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CHOOSING THE METHOD FOR PROTECTION OF THE ENVIRONMENTAL RIGHTS OF CITIZENS AND THE CRITERIA OF ITS EFFECTIVENESS

The article is concerned with the problematic questions of legislative regulation of the system of methods to protect the environmental rights of citizens, the importance of the choice of a particular method of protection, and its criteria for the execution of protection of environmental rights of citizens.

It is established by the author that the effectiveness of protection of infringed rights of a person depends on the method a person uses to protect them. It has been found that environmental legislation does not contain any regulations regarding limitations on actions for the protection of environmental rights including the realization of the right to defence. Accordingly, the criterion of proper exercise of the right to protection of environmental rights, including the choice of a particular method (methods) of protection, is the absence of misuse of the right.

Apart from that, it has been determined that the choice of method for protecting environmental rights of citizens should be based on the general principles of fairness, honesty, prudence, according

to the constitutional principles of equality of all persons before the law, compliance with the moral foundations of society.

It is concluded that the question of the system of methods to protect environmental rights of citizens should be clearly stipulated in the rules of environmental legislation, because consolidation of a set of such methods of protection as the system will allow revealing the essence and distinctive features of this system and, ultimately, will contribute to the effective protection of environmental rights. The criteria of effectiveness of choice of a particular method or set of methods for protection of infringed environmental rights are suggested to be seen in the legal consequences of that choice. It has been reasoned that the choice of method of protecting the environmental rights will be effective only when it will optimally and fully ensure the recovery of environmental rights and remove any barriers in their realization. As the result of conducted research the author provides a number of proposals concerning the improvement of environmental legislation in this area.