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CLIMATE IMPERATIVE AS A LEGITIMIZING FRAMEWORK OF STRUCTURAL DOMINATION: GREEN REGULATORY FRAMEWORKS OF COERCIVE MODERNIZATION

Abstract. The aim of this article is to substantiate an analytical framework for the critical reading of the climate imperative as the institutional form of a contemporary wave of coercive modernization, implemented through the mechanisms of green neoprotectionism. Green neoprotectionism is interpreted as the fourth successive wave of coercive modernization following import-substituting industrialization, the Washington Consensus reforms, and the harmonization of regulatory standards within regional trade agreements; the distinctive feature of the current phase lies in the systemic fusion of trade, financial, and technological policy into a single regulatory architecture. The hypothesis is that climate regulation, in its present supranational form, centered on the European Green Deal, CBAM, the sustainable finance taxonomy, CSRD, and CSDDD, constitutes an integrated green neoprotectionist architecture whose functional coherence renders it a comprehensive instrument of coercive modernization directed at third countries. The research establishes that green neoprotectionism constitutes a systemic feature of the emerging regulatory architecture rather than a by-product of an unconsolidated climate consensus. The functional inseparability of its trade, financial and technological components generates an integrated gatekeeping regime in which regulatory costs borne by countries subject to such regulation do not accumulate linearly but reinforce one another, forming a systemic burden that cannot be effectively mitigated through internal adjustment alone. Five operational levers of this regime are identified (resource, regulatory, territorial, technological, and discursive); a three-contour model of green gatekeeping is set out, operating across

market (CBAM), capital (taxonomy, CSRD, CSDDD), and technology (Net-Zero Industry Act, Critical Raw Materials Act) access contours. It is substantiated that the systemic operation of these mechanisms generates a new green division of labour: the upper segments of value chains (regulatory development, technological innovation, sustainability verification) concentrate in lead jurisdictions, while the lower segments (extraction of critical minerals, primary processing, ecosystem services) fall disproportionately on the Global South and transition economies, with technological gatekeeping blocking the industrial upgrade trajectory followed in the past by newly industrialized economies. The analysis demonstrates that the revenue distribution formula of CBAM is structurally equivalent to a classical neoprotectionist barrier, albeit under a fundamentally different normative framing; the architecture of green fintech serves as the infrastructural foundation of gatekeeping, generating technological asymmetry between standard-setting jurisdictions and countries subject to ESG screening.

Keywords: regulation; imperative; modernization; fragmentation; decoupling; regulatory policy; regulatory competition; regulatory coordination; green neoprotectionism; green gatekeeping; green fintech; competitive advantages; multilateralism; cooperation; climate policy; climate neutrality; green division of labor; green value chains; ecological crisis; European Green Deal; CBAM; ESG; EU; USA.

INTRODUCTION

The concept of forced modernization has a long history in the political economy literature and describes waves of economic restructuring, differing in content but similar in institutional logic, in which externally imposed modernization parameters shape the internal trajectory of national economies. Import-substitution industrialization in the 1950s–60s, structural restructuring under the mandate of the Washington Consensus in the 1980s–90s, requirements for harmonization of regulatory standards in the context of the spread of regional trade agreements in the 2000s–2010s — each of these waves was accompanied by a regulatory framework that legitimized its own set of external requirements: economic efficiency, financial stability, liberalization imperative. The current wave of forced modernization is built on the climate imperative and implemented through the mechanisms of green neoprotectionism. The defining institutional feature of this phase is the systemic fusion of trade, financial, and technological policies into a common regulatory architecture, in which greenness criteria function as gatekeepers, i.e., filters for access to markets, capital, and technologies. The specificity of the moral framework of legitimation significantly complicates the articulation of resistance: it becomes difficult to challenge a specific regulatory instrument without risking being interpreted as questioning the scientific validity of climate processes.

Analytically, it is worth noting that the tools of this wave are concentrated in a few supranational centers. The trade component is represented by the Carbon Border Adjustment Mechanism (CBAM), which will enter a defining phase with the full application of payments for certificates from 2026. The financial component includes the EU Sustainable Investment Taxonomy, the Corporate Sustainability Reporting Directive (CSRD), and the Sustainable Development Due Diligence Directive (CSDDD). The technological component comprises the Net-Zero Industry Act (NZIA) and the Critical Raw Materials Act. The functional unity of these components turns them into a complex regulatory circuit through which the parameters of the internal development trajectories of third countries are increasingly set by external regulatory centers. The central analytical problem that arises in this regard concerns the mechanisms through which the climate imperative, in its contemporary supranational institutional form, is transformed into an instrument of green neoprotectionism, as well as the distributional consequences of this transformation for countries subject to such regulation. This article's analytical work focuses on this issue.

Statement of the problem. Despite the extensive literature on environmental modernization and the green economy, the analytical gap between the technocratic-regulatory reading of it and the political economy understanding of its distributional consequences remains significant. Most academic work, including methodological works on measuring the stringency

of environmental regulation [1] and conceptual approaches to the development of the green economy [2], [3], views climate policy as a neutral technical process of improving regulatory instruments. In this reading, the main issue is the effectiveness of regulatory instruments rather than the redistribution of adaptation costs across jurisdictions with different levels of regulatory capacity. At the same time, the current architecture of green regulation generates consequences that cannot be adequately considered outside the categories of international cost-sharing, regulatory asymmetry, and the neoprotectionist use of climate standards. An institutional configuration is emerging in which countries that develop standards capture regulatory rents from their dissemination, countries that supply critical minerals for the green transition face a new type of resource dependency, and countries with high-carbon-intensity exports experience direct impacts on their competitiveness. These consequences are not side effects, but structural features of the architecture being built.

The problem is not only an empirical deficit, but also a conceptual one. Existing theoretical models of ecological modernization, developed mainly within the experience of developed economies, lack adequate tools for analyzing how the climate imperative serves as a legitimizing framework for green neoprotectionism. The classical theory of neoprotectionism, focused on non-tariff barriers in the trade sphere, also needs significant modification, since modern green neoprotectionism operates simultaneously in trade, financial, and technological circuits, and its analysis requires an integrated consideration of all three components. The analytical gap that needs to be overcome is the lack of an integrated framework capable of combining three elements: the systematization of green neoprotectionism as a tool for forced modernization; the construction of a three-circuit model of green gatekeeping; and the conceptualization of the role of green fintech as the infrastructural basis of such gatekeeping.

ANALYSIS OF THE LATEST RESEARCH AND PUBLICATIONS

The methodological tools for quantifying the stringency of environmental regulation are laid out in the works of C. Brunel and A. Levinson [1]. These studies provide a conceptual basis but focus mainly on the internal mechanisms of the green economy, without undertaking a systematic analysis of its international distributional consequences. Significant contribution to the conceptualization of the green economy belongs to K. Burkart [2], V. Chala and Yu. Orlovska [3], as well as Yu. V. Orlovska in co-authorship with V. Chala and A. Glushchenko [8] and with K. Drygola and D. Baltaksa [9]. The analysis of environmental loads in value chains was initiated by R. Clift and L. Wright [4] and received in-depth development in the Ukrainian academic tradition in the works of A. Tsybulyak [12], [13]. Particularly important for the subject of this article is the recent work of A. Tsybuliak [14], which deals with the tension between the ecological imperative of the sustainability paradigm and the right to development and considers the search for institutional mechanisms of systemic compromise. The work of A. Tsybuliak [6] traces the evolution of theories of ecological modernization in relation to the growth of risks in the international economy and the actualization of sustainable business practices in the context of the digital transition. These works' approach to the problems of ecological modernization is interesting, but they focus on institutional mechanisms for conflict reconciliation, while a systematic analysis of this conflict as a manifestation of regulatory asymmetry remains underdeveloped.

The problems of institutionalization of climate change mitigation in the EU and the socio-economic effects of industrial decarbonization are examined by Ukrainian researchers [5]. M. Grod analyzes the financial and regulatory dimensions of the green transition in the context of greening the financial system and developing policy instruments for the circular economy [7]. The multidimensional nature of socio-economic development challenges and the institutional framework of modernization policy are addressed by Ukrainian scholars [10]. O. Ptashchenko

and D. Arkhipova [11] explore global challenges, including their environmental dimension. The prevailing tendency in the literature is to interpret climate policy primarily as a technical and regulatory domain, without integrating analysis of neoprotectionist mechanisms operating within the climate framework. This conceptual gap determines the analytical relevance of the present study.

The purpose of this article is to substantiate a critical analytical framework for interpreting the climate imperative as an institutional form of the current wave of forced modernization, which is implemented through the mechanisms of green neoprotectionism. Such a framework should overcome the limitations of the technocratic-regulatory reading of environmental modernization and the classical model of neoprotectionism, focused mainly on non-tariff barriers in the trade sphere. The implementation of this goal involves four analytical tasks: the deployment of environmental modernization as a policy, strategy, process and result; conceptualization of green neoprotectionism as a tool of forced modernization with the identification of five operational levers of its implementation; construction of a three-circuit model of green gatekeeping; systematization of green regulatory competition, regulatory races and regulatory sandbox with the integration of the role of green fintech as the infrastructural basis of gatekeeping.

RESEARCH RESULTS

Analytical differentiation of the four dimensions of ecological modernization is a methodological prerequisite for its adequate deployment. Ecological modernization is a policy framework comprising regulatory decisions enshrined in international agreements, supranational legal acts, and national legislation that establish mandatory parameters for reducing emissions, decarbonizing production processes, and reorienting energy systems. As a strategy, it involves the purposeful creation of institutional and technological prerequisites for implementing these regulatory parameters, including green investments, industrial policies supporting renewable energy, and the development of innovative ecosystems around climate technologies. As a process, ecological modernization unfolds through the dynamics of interaction among regulatory, market, and social actors, generating unintended consequences, in particular green regulatory competition and green regulatory races. As a result, it is fixed within a reformulated structure of production, trade, and investment, in a new hierarchy of industries according to their green value, and in reformulated conditions of market access. It is worth noting that most of the academic work considers ecological modernization mainly in its political-strategic dimension, while its effects in the process and outcome dimensions receive much less analytical attention. It is in the dimensions of process and outcome that the distributional consequences and regulatory asymmetries that are the subject of this article are most clearly manifested.

The concept of neoprotectionism, in contrast to classical protectionism, refers to the use of non-tariff instruments (standards, certifications, regulatory barriers, anti-dumping procedures) to selectively restrict import competition. Green neoprotectionism is a modern phase of this tradition, in which non-tariff barriers are erected around ecological and climate parameters and legitimized by an appeal to the imperative of sustainable development. A characteristic feature of green neoprotectionism is the indissoluble unity of its trade, financial and technological components. CBAM, as a trade policy instrument, is complemented by a taxonomy of sustainable investments as a financial filter, and both are complemented by the Net Zero Emissions Industry Act as an industrial policy instrument to support domestic producers. It is this systemic integration that makes green neoprotectionism a tool that goes beyond classical trade protectionism and becomes a complex mechanism of forced modernization.

Forced modernization, implemented through green neo-protectionism, has three main operational features. The first is the external setting of modernization parameters: the green criteria are formulated by regulatory centers (EU, USA) and are not agreed multilaterally. The second is the asymmetric distribution of adaptation costs: the recipient countries bear the main burden of re-equipping production, while the benefits from regulatory rent and technological advantage are concentrated in the standard-setting jurisdictions. The third is the moral imbalance of the articulation of resistance: the argument against specific instruments risks being interpreted as environmentally irresponsible, regardless of its actual content.

It is analytically appropriate to distinguish five main mechanisms through which the climate imperative is operationalized as an instrument of structural dominance. Differentiating these mechanisms shows that green neoprotectionism is not reduced to separate regulatory instruments but constitutes a system of operational levers that mutually reinforce one another and together form a regime for the external setting of development parameters. The resource lever is implemented through the reformatting of global supply chains of critical minerals necessary for the green transition: lithium, cobalt, nickel, and rare earth elements. The strategic autonomy proclaimed by the EU and the US in the relevant acts involves establishing control over the sources of these resources through long-term contracts, investments in mining capacity in supplier countries, and the formation of alliances of critical minerals. The peculiarity of this lever lies in the reproduction of the classical structure of resource asymmetry within a fundamentally new regulatory framework, where the driving force is no longer the needs of industrial development as such but climate necessity. The regulatory lever is implemented through the export of regulatory standards. The Carbon Border Adjustment Mechanism provides the most illustrative example, as countries exporting energy-intensive products to the European Union face a choice between paying a border carbon charge and introducing internal emission pricing mechanisms comparable to those applied in Europe. In this way, the European regulatory architecture becomes a de facto standard for a wide range of jurisdictions that did not participate in its formation. A similar effect is observed in the taxonomy of sustainable investments, which establishes greenness criteria for global investment decisions.

Territorial leverage is manifested through the reformatting of land use for emissions reduction, carbon offsetting, and renewable energy projects. Large-scale reforestation projects in countries that receive international climate finance entail long-term restrictions on traditional land-use practices. «REDD+» mechanisms *(Reducing Emissions from Deforestation and Forest Degradation)* in their practical implementation have repeatedly been the subject of criticism, precisely because of the territorial conflicts they generate. This leverage operates through a direct impact on the disposal of the territorial assets of the countries subject to climate regulation. Technological leverage is implemented through the patent and regulatory architecture of green technologies. Critical technologies for the green transition, particularly in solar and wind energy, energy storage systems, electromobility, and hydrogen technologies, are concentrated in a few developing jurisdictions. Regulatory standards imposed on countries that import these technologies often involve transferring control over technological parameters to developing countries. This lever reproduces the hierarchical structure of the technological division of labor in the green regulatory field.

The discursive lever is the most subtle and at the same time the most powerful of the five. It is implemented through the formation of a normative framework in which specific regulatory structures are associated with scientifically legitimate concern for the planet, and any resistance is interpreted as a manifestation of climate skepticism or irresponsibility. It is this lever that explains why challenging specific instruments of green neoprotectionism is a politically costly position, even for countries with objective grounds for criticism. The normative protectionism

of green neoprotectionism, in its discursive dimension, makes it extremely difficult to articulate resistance in terms of development interests. The five levers do not function in isolation, but in synthesis: resource control reinforces technological control, regulatory control is reinforced by discursive control, and territorial control receives legitimacy through climate consensus. It is this systemic interaction that transforms green neoprotectionism into a complex instrument of forced modernization, within which countries subject to such regulation encounter not isolated barriers but an integrated regime that externally determines the parameters of their development trajectories.

The concept of gatekeeping in the context of green neoprotectionism denotes regulatory mechanisms that function as selective access filters. Traditional gatekeeping in the international economy was implemented through tariff barriers, quotas, and licensing regimes; its hallmark was a direct, formally articulated restriction on access. Green gatekeeping takes a fundamentally different form: it operates through technical standards, sustainability parameters, and verification protocols that do not formally exclude any participant but create a cost asymmetry in access, in which compliance with the requirements costs different participants a different share of their available resource base. It is this cost asymmetry, and not a formal prohibition, that constitutes the functional content of modern green gatekeeping.

It is analytically appropriate to distinguish three parallel circuits in which green gatekeeping unfolds. The first circuit is access to markets. CBAM establishes the conditions for access to the EU internal market by imposing a carbon cost on exports. Importers of energy-intensive products (cement, steel, aluminum, fertilizers, electricity, and hydrogen) will be required to purchase CBAM certificates from 2026 at a price linked to the average weekly price of allowances in the EU ETS. This price fluctuated between €55 and €75 per tonne of CO_2 in 2024. For exporting countries without their own carbon pricing mechanism (many EU suppliers from the Global South), this represents a direct financial barrier to access without the possibility of offsetting their own climate efforts.

The second loop is access to capital. The EU Sustainable Investment Taxonomy defines the criteria for qualifying an economic activity as sustainable. The CSRD and CSDDD Directives establish corporate sustainability reporting obligations and supply chain due diligence. Taken together, these instruments shape the conditions for access to European capital, as investors with an increasing share of their portfolios tied to the taxonomy are effectively obliged to direct investments to assets that meet European green criteria. For companies from third countries, this means compliance with the EU taxonomy criteria is a de facto condition for access to European financing, regardless of whether the country concerned participated in developing these criteria. The third loop is access to technology. The Net Zero Emissions Industry Act provides for the establishment of target shares of domestic production of strategic green technologies in the EU. The Critical Raw Materials Act establishes rules for access to critical minerals through strategic partnerships, formalized based on EU jurisdiction. These instruments create a regulatory framework in which third countries' access to green technologies is governed through mechanisms that involve reciprocal commitments from partner countries.

The combined effect of the three gatekeeping circuits lies in the ability of regulatory centers to reshape the internal development trajectories of countries subject to such regulation by selectively defining conditions of access. This constitutes the institutional core of forced modernization, as development parameters are established externally through gatekeeping mechanisms, while internal adaptation takes the form of a compelled response to externally imposed constraints. The operationalization of green gatekeeping across these three circuits depends on a developed infrastructure of financial technologies oriented toward the green economy. Green fintech comprises digital platforms, algorithms and protocols that enable

automated ESG screening of assets, carbon accounting of operations, trading in offset certificates and verification of climate-relevant data. Within the architecture of green neoprotectionism, this infrastructure performs a dual function.

On the one hand, green fintech reduces regulatory compliance costs for large corporate players, enabling them to integrate automated screening into their investment processes. The business models of platforms such as MSCI ESG Ratings, Sustainalytics, and ISS ESG are built on selling screening services to large institutional investors. On the other hand, green fintech creates a technological asymmetry: jurisdictions with developed fintech infrastructure can verify the compliance of assets with regulatory criteria cheaply and quickly, while countries subject to such screening incur higher costs in generating and verifying the relevant data. Indicative in this sense is the growing role of carbon registries and platforms for trading in offset certificates. The Verified Carbon Standard (Verra), Gold Standard, and other platforms are building a market infrastructure that converts climate parameters into tradable assets. The participation of countries that provide natural services in these platforms objectively transfers a significant share of the generated value to platform operators and regulators that approve the assessment methodology. Taken together, green fintech serves as a technological infrastructure that enables green gatekeeping at the scale of the global economy. Without this infrastructure, several regulatory initiatives, including the Carbon Border Adjustment Mechanism, could not be implemented within a reasonable timeframe, since the verification burden would constitute a high fixed cost for countries subject to such regulation. Accordingly, control over the development and standardization of green fintech is emerging as an independent field of strategic competition between jurisdictions.

The dynamics of the formation of a green regulatory architecture give rise to the phenomenon of green regulatory competition — a competition between jurisdictions for the role of standard-setter in key segments of climate regulation. The winner of such a competition receives regulatory rent from the export of standards, an advantage for its own manufacturers, who already work according to domestic requirements, which automatically become international, and the discursive power to determine the parameters of the climate consensus. The EU currently occupies a leading position in this competition due to the complexity and early institutionalization of its architecture. The USA, through the Inflation Reduction Act, adopted an alternative model based on tax incentives and subsidies rather than direct regulatory prohibitions.

The green regulatory race refers to a dynamic in which jurisdictions, seeking to keep up with leaders in standard-setting, introduce similar regulatory requirements without adequate consideration of local institutional prerequisites. The result is formal compliance with global standards in the absence of real regulatory capacity. A typical risk of such dynamics is the formation of fictitious regulation — formally valid norms that have no real operational effect but create the appearance of compliance to external observers. The concept of a green regulatory sandbox is borrowed from financial regulatory practice, where it originated with the United Kingdom's Financial Conduct Authority in 2016. It concerns pilot regimes of limited application of new regulatory instruments. In the climate sphere, regulatory sandboxes are used to test innovative, sustainable financial products, digital emission-monitoring systems, and regulatory green verification technologies. The dual nature of this tool is that it reduces regulatory costs for innovators while also serving as an experimental platform for testing future standards for wider application. Countries that participate in sandboxes at early stages gain an advantage in shaping the regulatory architecture, which is subsequently extended to third parties. A systematization of the above three-loop model of green gatekeeping is presented in Table 1.

Table 1

Tools of green neo-protectionism in three gatekeeping circuits

Gatekeeping Contour	Key Tools	Functional Content	Cost Asymmetry
Market access	CBAM, Environmental Import Standards, Rules of Origin	Carbon pricing of imports, verification of production parameters	Burden of certification and verification on exporters from the Global South; revenues to the EU budget
Access to capital	Sustainable Investment Taxonomy, CSRD, CSDDD, ESG Screening	Determining asset qualification as sustainable; verification of supply chains	Costs of reporting and due diligence on third-country companies; regulatory rent on standard-setters
Access to technology	Net-Zero Industry Act, Critical Raw Materials Act, Export Controls	Setting domestic production targets; limiting access to green technologies	Structural limitations on upgrading for third countries; concentration of technological rent in developing jurisdictions

Source: developed by the authors

The presented matrix reveals a dimension that remains largely implicit in the climate policy discourse. The three gatekeeping circuits should not be interpreted as separate regulatory episodes; they represent interrelated vectors of a single integrated regime in which trade, financial, and technological pressures converge to produce a unified structure of cost asymmetry. An exporter subject to certification requirements under the Carbon Border Adjustment Mechanism simultaneously operates within supply chains exposed to due diligence procedures and functions under conditions where access to green technologies is shaped by regulatory frameworks governing industrial policy and critical resources. The costs arising within each circuit do not accumulate linearly but reinforce one another, generating a systemic regulatory burden that cannot be effectively mitigated solely through internal adjustments. At the same time, the revenue distribution mechanism of the Carbon Border Adjustment Mechanism directs payments from exporters in third countries to the European Union budget, without institutional linkage to decarbonization financing in supplier economies or to the transfer of relevant technologies.

Within the logic of classical neoprotectionism, such an arrangement would be interpreted as a concealed trade barrier. Within the logic of green neoprotectionism, it is legitimized by the normative authority of the climate imperative, thereby raising the political cost of public critique. This duality, namely functional equivalence to classical neoprotectionist instruments combined with a distinct normative justification, defines the specificity of the current phase of forced modernization. Countries operating under conditions of green gatekeeping face not a binary choice between environmental responsibility and economic development, but a more complex strategic problem: either accepting externally defined modernization parameters or articulating autonomous development priorities consistent with the prevailing climate consensus. This problem delineates a strategic field within which the autonomy of development must be negotiated under the conditions of an evolving regulatory architecture.

CONCLUSIONS AND PROSPECTS FOR FURTHER RESEARCH

The conducted research substantiates the interpretation of the climate imperative as an institutional framework within which the current wave of forced modernization is being formed, implemented through the mechanisms of green neoprotectionism. The central analytical conclusion is that green neoprotectionism is not a by-product of a lack of climate consensus, but a systemic feature of the regulatory architecture being built. The functional indivisibility of the trade, financial, and technological components of this architecture makes it a complex gatekeeping tool that operates in three parallel access circuits — market, capital, and technological. The critical nature of this

conclusion lies not in denying the climate problem, but in the distinction between two disparate spheres: the scientific justification of climate processes and the political-economic justification of specific regulatory structures that appeal to this justification for their legitimacy. Distinguishing between these levels of criticism is a prerequisite for an adequate analytical reading of green neoprotectionism as an independent phenomenon rather than dissolving it into the broader climate discourse.

The proposed conceptual apparatus (four-dimensional reading of ecological modernization, typology of five operational levers of green neoprotectionism, three-circuit model of green gatekeeping, analysis of green fintech as an infrastructural basis of gatekeeping, concepts of green regulatory competition, regulatory race and regulatory sandbox*)* forms a toolkit that allows to systematize the disparate manifestations of green neoprotectionism into a coherent analytical framework and to isolate them from the broader field of climate policy as such. Prospects for further research cover several areas. The first is the empirical measurement of the distributional consequences of specific instruments of green neoprotectionism, CBAM, taxonomy of sustainable investments, and CSDDD, in the context of different groups of recipient countries. The second is the institutional typology of green regulatory competition, with the separation of roles across different jurisdictions: standard-setters, adapters, and the objects of standard-setting. The third is the analysis of the architecture of green fintech as an independent field of strategic competition, including regulatory asymmetries in carbon registries and ESG screening methodologies. The fourth is the delineation of counterstrategies for countries that find themselves in the position of objects of green regulatory architecture — from active participation in standard-setting through alternative multilateral platforms to selective regulatory autonomy in key segments. For Ukraine, which is both an object of the European green regulatory architecture and a potential participant in its formation through the European integration process, a systematic analysis of such counterstrategies has not only academic, but also strategic and applied significance.

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КЛІМАТИЧНИЙ ІМПЕРАТИВ СТРУКТУРНОГО ДОМІНУВАННЯ: ЗЕЛЕНІ РЕГУЛЯТОРНІ РАМКИ ПРИМУСОВОЇ МОДЕРНІЗАЦІЇ

Анотація. Метою статті є обґрунтування аналітичної рамки критичного осмислення кліматичного імперативу як інституційної форми сучасної хвилі примусової модернізації, що реалізується через механізми зеленого неопротекціонізму. У ширшому історичному контексті зелений неопротекціонізм інтерпретується як четверта послідовна хвиля примусової модернізації після імпортозаміщувальної індустріалізації 1950–60-х рр., реформ Вашингтонського консенсусу 1980–90-х рр. та гармонізації регуляторних стандартів у рамках регіональних торговельних угод 2000–2010-х рр. Встановлено, що визначальною рисою сучасної фази є системне поєднання торговельної, фінансової та технологічної політики в єдину регуляторну архітектуру. Гіпотеза дослідження полягає в тому, що кліматичне регулювання в його сучасній наднаціональній формі, зосереджене навколо Європейського зеленого курсу, Механізму вуглецевого коригування на кордоні, Таксономії сталих інвестицій, Директиви про корпоративну звітність зі сталого розвитку та Директиви про належну перевірку у сфері сталого розвитку, формує інтегровану архітектуру зеленого неопротекціонізму. Її функціональна узгодженість у торговельному, фінансовому і технологічному вимірах перетворює цю архітектуру на комплексний інструмент примусової модернізації, спрямований на треті країни. Доведено, що зелений неопротекціонізм є не побічним ефектом несформованості кліматичного консенсусу, а системною властивістю нової регуляторної конфігурації. Функціональна нерозривність її торговельної, фінансової та технологічної складових породжує комплексний режим контролю доступу, у межах якого витрати, що покладаються на адресата регулювання, не підсумовуються механічно, а взаємно посилюються, формуючи регуляторне навантаження, яке не може бути нейтралізоване виключно внутрішніми засобами адаптації. Виокремлено п’ять операційних важелів реалізації цього режиму, а саме ресурсний, регуляторний, територіальний, технологічний і дискурсивний, узгоджена взаємодія яких забезпечує цілісний вплив на траєкторії розвитку країн, що перебувають у полі дії регуляторної архітектури. Запропоновано трьохконтурну модель зеленого гейткіпінгу, в межах якої регуляторні інструменти одночасно визначають доступ до ринків

через Механізм вуглецевого коригування на кордоні та імпортні стандарти, доступ до капіталу через таксономію сталих інвестицій, Директиву про корпоративну звітність зі сталого розвитку та Директиву про належну перевірку у сфері сталого розвитку, а також доступ до технологій через Акт про промисловість з нульовими викидами і Акт про критично важливі сировинні ресурси. Обґрунтовано, що системна реалізація зазначених механізмів формує новий зелений поділ праці: верхні сегменти зелених ланцюгів доданої вартості (регуляторна розробка, технологічна інновація, верифікація сталості) концентруються у юрисдикціях-лідерах, тоді як нижні сегменти (добування критичних мінералів, первинна переробка, надання екосистемних послуг) припадають переважно на Глобальний Південь і трансформаційні економіки, а технологічний гейткіпінг блокує природну траєкторію індустріального розвитку, яку в минулому проходили нині країни з розвиненими економіками. Показано, що формула розподілу доходів від CBAM є структурно еквівалентною класичному неопротекціоністському бар'єру за принципово іншого нормативного обрамлення. Виявлено, що архітектура зеленого фінтеху виконує функцію інфраструктурної основи гейткіпінгу та формує технологічну асиметрію між юрисдикціями-стандартоутворювачами і країнами, що підпадають під процедури ESG-скринінгу.

Ключові слова: регулювання; імператив; модернізація; фрагментація; декаплінг; регуляторна політика; регуляторна конкуренція; регуляторна координація; зелений неопротекціонізм; зелений гейткіпінг; зелений фінтех; конкурентні переваги; багатосторонність; співпраця; кліматична політика; кліматична нейтральність; зелений поділ праці; зелені ланцюги створення вартості; екологічна криза; Європейський зелений курс; CBAM; ESG; ЄС; США.

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