of economic, political, moral and social life will demonstrate the need for the continued application and preference of one or another method of stimulating proper relations in the environmental sphere of society and overcoming its existing shortcomings. The lack of effective forms, methods, models, mechanisms and instruments for financial and economic stimulation of the natural resource sector in Ukraine can cause great damage to the environment, in some cases even irreparable (climate change due to the “greenhouse” effect, natural disasters that will lead to the destruction of biodiversity: extinction (destruction) of animal and plant species, etc.) (Shubalyi *et al.*, 2019).

Ukraine’s entry into the global civilisational process necessitated a change in economic practices and emphasised the need to preserve the natural environment. From the first years of independence, acute issues arose regarding overcoming the mismatch in the pace of economic development and the tightening of environmental safety requirements, the dominance of resource-intensive industries, the high share of resource- and energy-intensive technologies, and the raw material orientation of exports. This led to a deterioration in the quality of the environment and a weakening of the ability of ecosystems to restore the natural foundations of life support, deepened the economic crisis, and created real threats to human life, as well as biological and landscape diversity. Threats to human health from global environmental change are increasing in the Anthropocene era, and urgent action is needed to address these pressing challenges (Tong *et al.*, 2022). Ukraine and humanity as a whole are faced with the question of improving the criteria for balanced (sustainable)

development that would take into account all factors contributing to well-being, while minimising the impact on the environment and mitigating the ecological consequences. The implementation of the transition to the principles of sustainable development requires the formation of appropriate moral and value guidelines, the greening and ethicalisation of the economy (the “green economy” and environmentally and socially responsible business), public-private partnerships, and the activation of civil society.

### **Discussion**

The findings of the study align with the conclusions drawn in N. Honcharuk’s academic work, which posits that updating current legislation is paramount for the effective functioning of public administration. In line with this, the modernisation of wartime and post-war governance necessitates, first and foremost, the development of a Strategy for Administrative Reform in Ukraine for the period 2022-2025, along with numerous other regulatory legal acts in the sphere of public administration. It is also crucial to formulate a concept for shaping the value system of Ukrainian society amidst its transformation and Europeanisation, and its integration into the European administrative space (Goncharuk & Cherednychenko, 2022). A similar stance is found in the academic work of I. Kryvoruchko (2023), who notes that particular attention in this process should be paid to ensuring social welfare, resolving pressing socio-economic issues, and guaranteeing and improving the quality of life for the populace, especially during wartime and the subsequent period of post-war reconstruction.

Effective regulatory legal frameworks and the harmonisation of national and international norms pertaining to public administration simultaneously ensure efficiency and foster development in the economic sphere. L. Meuleman (2021) underscores the importance

of effective regulatory governance in their work. The scholar observes that well-functioning public administration and effective governance structures can overcome negative social, economic, or political phenomena. Effective public administration is a prerequisite for a suitable response to regional or global crises.

Crucially, the update of Ukrainian legislation in the sphere of public administration during the post-war period must align with European standards and values within the context of Ukraine's Euro-integration course and its entry into the political, social, economic, and legal space of the European community. J. Laux *et al.* (2023) also emphasise their importance in their academic work, noting that the European Union aims to develop harmonised standards that incorporate abstract regulatory concepts such as transparency, fairness, and accountability. Applying such concepts inevitably requires answers to tough legal questions. The scholar points to two possible paths for future standardisation under the AIA. Firstly, European standard-setting organisations (SSOs) could answer complex regulatory questions themselves. Secondly, instead of making their own regulatory judgments, SSOs could track regulatory consensus that they deem accessible. Thus, it can be concluded that international cooperation in political, social, or economic spheres should be well-thought-out and consider the implications of ratifying supporting regulatory legal acts for the economies of participating countries and their individual sectors. For instance, the Paris Agreement (2015) envisages an impact on energy, transport, and agriculture, with the coal mining industry and related sectors becoming particularly vulnerable.

For Ukraine, where the aforementioned economic sectors are vital, understanding the consequences of signing the Agreement is essential, as is factoring in such legal risks when creating new and updating existing instruments in the field of

public administration. The conclusions formulated by B. Shevchuk (2023) in their academic work also coincide with the results of the conducted study. The scholar states that in the post-war period, Ukraine's national interests should be paramount, while also considering international obligations. Therefore, the challenge of ensuring optimal and effective regional organisation of productive forces in the post-war period lies in identifying the economic competitive advantages of Ukraine's diverse regions and overcoming interregional differentiation, as well as the current practice of dividing regions into donors and recipients. Moreover, local economies should be reoriented from resource-intensive to knowledge-intensive. Economic regional development should involve building ecosystems, not destruction, and social cohesion, not fragmentation. Such a comprehensive approach, taking into account regional interests, their economic development specifics, and an individual approach to solving their problems, is precisely what the paradigm of sustainable development entails.

The provisions of the Agreement are of significant importance for Ukraine during its post-war reconstruction period and for other participating countries, as it is closely linked to resolving economic issues and making crucial decisions in the field of public administration. K.H. Woo and S.L. Khoo (2020) support a similar position formulated in the study, noting that environmental factors have a tremendous impact on the administrative mechanism. The scholar emphasises that studying the ecology of public administration is a useful way to understand the political process and the values that public organisations/officials assign to a programme within their jurisdiction. Change is a key concern of the ecological approach, as it significantly impacts the balance of power, decision-making, and resource allocation. S. Black (2023) supports a similar position in their academic work, noting that a significant increase

in mitigation investment is needed, requiring policies aimed at changing private sector incentives. Climate finance must be expanded, with a new target aligned with the needs of developing countries. A similar statement is also found in the conducted study. Primarily, it suggests that both public administration instruments in individual countries and mechanisms for international cooperation in all spheres of state and citizen life entail the harmonisation of economic interests of individuals and the state, taking into account the principles of the global economy's functioning.

Indeed, countries that have not ratified the Paris Agreement will face difficulties in accessing markets in developed countries or a reduced likelihood of receiving funding or assistance from international banks or other organisations. Furthermore, the most challenging situation regarding environmental challenges remains for the coal industry. The share of coal in the global energy balance will continue to decline at an accelerating rate, and some developed countries have already phased out coal use. This, in turn, leads to the withdrawal of investments from the coal industry by large companies, investment funds, international financial institutions, and export credit agencies. A similar position, formulated in the study, is found in the academic work of M. Larch and J. Wanner (2024). The scholar notes that international cooperation is the cornerstone of multilateral climate policy. If one models the consequences of unilateral withdrawal from the Paris Agreement, considering both direct and leakage effects, then US non-participation would eliminate over a third of global emission reductions (31.8% direct effect and 6.4% leakage effect), while potential Chinese non-participation would reduce global emission reductions by 24.1% (11.9% direct impact and 12.2% leakage effect). Significant leakage is primarily due to the technical effect caused by falling international fossil fuel prices. From a welfare perspective, the vast majority of

countries benefit from the implementation of the Paris Agreement, and most countries would lose many economic and political advantages in the event of a unilateral decision not to participate.

Such challenges can be overcome, in particular, through adapting Ukrainian legislation regulating public administration to adopted European legal standards and pan-European values, establishing specialised public administration bodies in Ukraine, implementing various electronic forms of these systems, and attracting international assistance for the implementation of the aforementioned changes. These study conclusions align with the position of A. Tymokha (2024), who notes that the improvement of regulatory support and public administration mechanisms in various economic sectors and spheres of Ukraine's economy should be aimed at increasing their efficiency, transparency, and adaptability to modern challenges. The latter is relevant both due to the consequences of Russia's military aggression against Ukraine and the necessity of its post-war reconstruction. A distinctive feature of the Paris Agreement is a specific system of management decisions that Ukraine can utilise in its social and economic reconstruction process. I. Kryvoruchko (2023) supports this viewpoint in their academic work, emphasising that public administration policy must be clearly planned from the management perspective of relevant state bodies. Specifically, it should include the implementation of the following stages: monitoring and analysing the effectiveness of the economy's functioning in the context of modern globalisation processes and wartime uncertainty; developing and justifying the goals and main objectives of the state's socio-economic development; and forming an effective and efficient public administration system mechanism.

In response to the worsening global climate change, achieving carbon neutrality by 2050 is the most pressing task on the planet. To this end, reforming existing production systems and their

standards to reduce greenhouse gas emissions and promote CO<sub>2</sub> capture from the atmosphere is an extremely important and serious challenge (Wang *et al.*, 2021; Voroniuk, 2024). Concurrently, one cannot agree with the position of L. Rajamani (2024), who states that the Agreement, which primarily contains procedural and behavioural obligations and is based on national determination, in itself appears radically insufficient to address the existential climate crisis facing the planet. However, the contributions envisaged by the Agreement entail corresponding strategies of its participating states, developed at national levels and only partially related to combating climate change. In most cases, they are aimed at reducing energy dependence, curbing local pollution, and creating new jobs – the main motives differ from the political, social, economic, and political situation in a particular country. Moreover, national strategies are supplemented by numerous voluntary mechanisms at the city, industry, or stock exchange levels. Also, in the context of Ukraine's post-war reconstruction, it seems expedient to develop and implement a methodology for forecasting and overcoming risks in the process of law-making and law enforcement within regulatory legal complexes and national and international projects, and other programmatic documents for its recovery.

The conducted study proposes to develop and approve a new Environmental Doctrine of Ukraine or Key Directions of Ukraine's Environmental Policy that take into account both changes in the public administration system and the requirements of the international community for the collective resolution of global environmental problems. Furthermore, the goals of Ukraine's state environmental policy in the long term for its post-war reconstruction should be formalised in a relevant programme and envisage: 1) ensuring the stability and maintaining a sustainable equilibrium of ecological systems; 2) forming an environmentally-oriented economy

characterised by minimal negative impact on the environment, low resource intensity, and high energy efficiency; 3) creating a favourable ecological situation as a factor in improving the human environment. Among the most important tasks of state environmental policy in such a programme, the following should be noted: effective counteraction to the threats of environmental degradation associated with increasing production waste, implementation of measures aimed at rehabilitating territories in a critical environmental state (primarily those affected by Russia's armed aggression against Ukraine), and also creating economic instruments and mechanisms for eliminating and compensating for environmental damage.

### **Conclusions**

National and international projects and other programme documents on Ukraine's post-war recovery must be coordinated with each other. Failure to comply with this principle may result in the objectives and tasks set out in them overlapping. This will lead to repeated and erroneous actions in the field of public administration. Flexible legal support for national and international projects and other policy documents on Ukraine's post-war recovery requires a clear division of structures and their bodies, their participants, as well as their competences and powers, grounds and types of responsibility of participants for the period of their validity. Law-making and law enforcement activities are inevitably associated with deviations from the intended goals, errors, changes and modifications to regulatory and legal acts. The study, identification and prevention of risks is an important practical and theoretical task that must be addressed in the legal sphere. This makes it possible to create accurate and effective forecasts, programmes, concepts and strategies, to develop draft laws and subordinate acts, and to issue working orders and directives. This approach is considered to be the most effective

when amending Ukrainian legislation regulating the sphere of environmental protection and alternative energy in accordance with the provisions of the 2025 Paris Agreement.

The list of legislative causes of Ukraine's environmental problems indicates the following: firstly, the problem of sustainable development of the country is more social and economic than environmental, if considered in terms of the global "society-nature" system; secondly, there is a need to create legal requirements for all types of anthropogenic activity in accordance with the laws of nature and the restrictions that follow from these laws. To solve socio-economic problems while complying with environmental requirements, it is necessary to do more than simply adjust economic, civil and other areas of legislation in accordance with European and global standards, whose legal norms directly or indirectly regulate social relations in the field of socio-ecological-economic interaction. It is necessary to create complex legal mechanisms that allow economic entities to be economically interested in introducing low-waste, energy- and resource-saving production into various types of their activities as one of the ways to reduce the technogenic load on the ecosystems of the country's natural territories. Thus, the strategic goal on the path to sustainable development in Ukraine is to improve the standard of living and quality of life based on scientific and technological progress, dynamic economic and social development, while preserving the natural

development potential of the country as part of the Earth's biosphere, as well as its technological potential for the benefit of future generations.

Achieving the strategic goal and transitioning the country to sustainable development requires appropriate changes and amendments to the current legislation of Ukraine. To this end, legal theorists and practitioners need to critically review the established classical legal institutions of civil, commercial, administrative, criminal and other branches of law, taking into account modern knowledge in the field of ecology and the economics of natural resource use, as well as the provisions of national and international environmental legislation. At the modern stage in Ukraine, social relations in the environmental sphere are regulated by a sufficient number of normative acts of various legal force, in connection with which the main problem of legal regulation in the specified sphere lies not only in the transition from theory to lawmaking, but also in the effectiveness of law enforcement, as well as further international harmonisation and improvement of national environmental legislation.

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## Розвиток нормативного регулювання публічного адміністрування в умовах повоєнного стану в Україні в контексті реалізації Паризької Угоди 2015 року

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### Анотація

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Актуальність дослідження обумовлена тим, що післявоєнна відбудова України передбачає наявність розробленої фінансової, політичної та економічної стратегії. Своєю чергою остання повинна бути посилена ефективним правовим регулюванням. Метою дослідження було вивчення можливості використання міжнародної співпраці, закріпленої відповідними договорами, як одного з чинників для подальшого розвитку державного управління в Україні та права як результативного фактору її післявоєнної відбудови. У дослідженні були використані формально-логічний, порівняльно-правовий та юридичної герменевтики методи. Констатовано необхідність подолання розриву між правовими цілями та результатами державного управління у контексті європейської інтеграції та післявоєнної відбудови України. Водночас важливу роль відіграють підписані Україною міжнародні договори та внутрішні проекти, які розробляються у країні щодо врегулювання сфери державного управління, а також виконання Україною зобов'язань відповідно до них. Першочергово мова йде про ті, які стосуються економічних питань, а саме – функціонування галузі енергетики, яка найбільше постраждала від військової агресії Російської Федерації проти України. Таке завдання можна виконати за допомогою збільшення напрямів співпраці України з іншими державами, а також посилення діяльності щодо прогнозування й аналітики з метою подолання можливих ризиків у ній. Таким чином можна буде забезпечити ефективне правове регулювання в окресленій сфері. Необхідно також чітко визначити межі міжнародного співробітництва України та розробити відповідну правову базу для прийняття та імплементації необхідних законодавчих актів в економічній та адміністративній сферах з урахуванням національних інтересів України у післявоєнній відбудові. Практичне значення дослідження полягає у тому, що в ньому запропоновано кроки вдосконалення правового регулювання сфери державного управління у період повоєнної відбудови в контексті реалізації важливої міжнародно-правової угоди

**Ключові слова:** державне управління, міжнародна співпраця, правове регулювання, кліматична угода, фінансова допомога, європейські цінності