

BUSINESS ENTITIES AND LOCAL SELF-GOVERNMENT AS IMPORTANT ACTORS OF ENVIRONMENTAL POLICY

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Abstract: Within a society, not only citizens but also economic entities, social organizations and the state as a complex legal organization can play an important role in achieving common interests. Environmental policy cannot be implemented by just one ministry, one city, one company, environmental protection requires joint work. Today, Serbia is mature enough to take into account every aspect of the life of its citizens and establish harmony between the increase of people's living standards and the preservation of social peace with minimal environmental pollution.

The paper analyzes the importance of both the private and public sectors in terms of implementing environmental policy and establishing a balance between economic progress and environmental protection. On the other hand, it is pointed out that the adoption and implementation of environmental legislation entails high costs and significant investments, which can be an insurmountable obstacle for countries with poor economic opportunities.

Keywords: environmental policy, economic entities, local self-government, legal regulations

Introduction

Environmental policy, as a special policy, deals with directing the relationship between man and society towards nature, and its basic and

ultimate goal is to preserve the protection and advancement of the environment, through the state and society, especially political organizations. [Marković, 2005, 339] The subjects of environmental policy

are: the state, economic entities, scientific institutions and professional organizations for environmental protection, political parties, various forms of organization of citizens and citizens. The state as a complex legal organization has a significant role in terms of environmental protection. By applying sanctions in case of non-compliance with the legal regulations it has passed, the state is able to stand in the way of endangering the environment.

According to their role in the implementation of national environmental policy, it is possible to divide the subjects of environmental protection into conventional (Ministry of Environmental Protection, inspection services, etc.) and unconventional (police, prosecutor's office, military and security authorities). [Keković, 1999, 86] Environmental problems in Serbia are similar to those that occur at the general level. The most significant problem is the disposal of waste of all kinds, but also the destruction of wildlife and wildlife, pollution of the atmosphere, water and soil. Companies as economic entities are also subjects of environmental policy. Since companies represent an economic and business unit, within which they perform production, trade in goods and services, all with the aim of making a profit, within these activities they are obliged to take

care of environmental protection. This obligation is foreseen by the legal regulations, which regulate the issues of both the use of natural resources and the issues of handling hazardous and harmful materials that occur as a consequence of the production process. This is where the main problem of environmental policy arises, and that is how to establish harmony between industrial and technological development on the one hand and a healthy environment on the other. The basic problem is to establish harmony between the increase in people's living standards and the natural environment.

Despite all the activities aimed at raising the awareness of citizens about the need to protect the environment, it is still necessary for the state to act in this area, both preventively and repressively. [Stajić, 2013, 117] In this regard, the essence of this paper is to point out the importance not only of companies that represent economic policy entities as economic entities, but also to point out the administrative bodies dealing with environmental protection at the local level. The basic role of municipalities and cities, as a unit of local self-government, is to take care of environmental protection. This means that the local self-government is primarily concerned with the application of regulations

in this area, including inspection activities. According to the Law on Local Self-Government, the municipality performs certain tasks of inspection supervision in the field of environmental protection.

1. Degree of harmonization of the environmental policy of Serbia with the European environmental policy

Today, environmental policy occupies an important place in the EU, and it gained it with the adoption of the Single European Act in 1987. The First European Law on the Environment was adopted in 1959, while the First Environmental Action Program appeared in 1973. The key acts in the field of environmental protection in our country are: the Law on Environmental Protection, the Law on Integrated Prevention and Control of Environmental Pollution, the Law on Strategic Environmental Assessment and the Law on Environmental Impact Assessment. These laws are harmonized with the following European environmental regulations: Declaration on Environmental Impact Assessment, Declaration on Strategic Impact Assessment, Declaration on Integrated Pollution Prevention and Control. The strategic framework of the environmental protection system is framed by the following documents: National Strategy for

Serbia's Accession to the EU, Feasibility Strategy and Priorities Defined by the European Partnership, Poverty Reduction Strategy, Waste Management Strategy, Sustainable Development Strategy, Water Management Basis of Serbia, National Environmental Protection Program Proposal. It should also be noted that the adoption and implementation of environmental legislation carries with it high costs and significant investments, which can be an insurmountable obstacle for countries with poor economic opportunities. The implementation of environmental regulations cannot be successful without large investments in infrastructure (municipal waste management plants, municipal wastewater treatment plants, drinking water supply plants, hazardous waste management plants) as well as strengthening administrative capacity. Serbia's legislative framework in the field of ecology is largely in line with EU legislation. Among the deviations and problems are insufficiently qualified staff, lack of environmental awareness, insufficient public participation in decision-making regarding environmental protection.

2. Principles and subjects of environmental policy of Serbia

The concept of environmental policy of the Republic of Serbia has

been determined within the National Environmental Protection Program. The subjects of environmental policy are equated with the factors of the political community, which means that they are the Republic, the Autonomous Province, the municipality and companies, domestic and foreign legal entities, scientific organizations, professional organizations, citizens, professional and other organizations. [Nadić, 2012]

It should be emphasized that not all subjects of environmental policy are of the same importance. Although various forms of citizens' organization have a significant role in directing and resolving key environmental issues, the state and international organizations are still the main actors in environmental policy. Citizens' involvement in the field of the environment is crucial from the point of view of creating the basis for cooperation and gathering of citizens and public advocacy in order to continuously implement the policy of protection and preservation of the environment.

In the period of the 19th century, there were perceptions that technical progress should not be controlled, that it is a value that should not be specifically discussed, because it was based on the view that everything that is good for

man is good for nature. [Đorđević, 2002]

The notion of ecological consciousness is a complex notion which synthesizes knowledge and anticipations of a programmatic character. Without environmental awareness, all environmental policy measures can be useless. Ecological consciousness is immanent to social consciousness, it has its own social essence, so by definition it cannot be exhausted only in criticism, no matter how progressive that criticism was, nor in environmental awareness. [Mišković, 1997, 35]

The Constitution of the Republic of Serbia guarantees the right to a healthy environment. Environmental policy of states and other social organizations influences the behavior of all social factors, the goal of directing the activities of the state and other subjects of environmental policy is to preserve the environment. [Nadić, 2012]

2.1. Enterprises as subjects of environmental policy

In recent years, there has been public concern around the world about the impact of economic activities on the environment. Therefore, at the global level, the responsibility of companies and their involvement in the process of resolving key issues related to environmental protection is taken

into account, all because each economic activity has a certain impact on the natural environment. In this connection, the real possibilities of application of environmental protection instruments must be pointed out, when it comes to companies, due to the fact that several different factors can influence their adequate application. These factors relate primarily to the type of industry as well as the rights and obligations that these entities have under environmental regulations. [Nadić, 2012]

Therefore, from this point of view, companies, in addition to standard teams that deal with issues of increasing profits, must also have adequate persons who will take care of the environment. In this case, it is necessary to give priority to natural resources over economic progress. This is where the issue of environmental policy arises, how to establish a balance between living standards and the quality of life of people who imply a healthy environment. First and foremost, care must be taken to ensure that overly rigorous environmental policies do not lead to social unrest due to the closure of certain industrial plants and the dismissal of workers. A worker who would lose his job would certainly not be satisfied with just getting clean air. Precisely for these reasons, environmental and economic policies must strive

for minimal environmental pollution while maintaining production that would meet the needs of the population. The Constitution of Serbia contains norms that regulate the field of environmental protection. Thus, Article 74 of the Constitution states: "Everyone has the right to a healthy environment and to timely and complete information about its condition." In addition, the responsibility of every person for the protection of the environment has been introduced, which means that everyone is obliged to protect and improve the environment.

2.2. Local self-government as a subject of environmental policy

The competence of local self-government in the field of environmental protection is regulated by regulations in the field of local self-government as well as state administration, where the competence for the implementation of these regulations is largely entrusted to local self-government. The issue of cooperation between state administration bodies is regulated by the provisions of the Law on State Administration, which states that bodies of the Republic, territorial autonomy and bodies of local self-government units cooperate with each other in accordance with the Constitution, law and other regulations. In the field of environmental

protection, the obligation of cooperation is prescribed in a general way, the Law on Environmental Protection says that the subjects of environmental protection are obliged to cooperate with each other, ensure coordination and harmonization in decision-making and implementation. Local governments as well as companies have their own organizational structure. In performing the tasks of local self-government, the bodies cooperate with each other, there is a hierarchy and established rules as to who makes decisions and who implements them. So, just as a company has its jobs, so the local self-government has its jobs that it must do in order to achieve the purpose of its existence. The competencies of local self-government are defined primarily by the Constitution, as well as the Law on Local Self-Government and the Law on the Capital.

The main difference between the private and public sectors is in terms of funding. The Constitution of the Republic of Serbia stipulates that the affairs of local self-government units are financed from the source revenues of local self-government units, the budget of the Republic of Serbia and the budget of the Autonomous Province when the Autonomous Province entrusts local self-government units. Local self-government does not

have normative powers in terms of regulating environmental issues, it only deals with the application of regulations in this area. According to the provisions of the Law on Waste Management, it also lists the unit of local self-government among the entities responsible for waste management. In accordance with the said law, the local self-government unit performs the following tasks: adopts the local waste management plan, provides conditions and takes care of their implementation, regulates, provides and implements municipal waste management, regulates the collection procedure in the field of municipal waste management, controls measures. waste in accordance with this law. However, this is a young administrative area, so more attention needs to be paid to professional development, especially in the field of waste management, which certainly requires additional funding. Therefore, the data on the funds planned for environmental protection can be a good indicator of the attitude towards this area and the needs that are recognized as real through the budget planning process. Environmental protection should be a joint work of the company, local governments, ministries and its citizens.

Ministries have as their main activity administrative tasks from

some area of social life, but they also have tasks that are directly or indirectly related to environmental protection. The most important state body in the field of environmental protection is the Ministry of Environmental Protection. The activity of the ministry extends to the entire territory of the Republic of Serbia. Its scope includes tasks and duties related to: basics of environmental protection; environmental protection and improvement system; national parks, inspections in the field of environmental protection; application of the results of scientific and technological research and development research in the field of environment; implementation of the Convention on Public Participation, Access to Information and the Right to Legal Protection in the Field of the Environment; nature protection; air protection; protection of the ozone layer; climate changes; transboundary air and water pollution; protection of waters from pollution in order to prevent deterioration of surface and groundwater quality; determining the conditions of environmental protection in spatial planning and construction of facilities; protection against major chemical accidents and participation in the response to chemical accidents; noise and vibration protection; protection against ionizing and non-ionizing radiation; man-

agement of chemicals and biocidal products; implementation of the Chemical Weapons Convention in accordance with the law; waste management, except radioactive waste; creating conditions for access and implementation of projects within the scope of that ministry which are financed from the pre-accession funds of the European Union, donations and other forms of development assistance; approval of transboundary movement of waste and protected plant and animal species, as well as other activities determined by law. [Law on Ministries] The Environmental Protection Agency is an administrative body within the said ministry that has the status of a legal entity. It performs state administration tasks related to: development, harmonization and management of the national information system for environmental protection (monitoring of the state of environmental factors through environmental indicators; register of pollutants, etc.); implementation of state monitoring of air and water quality, including implementation of prescribed and harmonized programs for control of air, surface water and groundwater quality of the first issue and precipitation; management of the National Laboratory; collection and consolidation of environmental data, their processing and preparation of reports

on the state of the environment and the implementation of environmental protection policy; development of procedures for processing environmental data and their assessment; keeping data on best available techniques and practices and their application in the field of environmental protection; cooperation with the European Environment Agency (EEA) and the European Information and Observation Network (EIONET), as well as other matters determined by law. [Law on Ministries]

Conclusion

Concern for the environment gained importance in the seventies of the twentieth century, but the relationship between man and nature is an issue that dates back to the oldest days of civilization. Although man is the main actor in changing the environment, it requires the readiness not only of each individual but also of all social groups and institutions to include measures for the preservation of the natural environment in development plans. These measures must include human understanding of opportunities and needs, as well as new technologies for adapt-

ing to environmental requirements. The company needs to be aware of the new challenges that are set through high environmental standards and focus on new ways of working. The introduction of new technologies can increase the competitiveness and innovation of work and create a healthy basis for new jobs. In this way, pollution at the source itself can be prevented and its consequences prevented. Preventive measures are one of the possible ways to preserve the continuous operation of the company. It is also very important to work on raising the awareness of employees about environmental protection in order to act responsibly towards the environment both inside and outside the company. Powers and responsibilities for environmental protection are within the competence of the Republic, at the level of which there is a special ministry that deals with this issue, and which includes a specialized body. At the level of local self-government, as a rule, special bodies do not deal with environmental protection, local self-government does not have normative authorizations, its primary task is to take care of environmental protection.

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PRIVREDNI SUBJEKTI I LOKALNA SAMOUPRAVA KAO VAŽNI AKTERI EKOLOŠKE POLITIKE

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Rezime: U okviru jednog društva bitnu ulogu u ostvarivanju zajedničkih interesa mogu imati ne samo građani već i privredni subjekti, društvene organizacije i država kao složena pravna organizacija. Ekološku politiku ne može da sprovede samo jedno ministarstvo, jedan grad, jedna kompanija, zaštita životne sredine zahteva zajednički rad. Srbija je danas dovoljno sazrela da povede računa o svakom aspektu života svojih građana i uspostavi sklad između porasta životnog standarda ljudi i očuvanja socijalnog mira uz minimalno zagađenje životne sredine.

U radu se analizira značaj kako privatnog tako i javnog sektora s aspekta sprovođenja ekološke politike i uspostavljanja ravnoteže između ekonomskog napretka i očuvanja životne sredine. S druge strane ukazuje se i na činjenicu da preuzimanje i sprovođenje ekološkog zakonodavstva nosi sa sobom i velike troškove i znatna ulaganja, što za države loših ekonomskih mogućnosti može biti nepremostiva prepreka.

Ključne reči: ekološka politika, privredni subjekti, lokalna samouprava, pravna regulativa