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PROBLEMS OF FORMATION OF ASYMETRIC JOINED TERRITORIAL COMMUNITIES: COMMUNICATIVE ASPECT

Abstracts. The authors suggest non-standard views on the process of decentralization in Ukraine. The processes of establishing communication in the newly formed communities have been analyzed. The authors note that the careful planning and implementation of communicative strategies is necessary for making administrative decisions and is carried out through informational and educational measures aimed at raising the level of public culture, increasing self-organization of the population and public activity.

Among the necessary measures the author suggests making changes to the positions of starosta; defining mechanisms of cooperation between local government body of the united territorial community, starostas and the body of self-organization of the population, forming and approving the Regulation, which regulates the procedure for formation and functioning of the body of self-organization of the population; in the Statute of the united territorial community establishing the procedure and determining the mechanisms for participation of citizens of peripheral settlements in decision-making process, ensuring a high-quality Internet for citizens including residents of peripheral settlements, organizing educational events to provide citizen with basic knowledge of work on personal computer and Internet; creating a separate communicative unit of local government body in order to promote the functioning and development of bodies of self-organization of the population and the peripheral settlements, ensure communication between them. The authors focus on the necessity to establish communicative policies of local government bodies on the one hand, and culture of public participation of residents of territorial unities, what should contribute to transparency and openness in the activity of local government bodies, reduce social tension and ensure further movement in the field of democratic transformations.

Keywords: united territorial communities, bodies of self-organization of the population, local government bodies, civil society, communication, communicative policy, culture of public participation.

ПРОБЛЕМИ СТАНОВЛЕННЯ АСИМЕТРИЧНИХ ОБ'ЄДНАНИХ ТЕРИТОРІАЛЬНИХ ГРОМАД: КОМУНІКАТИВНИЙ АСПЕКТ

Анотація. Пропонуються нестандартні погляди на процес здійснення децентралізації в Україні. Аналізуються процеси налагодження комунікації в новостворених громадах. Доведено, що ретельне планування і впровадження комунікативних стратегій є необхідним для прийняття управлінських рішень. Воно здійснюється через проведення інформаційних та просвітницьких заходів з метою зростання рівня громадської культури, посилення самоорганізації населення, громадської активності.

Серед необхідних заходів пропонується: внести зміни в положення про старосту; визначити механізми взаємодії органу місцевого самоврядування об'єднаної територіальної громади та старост з органом самоорганізації населення, розробити та затвердити Положення, в якому регламентувати процедуру створення та функціонування органу самоорганізації населення; в Статуті об'єднаної територіальної громади закріпити процедуру та визначити механізм участі у процесі прийняття рішень жителів периферійних населених пунктів, сприяти забезпеченню громадян, у т. ч. мешканців периферійних населених пунктів, якісним інтернет-зв'язком, організувати проведення навчальних заходів з надання населенню базових знань по роботі з персональним комп'ютером та в Інтернеті; створити окремих комунікаційний підрозділ органу місцевого самоврядування для сприяння функціонування та розвитку органів самоорганізації населення периферійних населених пунктів, забезпечення комунікацій між ними. Автори акцентують увагу на необхідності формування комунікативної політики органів місцевого самоврядування з одного боку та культури громадської участі мешканців територіальних громад, що має забезпечити прозорість та відкритість діяльності органів місцевого самоврядування, знижувати соціальну напруженість та забезпечити подальший рух у сфері демократичних перетворень.

Ключові слова: об'єднані територіальні громади, органи самоорганізації населення, органи місцевого самоврядування, громадянське суспільство, комунікація, комунікативна політика, культура громадської участі.

ПРОБЛЕМЫ СТАНОВЛЕНИЯ АСИММЕТРИЧНЫХ ОБЪЕДИНЕННЫХ ТЕРРИТОРИАЛЬНЫХ ОБЩИН: КОММУНИКАТИВНЫЙ АСПЕКТ

Аннотация. Предлагаются нестандартные взгляды на процесс осуществления децентрализации в Украине. Анализируются процессы налаживания коммуникации во вновь образованных общинах. Доказано, что тщательное планирование и внедрение коммуникативных стратегий необходимо для принятия управленческих решений. Оно осуществляется путем проведения информационных и просветительских мероприятий с целью роста уровня общественной культуры, усиление самоорганизации населения, общественной активности.

Среди необходимых мер предлагается: внести изменения в положение о старосте; определить механизмы взаимодействия органа местного самоуправления объединенной территориальной общины и старост с органом самоорганизации населения, разработать и утвердить Положение, в котором регламентировать процедуру создания и функционирования органа самоорганизации населения; в Уставе объединенной территориальной общины закрепить процедуру и определить механизм участия в процессе принятия решений жителей периферийных населенных пунктов, способствовать обеспечению граждан, в т. ч. жителей периферийных населенных пунктов, качественной интернет-связью, организовать проведение учебных мероприятий по

предоставлению населению базовых знаний по работе с персональным компьютером и в Интернете; создать отдельное коммуникационное подразделение органа местного самоуправления для содействия функционированию и развитию органов самоорганизации населения периферийных населенных пунктов, обеспечения коммуникации между ними. Авторы акцентируют внимание на необходимости формирования коммуникативной политики органов местного самоуправления с одной стороны и культуры общественного участия жителей территориальных общин, с другой, что должно обеспечить прозрачность и открытость деятельности органов местного самоуправления, снижать социальную напряженность и обеспечить дальнейшее движение в сфере демократических преобразований.

Ключевые слова: объединенные территориальные общины, органы самоорганизации населения, органы местного самоуправления, гражданское общество, коммуникация, коммуникативная политика, культура общественного участия.

Problem statement. Implementation of the process of establishing united territorial communities (OTG) in Ukraine, regulated by the Law of Ukraine “On voluntary association of territorial communities” [1], is aimed at forming territorial communities able to govern their territories independently and providing these communities with new prospects for further development. However, this process does not take into account the interests of peripheral settlements, in particular asymmetric OTGs, where after the process of association (or joining) of the communities local government bodies are not placed.

It is possible to predict that monopolization of the centres of communities in decision-making can be the consequence of this. In its turn, it can lead to a set of negative factors, such as: conflict situations between peripheral settlements and the center; minimization of opportunity for residents of villages

and settlements which are not the community centres to define the interests of the settlement they represent; loss of authority of local government bodies, the problems concerning administration etc.

It is necessary to state that in the process of formation of the united territorial communities communicative processes, models and schemes change radically, a new tactics and strategy of communicative policy establishes, its new potential defines. Such radical changes can cause raise in subjective, unjustified by objective factors, situation assessment.

Well-established constructive adapted to the modern conditions communication between local government bodies of asymmetric OTGs and members of peripheral settlements can contribute to overcome of the above-defined problems, and decrease the level of conflicts and the risks of their appearance in the nearest future.

Analysis of recent researches and publications. Particular aspects of communicative potential of local government in Ukraine are revealed in works of such researches as Ye. Afonin, L. Goniukova, R. Voitovych, [2], Ye. Mermann [3], S. Shturkhetskyi [4], and political communication in works of K. Kros [5]. The impact of the newest internet communication nets on public sphere development has been considered by O. Tretiak [6].

In 2016 the Association for Community Self-organization Assistance hold an interregional study of peripheral settlements in OTG on the issue of conflicts with the OTG centre. Information of the study can be found in the publications by O. Kolesnikov, O. Kalashnikova “Peripheral territories in OTG – partners or stepdaughters of the centre” [7] and “Analytical materials for debates on the topic: “Peripheral territories of united territorial communities: mechanisms for protection of rights and interest realization” (the example of the South of Ukraine) [8].

The purpose of the article is to disclose the problem of conflict in the process of formation of territorial communities; to define the ways of establishing communication between local government bodies of newly formed asymmetric OTGs and residents of peripheral settlements.

Presentation of the main material. Scientists and practitioners single out two types of united territorial communities. The first one is so called symmetric communities, in which residents are more or less proportionally distributed among settlements. The second type is asymmetric OTGs, where the administrative

centre dominates. The majority citizens live in it, it collects the most part of taxes, and so the majority of deputies represent the centre. The result may be a disproportion between the number of local deputies elected to the united territorial community from the OTG centre and the number of local deputies elected from the peripheral settlements of the same OTG, as well as between the voters living in the centre and in the peripheral settlements of the same OTG. As for the cities of oblast subordination, to which village and settlement council join, such statement is totally non-alternative.

All these factors bear the risks of conflict situations between the OTG centres and their peripheral territories what is an obstacle to the comprehensive development of the community. Violation of interconnection between the community residents and local power further complicates this process. At the same time, usage of communicative methods has a positive impact on establishing constructive dialogue between different parts of the community what helps to overcome the problems of community development and reduce the risk of their occurrence.

Considering this fact, it is possible to note that ensuring the communication between local government bodies and members of united territorial community is an importance aspect of OTG development as a whole.

Due to the fact, that the word communication came to us from English originated from Latin *communicare* meaning “to be in relations, take part, unite”, the idea of union, association, relation with community is of great importance for communication.

In our opinion, for modern Ukraine among the functions of communication the most important is the function of social tension reduction, which is called to ensure further move in the sphere of democratic transitions.

An important function of communicative policy of local government bodies of united territorial communities is the function of legitimizing the authorities. "Any authority becomes a power only when its instructions, orders are perceived by the subordinates as truly obligatory and necessary from the very essence, and their failure to do so is a violation of the truth of life as a crime. Legitimacy of the power is its enalienable feature" [9, p. 45]. Recognition or confirmation of the legality of someone's rights and obligations is understood under legitimacy. This, in fact, is the consent of citizens with the right of some (power) to make a significant impact on others (society).

The central official, representing the interests of the village (settlement) in the center of the community is the starosta. Article 14 of the Law of Ukraine "On Local Self-Government in Ukraine" [10] stipulates that the starosta is a member of the executive committee of the local government body. Starostas are elected by the majority electoral system.

On May 1, 2018, the Verkhovna Rada adopted in general a bill number 6466 (amendments to the Law of Ukraine "On Voluntary Association of Territorial Communities" on voluntary association of territorial communities of villages, settlements to territorial communities of cities of oblast significance with regard to voluntary association of territorial communities of villages, set-

tlements to territorial communities of cities of oblast significance.

Amendments to the Law stipulate that adjacent village and settlement territorial communities may voluntarily unite with territorial communities of cities of republican significance in the Crimea or the oblast significance upon the decision of the village or settlement council. The powers of such councils shall be terminated when the decision to voluntarily join the united territorial community (OTG) enters into force. From that moment authorities transfer to the city council of a city of oblast or republican significance. In the event of such accession before regular local elections, the election of OTG heads, local deputies and the starostas shall not be held, and the head of the territorial community shall be the head of the city.

The integral indicator of the legitimacy of power is an indicator of the level of citizens' trust in power institutions, which in the modern democratic world is not possible without a culture of social participation. The culture of public participation is one of the levels of communicative policy, whose constituent elements are transparency and openness. In the event of non-compliance with such requirements, public control over the actions of the authorities is impossible. Only when the authorities are "transparent", that is, open, public in their intentions, can determine how its actions are in accordance with the law and are moral.

The necessary element of the transparency of power is its openness, which first of all characterizes the clarity of purposes and functions of power for citizens, and, accordingly, its functional capacity to satisfy the interests of citi-

zens and to perceive their influence on it. Openness here should be seen primarily as a form of access to information about the government's activities, the procedures for the adoption and use of public-administrative decisions, and also as an opportunity to influence the activities of public authorities – to use and modify what is already available.

One of the most effective forms of public participation and an important element of the system of local self-government is the bodies of self-organization of the population. The legal status of bodies of self-organization of the population is determined by the Constitution (Part 5 of Article 140) and the laws of Ukraine “On Local Self-Government in Ukraine” (Articles 4, 14, 16, 60) and “On the Bodies of Self-organization of the Population”.

In accordance with the Law “On the Bodies of Self-organization of the Population” [11], bodies of self-organization of the population have committees: house, street, quarter, microdistrict, rural, settlement. They are one of the forms of participation of members of territorial communities of villages, settlements, cities, districts in cities in solving local issues, elected bodies created by residents who legally reside in the villages, settlements, cities or parts of them.

With regard to the powers of the body of self-organization of the population, the most important of them are the following:

- keeping records of citizens by age, place of work or studying, living within the territory of the body, as well as reception of citizens, consideration of their appeals;

- representation with the deputies of the interests of residents of the house, street, microdistrict, village, settlement, city, district in the city in the relevant local council and its bodies, local executive authorities;

- introduction of proposals for local social, economic and cultural development drafts of relevant local administrative units and local budgets drafts;

- control over the quality provided to citizens living in residential buildings on the territory of the body of self-organization of the population, housing and communal services and on the quality of carrying out repair works in these buildings;

- voluntary involvement of the population in participation in the implementation of measures for the natural environment protection, works on improvement, landscaping and keeping farmsteads, yards, streets, parks, cemeteries, fraternal graves, equipment of children and sports grounds, children creations, clubs of interests in good condition, creation of temporary or permanent brigades for this purpose, etc.;

- organization of assistance to the elderly, invalids, families of dead soldiers, partisans and servicemen, low-income and large families, as well as lonely citizens, orphans and children deprived of parental care, making proposals on these issues to the relevant council and its executive bodies.

In addition to this, the exclusive powers of the bodies of self-organization of the population are assigned a number of powers to promote and provide assistance to educational establishments, institutions and organizations of culture, physical culture and

sport, law enforcement bodies, as well as deputies of the relevant local councils in organizing meetings with electoral, reception of citizens and conducting other work in constituencies [ibid, art. 14].

The Law of Ukraine “On Local Self-Government in Ukraine” [12] in accordance with Art. 8 gives the members of the territorial community direct participation in solving local issues by holding a general meeting of citizens at their place of residence. However, the procedure for holding a general meeting of citizens at the place of residence, in accordance with Part 3 of Art. 8 may be determined by the statute of a territorial community or by a separate law on general meeting.

On March 24, 2015, the Verkhovna Rada of Ukraine submitted a draft of the Law of Ukraine “On General Meeting (Conference) of the Members of the Territorial Community at the Place of Residence” from the group of deputies. The conclusion of the Main Scientific and Expert Department on 07.09.2015 (Reg. № 2467 dated March 24, 2015) says that the bill proposed by means of a separate law to determine the legal and organizational principles for convening and holding general meetings of members of a territorial community at the place of residence. It was proposed to determine the legal and organizational principles of convening and holding not only general meetings, but also conferences of members of a territorial community at their place of residence, as well as determine the powers of general meetings (conferences) and the procedure for their implementation [13]. At present, a separate law on general meetings (conferences) is not adopted.

In modern society, an important factor of the openness of power is a proper use of the Internet. According to the researcher S. V. Shturetskogo “communicative potential of local government” depends on the following main factors as: the distance between a communicator and a communicant (taking into account the degree of access to the definite communicative channels and means); ability of the participants of communicative process in local government to produce and receive a flow of messages; restrictive factors of public regulation: normative provision of the communicative process, on the one hand, and needs for such communication on the other [14, p. 44]. Thus, this degree of development of the communicative space of the territorial community and its significant communicative potential can be expanded with the help of social and media tools (that is, using the Internet) what will significantly increase the possibility of choosing the forms and ways of communicative activity in social media between municipality and community for solving different kinds of administrative tasks [15, p. 37]. Along with this, lots of rural settlements in Ukraine have problems with the full use of the Internet, caused by the high tariffs for rural areas, low speed, frequent trips, lack of specialists for repair and adjustment of computers etc.

In 2016, the Association for the Promotion of Self-Organization of the Population conducted an inter-regional study of peripheral settlements in OTG. Considering the conflict situations that arose in the newly formed united communities, analyzing their causes and consequences, developing

recommendations for overcoming crisis phenomena, the problems of various components of the functioning of the community (administrative, economic, legislative, communication, etc.) are violated. In this work we are interested in the very communication component.

The study noted the fears of the residents that the availability of services for peripheral territories could decrease and that they would remain on their own problems, which was one of the main arguments against the unification. The study showed that the inhabitants of small villages are worried about the prospect that only the OTG centers will benefit from the association, and the periphery can only lose.

In the issues of information support for OTG activities, the survey found poor information support for the activities of local OTG councils, which complicates the access of residents, including peripheral communities, to information on the activities of the councils. Information content and the process of updating of existing sites materials, according to the findings of the study, needs to be improved.

Considering the direct participation of residents of peripheral communities in decision-making processes, it is emphasized that the practice of consulting with OTG residents, including peripheral ones, by using forms of direct participation is unpredictable [16].

Conclusions. The well-established communicative policy of local government body is an important and necessary condition for the comprehensive community development. On this basis, it is possible to state, that the need for finding optimal and scientifically-based decisions aimed at solving the

community problems in the communicative sphere is one of the most important tasks for local government bodies, including thorough planning and introduction of the communicative strategies, necessary for information and educational measures, such as involving members of the territorial community to decision-making and others; increasing the level of public culture of citizens and self-organization of the population, public activity, efficient representation of the population interests in local government bodies and others.

In order to achieve normal development of a community and overcome problems associated with conflict situations in the communicative sphere that occur or can occur between local government bodies of asymmetric OTGs and peripheral settlements, given the theoretical findings and the results of practical research presented in the paper, in our opinion, it is necessary to enforce the communicative factor in administrative decisions of local government bodies. At the local level, this can be done through implementation of the following measures:

1. The Provision on starosta should include the norm for the approval of draft decisions as for the interests of the settlements which he/she represents.

2. To determine the mechanisms of interaction of the local self-government body of the united territorial community and the starosta with the body of self-organization of the population. To elaborate and approve the Provision regulating the procedure for the establishment and functioning of the body of self-organization of the population.

3. To introduce a systematic local general meeting of members of territo-

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