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THE NETWORK OF INSTITUTES AND
SCHOOLS OF PUBLIC ADMINISTRATION
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CONTENT

DEAR COLLEAGUES!

Please accept sincere congratulations with the release of the № 2 (22) — March 2020 of collection "Public management"!

Today, when our lives are filled with information, it is difficult to overestimate the impact of the printed word on public-governmental processes occurring in society. The pages of the next issue of the paper analyze ways of using artificial intelligence to establish the state's security criteria. In particular, optimization and simulation methods are considered, which allow, due to a certain number of iterations, to obtain an approximate value of the studied parameters. Interesting information about ways of improving the functioning of state-public authorities, improving the sphere of governance in the direction of socio-economic and political modernization of modern Ukraine is given. Approaches to the development and implementation of innovative technologies in the context of the activity of public administration bodies in relation to ensuring an acceptable level of safety of aviation in emergency situations are shown.

I take this opportunity to thank the editorial staff for their tireless work, for their truthful and timely coverage of theoretical and practical issues in various spheres of public administration. I hope in the future for mutually beneficial cooperation and partnerships with the publication.

I congratulate all your team and sincerely wish you further success, new creative achievements, optimism and pep.

Regards,
Director of the Institute of Public Administration
of the Peter Mohyla Black Sea National University,
Doctor of Science in Public Administration, Professor **Vladimir Yemelyanov**

DEAR COLLEAGUES!

I congratulate you and the whole staff of the collection "Public management" with the release of its next issue.

Today, like almost five years ago, the collection is a respected and authoritative publication.

The pages of the collection always have a place for different points of view and free discussion on the most important problems of modern government. Such popularity and social significance of the publication is due to its founders: the Interregional Academy of Personnel Management and the All-Ukrainian Assembly of Doctors of Public Administration, Editorial Board and Authors. The collection has become a real school of scientific excellence for many government officials.

The issue of the collection explores the main methodological approaches to the provision of an information-analytical system of public administration, which should take into account the diversity of decision-making processes and the specific activities of civil servants of all categories at different stages of the decision-making process.

The questions of modern management technologies and activity of the management apparatus in the labor market are analyzed. The importance of development of strategy and methodology in the process of personnel management is shown. The criteria of balancing labor market needs at national and regional levels are considered. The problems of functioning of public-public communication in the sphere of consumer rights protection are revealed and practical recommendations are given on their overcoming on the basis of democratic governance in Ukraine. Examples of qualitative changes in reducing the workload of teachers, prohibiting the combination of administrative positions at universities, increasing the transparency of higher education institutions and increasing the rights of student self-government are formulated.

Sincerely,
Editor-in-Chief, Doctor of Science
in Public Administration,
Professor, Honored Lawyer of Ukraine **E. O. Romanenko**

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ANTI-CORRUPTION ACTIVITIES AND THE IMPORTANCE OF ANTI-CORRUPTION EDUCATION

Annotation. The main destructive consequences of the prosperity of corruption in the state are such negative developments as violations of the principle of the rule-of-law; lack of public confidence in the State authorities; corruption in public institutions, which nullifies economic reforms and causes lower foreign investments, violates the principles of equality and social justice, etc. In Ukraine, there are many problems regarding such a phenomenon as corruption, because Ukrainian legislation is more declarative. That is why the development and implementation of anti-corruption measures should be a top priority on the way to becoming Ukraine as a rule-of-law state.

The current state of this anti-social phenomenon in the country is such that the sphere of corruption becomes a competitor of the state in the management of society, and the current organizational norms and social effect of corruption pose a threat to the national security of the country. In the absence of an ef-

fective system of control at different levels, loss of effective state leadership, corruption threatens the national sovereignty and territorial integrity of our state.

World practice shows that the combination of an effective system of combating corruption at the national and international levels, combined with regulatory support, has the greatest effect on the fight against corruption.

Considering corruption as one of the most serious obstacles to the country's economic and political development, the realization that it poses a threat to national security raises the need to create an anti-corruption education system as a separate component of the education system. Education and upbringing of the formation of anti-corruption outlook among citizens is part of the anti-corruption state policy to eliminate the causes and conditions that generate and nurture corruption in different spheres of life.

An important component in shaping the anti-corruption worldview is to use the potential of educational work in educational institutions. Given that the main purpose of anti-corruption education is the formation of civic consciousness, social disciplines are most favorable for its integration: social sciences, history, political science, ethics, etc.

The expected result of anti-corruption education is a person with knowledge of the dangers that corruption poses to the well-being of society and the security of the state, which does not tolerate corruption and is capable of eliminating this phenomenon.

Keywords: corruption, anti-corruption, anti-corruption activities, anti-corruption education, anti-corruption awareness, anti-corruption policy.

АНТИКОРУПЦІЙНА ДІЯЛЬНІСТЬ ТА ВАЖЛИВІСТЬ АНТИКОРУПЦІЙНОГО ВИХОВАННЯ

Анотація. Головними деструктивними наслідками процвітання корупції в державі є такі негативні явища як порушення принципу верховенства права; недовіра суспільства до влади; корупція в інституціях публічної влади, яка зводить до нуля економічні реформи і є причиною зменшення притоку іноземних інвестицій, порушує принципи рівності та соціальної справедливості тощо. В Україні існує багато проблем стосовно такого явища як корупція, адже українське законодавство має більш декларативний характер. Саме тому розробка та впровадження заходів антикорупційного спрямування має стати першочерговим завданням на шляху до становлення України як правової держави.

Сьогоднішній стан цього антисоціального явища у державі є такий, що сфера корупції стає конкурентом держави у здійсненні управління суспільством, а сучасні організаційні норми і соціальний ефект корупції створюють загрозу національній безпеці країни. За умов відсутності ефективної системи контролю на різних рівнях, втрати результативного державного керівництва, корупція загрожує національному суверенітету і територіальній цілісності нашої держави.

Світова практика свідчить, що найбільшого ефекту боротьби з корупційними діями дає поєднання ефективної системи протидії корупції на державному і міжнародному рівнях у поєднанні з нормативно-правовим забезпеченням.

Розгляд корупції як одного з найсерйозніших перешкод для економічного та політичного розвитку країни, усвідомлення того факту, що вона являє собою загрозу національній безпеці, породжує необхідність створення системи антикорупційного виховання як окремого компонента системи виховання. Просвітництво і виховна робота з формування у громадян антикорупційного світогляду є частиною антикорупційної державної політики щодо усунення причин і умов, що породжують і живлять корупцію в різних сферах життя.

Важливою складовою у формуванні антикорупційного світогляду є використання потенціалу виховної роботи в закладах освіти. З огляду на те, що основною метою антикорупційного виховання є формування громадянської свідомості, то найбільш сприятливим для його інтеграції середовищем є соціальні дисципліни: суспільствознавство, історія, політологія, етика і ін.

Очікуваний результат антикорупційного виховання — це особистість, наділена знаннями про небезпеку, яку представляє собою корупція для добробуту суспільства і безпеки держави, яка не мириться з проявами корупції та здатна і бажає усунути це явище.

Ключові слова: корупція, протидія корупції, антикорупційна діяльність, антикорупційне виховання, антикорупційна свідомість, антикорупційна політика.

АНТИКОРРУПЦИОННАЯ ДЕЯТЕЛЬНОСТЬ И ВАЖНОСТЬ АНТИКОРРУПЦИОННОГО ВОСПИТАНИЯ

Аннотация. Главными деструктивными последствиями процветания коррупции в государстве есть такие явления как нарушение принципа верховенства права; недоверие общества к власти; коррупция в институтах публичной власти, которая сводит к нулю экономические реформы и является причиной уменьшения притока иностранных инвестиций, нарушает принципы равенства и социальной справедливости, и так далее. В Украине существует много проблем относительно такого явления как коррупция, ведь украинское законодательство имеет больше декларативный характер. Именно поэтому разработка и внедрение мероприятий антикоррупционного направления должно стать первоочередной задачей на пути к становлению Украины как правового государства.

Сегодняшнее состояние этого антисоциального явления в государстве такой, что сфера коррупции становится конкурентом государства в осуществлении управления обществом, а современные организационные нормы и социальный эффект коррупции создают угрозу национальной безопасности страны. В условиях отсутствия эффективной системы контроля на различ-

ных уровнях, потери результативного государственного руководства, коррупция угрожает национальному суверенитету и территориальной целостности нашего государства.

Мировая практика показывает, что наибольшего эффекта борьбы с коррупционными действиями дает сочетание эффективной системы противодействия коррупции на государственном и международном уровнях в сочетании с нормативно-правовым обеспечением.

Определение коррупции как одного из самых серьезных препятствий для экономического и политического развития страны, осознание того факта, что она представляет собой угрозу национальной безопасности, порождает необходимость создания системы антикоррупционного воспитания как отдельного компонента системы воспитания. Просвещение и воспитательная работа по формированию у граждан антикоррупционного мировоззрения является частью антикоррупционной государственной политики по устранению причин и условий, порождающих и питающих коррупцию в разных сферах жизни.

Важной составляющей в формировании антикоррупционного мировоззрения является использование потенциала воспитательной работы в учебных заведениях. Учитывая то, что основной целью антикоррупционного воспитания является формирование гражданского сознания, то наиболее благоприятной средой для его интегрирования являются социальные дисциплины: обществоведение, история, политология, этика и др.

Ожидаемый результат антикоррупционного воспитания — это личность, наделенная знаниями об опасности, которую представляет собой коррупция для благосостояния общества и безопасности государства, которая не мирится с проявлениями коррупции и способна и желает устранить это явление.

Ключевые слова: коррупция, противодействие коррупции, антикоррупционная деятельность, антикоррупционное воспитание, антикоррупционное сознание, антикоррупционная политика.

Problem statement. Ukraine has suffered from systemic corruption for many years since its independence in 1991. The ruling elite was very reluctant to introduce the necessary anti-corruption changes, and their implementation was largely sabotaged. Widespread corruption reached its height during the presidency of Viktor Yanukovych when the government turned into a corruption pyramid. Eventually, this situation triggered an outburst of mass civil protests known as the Revolution of Dignity.

Following these events, Ukraine has made an impressive breakthrough in the fight against corruption by launching a smart anti-corruption reform. A new institutional framework has been created to independently investigate cases of high-profile political corruption, and new mechanisms for detecting and preventing corruption have been put in place, which laid

the foundation for a successful fight against corruption. These new institutions face increasing resistance from the country's political and business elites, regardless of their formal political affiliation, and the practical implementation of new anti-corruption instruments is compounded by the lack of anti-corruption education of young people.

Analysis of recent publications on research issues. Problems of corruption in Ukraine and methods of anti-corruption education were revealed in their works by V. V. Nonik, T. S. Hzhybovska, P. I. Haman, A. M. Novak, Yu. O. Smirnova, O. V. Volianska, O. V. Shkuropat, A. M. Novak, N. V. Smetanina and others.

Purpose of the article. The purpose of the article is to study the theoretical and practical aspects of anti-corruption activities in Ukraine and the basics of the formation of the anti-corruption education system as a tool of the anti-corruption strategy of the state.

Presenting the main material of research. Theoretical and methodological aspects of anti-corruption activities are defined by the Law of Ukraine "On Prevention of Corruption". The law establishes the organizational and legal bases for the functioning of the anti-corruption system in Ukraine, the nature and methodology of preventive anti-corruption activities, the rules for eliminating the consequences of corruption.

Anti-corruption activities are carried out in three directions:

1. Prevention of corruption offences.
2. Detection of corruption offences.
3. Elimination of consequences of corruption offences.

Therefore, anti-corruption activities are closely related to the concept of "corruption offence".

Corruption offence is an act that contains signs of corruption and is committed by a subject to whom the Law of Ukraine "On Prevention of Corruption" applies. Also, criminal, disciplinary or/and civil liability should be imposed for this act [1].

Thus, it is important to determine what corruption is.

According to the legislation of Ukraine, corruption is the use by a subject covered by the Law of Ukraine "On Prevention of Corruption", of related official powers or opportunities to obtain or accept an undue benefit, offer/promise of that benefit to itself or other persons or making an offer/promise to give undue benefit to the subject of the relevant law or at its request to other legal or natural persons in order to persuade the subject to unlawful use of the given powers or opportunities [1].

So, it is clearly stated that for the use of the term "corruption", at least one of the persons involved in the act must have official powers or opportunities related to them, and therefore the corruption offence is related primarily to the use of powers to perform the functions of the state or over state-owned enterprises or state property [2, p. 86].

Anti-corruption activities in Ukraine are carried out by the following specially authorized entities: prosecuting authorities, the National Police, the National Anti-Corruption Agency and the National Anti-Corruption Bu-

reau of Ukraine. Let's consider the peculiarities of NABU activity.

On October 14, 2014, the Verkhovna Rada of Ukraine adopted the Law № 1698-VII "On the National Anti-Corruption Bureau of Ukraine". On April 16, 2015, the President of Ukraine signed Decree № 217/2015 "On Establishment of the National Anti-Corruption Bureau of Ukraine" [3]. From that moment the creation of a new state body began.

According to the Law, NABU has to:

1) carry out operative-investigative measures with the purpose of prevention, detection, termination and disclosure of criminal offences attributed by the law to its jurisdiction, as well as in operative-investigative cases demanded from other law enforcement agencies;

2) carry out the pre-trial investigation of criminal offences referred by law to its jurisdiction, and conduct a pre-trial investigation of other criminal offences;

3) take measures for the search and seizure of funds and other property that may be the subject of confiscation or special confiscation in criminal offences attributable to the jurisdiction of the National Bureau, carries out activities for the storage of funds and other property subject to seizure;

4) interact with other government bodies, local self-governments and other entities to fulfill their responsibilities;

5) carry out information and analytical work in order to identify and eliminate the causes and conditions conducive to the commission of criminal offences attributed to the jurisdiction of the National Bureau;

6) ensure the personal safety of the employees of the National Bureau and other persons defined by law, protection against unlawful encroachment on persons involved in criminal proceedings;

7) ensure, based on confidentiality and voluntariness, cooperation with persons who report on corruption offences;

8) inform society about the results of its work;

9) pursue international cooperation within its competence.

As of November 30, 2019, NABU opened 836 proceedings, made 221 reports of suspicion, 418 persons were indicted, 237 cases were brought to court, 37 of which were sentenced.

During the first half of 2019, as a result of the activities of NABU detectives, UAH 173,87 million losses were compensated, theft for UAH 8,28 billion was prevented [4].

NABU is also active in handling applications from citizens [5].

The activities of the authorities in the fight against corruption bring about results. According to the Corruption Perceptions Index, Ukraine has gained some points and improved its performance in 2018 — 32 points, that is 130 place out of 180 countries.

Transparency International Ukraine, an accredited representative of the global movement Transparency International, a non-governmental international organization for combating corruption and investigating its level, noted the fact that most of the organization's recommendations were only partially implemented and ignored in 2018.

Namely, there was no strengthening of the National Anti-Corruption Bureau of Ukraine. NABU detectives were not granted the right to their own listening devices, the so-called "wiretaps". Instead, changes to the legislation have made it difficult to conduct criminal investigations. The unconstructive public confrontation between law enforcement has intensified.

It is worth noting the continued pressure on activists and journalists, the horrific example of which was the murder of Kateryna Handziuk.

Discarded in previous years, the National Agency for Corruption Prevention is still unable to effectively fulfill its role in anti-corruption infrastructure due to the lack of conditions for its reboot.

The NACP did not become the technical administrator of the e-declarations register because it did not gain access to some state registers, so the announced automatic verification of electronic declarations makes no practical sense. Also, the tender for the Agency's audit was held with legislative violations.

The Security Service of Ukraine and the National Police had to transfer the functions of combating economic crimes to the Financial Investigation Service. This did not happen, the FIS has not yet been created, so the pressure from these law enforcement agencies on the business remains significant.

It is evident that the progress made in recent years has been largely driven by reforms initiated back in 2014. Lack of political will remains one of the main deterrents to anti-corruption progress [6].

As the experience of many developed countries shows, the main prerequisite for the detection of corruption offences and the effectiveness of anti-corruption measures is the activity of citizens who are really interested in combating corruption. Awareness of corruption as one of the most serious obstacles to the economic and political development of a country, as a threat to national security, requires the creation of an anti-corruption education system as a separate component of the education system and its incorporation into the anti-corruption strategy of the state.

The purpose of anti-corruption education is to form an anti-corruption outlook, strong moral foundations and values of personality, civic position and stable skills of anti-corruption behavior, increase the level of legal consciousness and a sense of patriotism, especially among young people — that is, to form the competence of anti-corruption.

The result of such education should be a person endowed with knowledge about the dangers of corruption for a society, who does not want to put up with its manifestations and actively participates in eliminating the causes and conditions of corruption [7].

The anti-corruption education program should be started in the elementary classes through the implementation of programs aimed at forming the moral foundations of the individual, the foundations of legal culture and citizenship. The study can be provided in the form of lessons and classroom hours, competitions and games, electives, discussions and trainings.

In the middle and upper grades of secondary school students can be in-

cluded in the system of anti-corruption education through general education subjects, participation in school self-government, socially significant design, civic actions, etc.

The integration of anti-corruption education into the educational process requires a thematic context since the problem of corruption cannot be realized without consideration of the appointment of the civil service, ethical and legal requirements for civil servants. Concepts and values that are important in shaping anti-corruption attitudes may also convey other topics.

There are different ways to integrate. In the course of anti-corruption education in the secondary education area, additions that are directly related to corruption should be introduced into the program. This approach is widely used in high school programs where social disciplines such as social studies, history, economics, ethics are taught. Another approach involves analyzing the core values and concepts that are associated with the phenomenon of corruption, as well as expanding existing subject programs, thus highlighting aspects that have received insufficient attention.

Anti-corruption education in higher education institutions is carried out through the inclusion of special courses and specific disciplines of anti-corruption orientation in the curriculum, and also provides for non-formal anti-corruption education that can be carried out outside the educational process. Within the framework of the informal approach, the anti-corruption education program is implemented through seminars, trainings, business games, writing competition works, projects, holding civic and youth forums on combating corruption, developing computer information and legal programs, creating projects of social importance, conducting civil actions on anti-corruption, print production, film making, sociological research, online questionnaires. This way of introducing anticorruption education is quite effective and does not require big expenses.Information on the goals of anti-corruption education is provided through promotion activities, conferences, meetings with law enforcement officials and more.

Conclusion and prospects for further research. It should be understood that the effect of any measures will not be noticeable immediately since the formation of anti-corruption consciousness takes time. Only through systematic and purposeful work, the corruption intolerant generation can be educated.

It can be confidently said that the country's law enforcement system does not cope with the task of combating corruption. Criminal prosecution alone is not able to shake off large-scale corruption; the fight against corruption is not a criminal but a systemic problem. The quality of the work of law enforcement agencies is low and they are undermined by corruption and the professional level of employees in the general mass does not meet the complexity of the problems. The law enforcement system cannot cope with the task of combating corruption on its own, it must be solved jointly by the state and society.

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IMPLEMENTENT BASES OF TRADE-MARKETING ACTIVITIES OF MUNICIPAL PHARMACY

Abstracts. The purpose of this article is to study the experience of using trade-marketing activities at the Community Pharmacy "Viola" and the existing global trends in the pharmaceutical business with their subsequent use in determining the priority directions of the pharmacy development.

The following questions are analyzed: 1) global trends in the pharmaceutical business (taking into account the needs of consumers and their positioning as valuable partners; using modern technologies of IT-companies for consumer orientation; developing and producing drugs from rare (orphan) diseases; increasing the number of M&A transactions); 2) proposals were made for the implementation of electronic recipes by the Community Pharmacy "Viola" (control of duplication of prescribed drugs; incompatibility of medicines; clear identification of persons with the same name; provision of sufficient capacity of cloud storage for processing millions of electronic recipes per year); 4) the method of improving the financial condition of the pharmacy through the production of medicines from orphan diseases is determined; 5) analyzed the use of a communal pharmacy trade-marketing activities (loyalty programs, the program "Living with Diabetes" projects "Marking", "Pulse", the application of discounts for cancerdrugs and preferential supply of drugs for palliative care for Khmelnytsky, patients with cancer disease-patients; discounts on the funds used incardiosurgery; outdoor advertising on the facades of the pharmacy; POS materials in pharmacies and visualization of drugs on shelves; training of staff); 6) the priority directions of the pharmacy development are determined.

The authors confirm that the global trends of the pharmaceutical industry development are crucial for the further development of pharmacies at the regional

level, and the communal pharmacy that became the subject of the study, continuing the installation period, has some achievements in the use of trade-marketing activities.

Keywords: trade-marketing activity, consumer, product innovation, technological innovation, organizational innovation, electronic recipe, orphan disease, generic drug.

ІМПЛЕМЕНТАЦІЙНІ ОСНОВИ ТРЕЙД-МАРКЕТИНГОВИХ АКТИВНОСТЕЙ КОМУНАЛЬНОЇ АПТЕКИ

Анотація. Метою даної статті є дослідження досвіду використання трейд-маркетингових активностей на комунальній аптеці "Віола" та існуючих глобальних трендів у фармацевтичному бізнесі з подальшим їх використанням при визначенні пріоритетних напрямків розвитку аптеки.

У статті проаналізовані наступні питання: 1) глобальні тренди у фармацевтичному бізнесі (врахування потреб споживачів та їх позиціювання як цінних партнерів; використання сучасних технологій IT-компаній для орієнтації на споживача; розробка та виробництво лікарських засобів від рідкісних (орфанних) хвороб; зростання кількості M&A угод); 2) надано пропозиції у впровадженні електронних рецептів комунальною аптекою "Віола" (контроль дублювання препаратів, що призначаються; несумісність лікарських засобів; чітка ідентифікація осіб з однаковим прізвищем; забезпечення достатньої потужності хмарного сховища для обробки мільйонів електронних рецептів на рік); 3) проаналізовано досвід співпраці комунальної аптеки "Віола" із закладами охорони здоров'я щодо можливості забезпечення їх лікувальними препаратами; 4) визначено спосіб покращення фінансового стану аптеки за рахунок виробництва ліків від орфанних хвороб; 5) проаналізовано використання комунальною аптекою трейд-маркетингових активностей (програми лояльності, програма "Життя з діабетом", проекти "Опіка", "Пульс", застосування знижок на онко-препарати та пільговий відпуск наркотичних засобів для паліативного лікування для хмельничан, хворих із онкологічними захворювання-пацієнтами; знижки на засоби, що застосовуються в кардіохірургії; зовнішня реклама на фасадах аптеки; POS-матеріали в аптеках та візуалізація препаратів на полицях; навчання персоналу); 6) визначено пріоритетні напрямки розвитку аптеки.

Авторами підтверджено, що світові тренди розвитку фармацевтичної галузі є визначальними і для подальшого розвитку аптек на регіональному рівні, а комунальна аптека, що стала предметом дослідження, продовж періоду встановлення, має певні здобутки у використанні трейд-маркетингових активностей.

Ключові слова: трейд-маркетингові активність, споживач, продуктова інновація, технологічна інновація, організаційна інновація, електронний рецепт, орфанна хвороба, генеричний лікарський засіб.

ИМПЛЕМЕНТАЦИОННЫЕ ОСНОВЫ ТРЕЙД-МАРКЕТИНГОВОЙ АКТИВНОСТЕЙ КОММУНАЛЬНОЙ АПТЕКИ

Аннотация. Целью данной статьи является исследование опыта использования трейд-маркетинговых активностей на коммунальной аптеке "Виола" и существующих глобальных трендов в фармацевтическом бизнесе с последующим их использованием при определении приоритетных направлений развития аптеки.

В статье проанализированы следующие вопросы: 1) глобальные тренды в фармацевтическом бизнесе (учет потребностей потребителей и их позиционирование как ценных партнеров, использование современных технологий ИТ-компаний для ориентации на потребителя, разработка и производство лекарственных средств от редких (орфанных) заболеваний, рост количества M & A сделок); 2) даны предложения по внедрению электронных рецептов коммунальной аптекой "Виола" (контроль дублирования препаратов, назначаемых; несовместимость лекарственных средств; четкая идентификация лиц с одинаковой фамилией, обеспечение достаточной мощности облачного хранилища для обработки миллионов электронных рецептов в год) 3) проанализирован опыт сотрудничества коммунальной аптеки "Виола" с учреждениями здравоохранения о возможности обеспечения их лечебными препаратами 4) определены способ улучшения финансового состояния аптеки за счет производства лекарств от орфанных болезней; 5) проанализировано использование коммунальной аптекой трейд-маркетинговых активностей (программы лояльности, программа "Жизнь с диабетом", проекты "Опека", "Пульс", применение скидок на онко-препараты и льготный отпуск наркотических средств для паллиативного лечения для жителей Хмельницкого, больных с онкологическими заболевания-пациентами; скидки на средства, застосувються в кардиохирургии; наружная реклама на фасадах аптеки POS-материалы в аптеках и визуализация препаратов на полках, обучение персонала); 6) определены приоритетные направления развития аптеки.

Авторами подтверждено, что мировые тренды развития фармацевтической отрасли являются определяющими и для дальнейшего развития аптек на региональном уровне, а коммунальная аптека, которая стала предметом исследования, течение периода установления, имеет определенные достижения в использовании трейд-маркетинговых активностей.

Ключевые слова: трейд-маркетинговая активность, потребитель, продуктовая инновация, технологическая инновация, организационная инновация, электронный рецепт, орфанные болезни, генерическое лекарственное средство.

Thesis statement. The modern pharmaceutical market is complex, multifunctional and multi-level with high growth rates of production and sales. In Ukraine, the production of pharmaceutical products is currently

carried out by about 135 domestic enterprises, in particular: PJSC "Pharmaceutical firm "Darnitsa", PJSC "Farmak", PJSC Training and Production Center "Borschagovsky chemical and pharmaceutical factory", corporation "Arterium", Group of companies "Lekhim" and others. Approximately 50 % of medicines in the pharmaceuticals market belongs to domestic enterprises (with the simultaneous predominance of outdated, clinically ineffective drugs). However, imported medicines in the pharmaceutical market remain quite significant.

According to SMD's data, the highest relative growth for 2017 was demonstrated by the Cherkasy plant "Yuriya Farm". He got production capacities abroad and rose from the 17th place to the 15th and showed the highest growth rate (+ 29 %). Three Ukrainian companies remained in the ranking of distributors by the volume of sales of all goods categories in the pharmacy basket in monetary terms: PJSC "Farmak", corporation "Arterium", PJSC "Farmak", PJSC "Pharmaceutical firm "Darnitsa". About 60 % of the retail sales of the last company are medium- and high-cost drugs. This situation arises due to the renewal of the product portfolio by bringing out new high-tech and original products in the field of cardiology and neurology. As a result, it allowed the company to introduce 25 ready-made medicines in production, 12 of the most successful lunches provided the company with 212 million USD secondary sales [1].

It should be noted that along with such pharmaceutical giants in Ukraine there are utility pharmacies belonging to the territorial community of cities. Their main goal is to achieve economic and social results and profit (according to statutory documents). Therefore, it is logical that, with the globalization of the economy and the pronounced global trends in the pharmaceutical business, it is necessary to pay attention to trade-marketing activities and community pharmacies.

Analysis of recent research. Many works are devoted to improving the efficiency of production, product quality, logistics management in the pharmaceutical industry. The mechanism of increasing the socialization of the sectoral innovation process in Ukraine was defined by O. A. Meh [2], theoretical positions of marketing and features of pharmaceutical marketing were developed by Z. M. Mnushko [3], O. V. Posilkin [4]. Features of marketing activity in Ukraine at the present stage are investigated by the following scientists: Yu. E. Bondarenko, M. V. Moklyak and O. V. Fedorenko [5] examined the basic modern marketing concepts and defined the role of Ukraine in the context of the development of marketing theory and practice.

The objective of the study is research of global trends in the pharmaceutical business and the experience of using trade-marketing activities at the municipal pharmacy "Viola" and their subsequent use in determining the priority directions of the pharmacy development.

Results. Today in the pharmaceutical market of the world and Ukraine there are several main tendencies: reformation services of provision in the field of health care; state support in the development of new drugs; using of new legal instruments; protection of

personal patients' data. Accordingly, among the most common global trends in the pharmaceutical business can be: 1. consideration the needs of consumers and their positioning as valuable partners; 2. use of modern technologies of IT companies for the consumer' orientation; 3. development and production of medicinal products from rare (orphan) diseases; 4. production of generic drugs; 5. increase quantity of M&A agreements.

The first brightest global trend in the pharmaceutical business is consideration the needs of consumers and their positioning as valuable partners. World pharmaceutical companies are gradually moving from an approach to increasing sales as a single goal to take into account the process and patient treatment results. Pharmaceutical companies understand the benefits of feedback from patients. It focuses on the processing of a large information's amount and its compliance with the treatment process requirements of clinical protocols and their effectiveness.

According to the decision of the Ukraine Ministry of Public Health, the pilot project "Electronic Recipe" has already been launched in 5 cities of Ukraine: Vinnytsia, Dnipro, Ivano-Frankivsk, Cherkasy and Bakhmut (Donetsk region), and by the end of 2018 it is planned to be implemented throughout Ukraine. Within the framework of this project, the patient received access to information on the availability of drugs in pharmacies and the possibility to reserve necessary medicines in any convenient pharmacy network through the mobile application of the pharmacy network "D.S.". This pilot project allowed the collection of analytical data (which was prescribed by the doctor, the patient acquired, the history of treatment, the comparison of the effectiveness of analogues, etc.).

An electronic recipe is a medical document created by a doctor with the help of specialized software. Its advantages are integrity (the entire history of appointments is kept in one base); accessibility (appointment information available to a doctor, pharmacist and patient); analytical (it is possible to output statistics based on the history of appointments); reporting (important for the implementation of state reimbursement programs).

The sequence of work in the pilot project "Electronic Recipe" is as follows:

1) the doctor forms an electronic recipe with all necessary requisites and data about the patient and makes the appointment;

2) the created electronic recipe falls into a protected cloud storage, which integrates with the software product of the pharmacy network;

3) information about the availability of the order received by the pharmacy comes to the patient in the form of a sms-message [6].

Consequently, taking into account the decision of the Ukraine Ministry of Public Health, the municipal pharmacy "Viola" in 2018 should join the pilot project "Electronic Recipe". Accordingly, the communal pharmacy may have the following tasks:

• participation in public discussions at the state level on the need for a single classifier of medicines (it will be integrated into the program product of

medical institutions with subsequent systematic automatic updates);

• participation in public discussions at the state level on the definition of the standard of electronic recipe.

The municipal pharmacy "Viola", based on the existing practice of introducing electronic recipes in the world, must take into account such nuances as: 1) control over duplication of prescribed drugs; 2) incompatibility of medicinal products, that is to take into account the basis of clinical pharmacy; 3) clear identification of persons with the same surname; 4) provide enough cloud storage capacity to handle millions of electronic recipes per year.

In the context of consumer orientation, the second global trend can be noted as the use of modern technologies of IT companies. It allows you to develop mobile applications for: establishing contact with patients, identifying their symptoms, reminders about the timetable for taking medications, and developing new technologies for research and manufacturing of medicines.

An example is Google's collaboration with "GSK" and "Sanofi", "IBM" with "Teva" on bio-electronic medicine developments. In 2017 Company "Novartis" conducted its first clinical study based on the use of smartphones. Company "Otsuka" has received permission from the US Food and Drug Administration for the production of electronic pills. They contain chips that allow you to receive information about: the time of taking pills; transfer data to mobile application and web portal in real time. Using this approach allows you to take the courses of treatment for people with severe mental illness.

Taking into account the high level of development of IT industry in Ukraine, coordination and interaction between pharmaceutical companies and IT companies can become an important direction in the activity of the domestic pharmaceutical industry.

At the same time, in the process of gathering information on the state of individuals health by pharmaceutical companies and the use of modern technologies, the legal registration issue of obtaining such information is especially important. Since it contains "sensitive" personal data is information about the health of a person under the special protection of Ukrainian legislation, the current European Union Directive № 95/46 / EC, the EU Regulation on personal data protection, which will come into force on 25.05.2018 [6].

One of the modern pharmaceutical market trends is the shifting of attention to the development and production of drugs from rare (orphan) diseases. They threaten human life or are progressing chronically, lead to a reduction in life expectancy or to a disability whose prevalence among the population is no more than 1 : 2000.

There are also certain benefits in Ukraine, but for the most part they relate to the producers who have registered orphan medicines abroad. For example, the examination of materials is carried out for a shorter period of 45 days for the following drugs:

• licensed by the European Medicines Agency under the centralized procedure;

• original (innovative) medicines that have been registered in countries whose regulatory bodies apply high quality standards that meet the

standards recommended by the World Health Organization (USA, Japan, Australia, Switzerland, UK, EU countries). Laboratory tests at the time of registration of such drugs are not carried out, which significantly accelerates and reduces the cost of registration.

The production of generic drugs is one of the priority areas in the activities of pharmaceutical companies. India, as one of the largest pharmaceutical manufacturers, has a share of 20 % of global exports of generics and biosimillars in the world due to the existing legal regulation. In Ukraine, taking into account the material condition of the population, state funding of generics under the reimbursement program and insufficient support for the development of original (innovative) medicines, there is a tendency towards the production of such drugs.

The Order of the Ukraine Ministry of Public Health № 426 of August 26, 2005 gives the definition of a generic medicinal product as having a similar quantitative and qualitative composition of the active substances and the same pharmaceutical form as the original (innovative) preparation. Interchangeability with such a drug is proved on the basis of relevant research. In fact, the production of generics is possible after the expiration of patents on the original drugs. However, today legal regulation in the sphere of patenting in Ukraine in some way restricts domestic producers in the production of generic medicines.

At the same time, Ukraine, as a member of the World Trade Organization, has signed an Agreement on Trade-Related Aspects of Intellectual Property Rights. Ukraine has undertaken to fulfill additional reservations not expressly provided for by the agreement. Thus, the Law of Ukraine "On Medicines" brought provisions for the establishment of so-called "exclusive" period of 5 years to protect the information contained in the dossier companies registered original products in Ukraine. During this period, even after the expiry of the patent can not be registered drug that has the same active ingredient than specified by law.

At the same time, on January 23, 2017 the amendments to the Agreement entered into force. Ukraine signed the Agreement on Trade-Related Aspects of Intellectual Property Rights, which provides for a mechanism for compulsory licensing of patented pharmaceutical products, which allows countries to ensure the availability of the necessary generic medicines produced in other countries.

The production of generic drugs is a global trend that is becoming widespread in Ukraine. The production of generic drugs, subject to improved regulatory and regulatory regulation, may become a promising direction for the development of the municipal pharmacy "Viola" as their producer, while generics are more accessible to the population.

According to paragraph 2.2 The Regulations municipal pharmacy "Viola" (by 09/21/2016) among the subjects of economic enterprise activity are medication production, retail sale of medicines (pharmaceutical production in pharmacy conditions).

Municipal pharmacy "Viola" constantly strengthens cooperation with health facilities as to the possibility

of providing their therapeutic drugs. The pharmacy has concluded contracts with: Khmelnytsky City Hospital for the supply of medicines for the amount of 730.0 thousand UAH. (antibiotics) and 299.061 thousand UAH. (antiseptics), 826.0 thousand UAH. (general group drugs); Khmelnytsky City Children's Hospital for the amount of 220.0 thousand UAH. (vitamins, cardiological preparations); Khmelnytsky city perinatal center for the sum of 360.0 thousand UAH. (narcotic drugs and anesthetics); Khmelnytsky regional children's hospital for 145.0 thousand UAH. (means for anesthesia), 886.0 thousand UAH. (general group drugs).

Since April 2017, after the introduction of the Government's program "Available medicines" Municipal pharmacy "Viola" has released drugs worth over 1,5 million UAH. From July 2017 Municipal pharmacy "Viola" became a participant in the state program "Insuring the cost of insulin through pharmacies". By the end of 2017, insulin was sold at over UAH 2.0 million. Khmelnitsky residents have been released medicines for over UAH 4.6 million free of charge and to the detriment of the Khmelnytsky's residents. Citizens who suffered as a result of the Chernobyl accident disbursed drugs free of charge for 340,0 thousand UAH. Over the program "Health of Khmelnytsians" more than 270.0 thousand UAH were released.

In addition, today the municipal pharmacy "Viola" produces: antiseptic and disinfectants and methylene blue (antiseptic-dye). The mechanism of the antiseptic action of methylene blue is based on its ability to react with certain acidic or basic groups of substances of gram-positive bacterial cells, with mucopolysaccharides and proteins, with the formation of insoluble and slowly ionizing complexes.

Table 1 provides information on the financial results of the municipal pharmacy "Viola" in 2017 in the scattering of 13 structural pharmacies and the prescription department and the department for the production of finished medicines.

According to the results of the analysis, the financial results of the main activities of the municipal pharmacy «Viola» are profitable in comparison with the loss-making prescription department (loss from the main activity is 589.2 thousand UAH) and the department for the production of finished medicines (the loss from the main activity is 404,2 thousand UAH).

In the organizational structure of the institution, the prescription department carries out important tasks and functions for the medical provision of the population, namely:

1) reception of recipes from ambulatory patients (in the absence of independent departments of the stock, the department accepts invoices from medical and prophylactic diseases);

2) manufacturing of medicines according to recipes and requirements;

3) control of the quality of the manufactured leeches;

4) the dispensation of doctors according.

At the same time, the activity related to the serial release of medicines in the form of semi-finished products and intraperitoneal preforms, as well as on request (requirements) of medical and prophylactic diseases is provided

Table 1

Formation of a financial result by the municipal pharmacy "Viola" in 2017 in the context of structural pharmacy points

thousand UAH

Pharmacy point	The indicator					
	Total revenue	Income from the main activity	General expenses	Cost of products, goods, works (services)	Overhead	Financial result before tax
№ 1	5747,4	5737,1	5332,2	4876,5	268,4	146,8
№ 2	665,9	664,7	675,4	504,9	31,1	-9,5
№ 3	3416,8	3410,7	3277,7	2899,1	159,6	139,1
№ 4	6298,7	6287,4	6004,6	5344,3	293,1	294,1
№ 5	12858,7	12835,6	12473,8	10910,3	600,5	384,9
№ 6	2699,8	2694,9	2639,5	2290,7	126,1	60,3
№ 7	3909,8	39022,8	3799,7	3317,4	182,9	110,1
№ 8	1775,5	1772,3	1692,2	1506,4	82,9	83,3
№ 9	647,9	646,8	659,4	518,8	30,3	-11,4
№ 10	3034,1	3028,6	2959,6	2574,3	141,7	74,5
№ 11	1811,1	1807,8	1764,5	1536,7	84,6	46,5
№ 12	4833,5	4824,8	4871,5	4101,1	225,7	-7,9
№ 13	1756,9	1753,8	1754,1	1470,1	82,1	2,8
Prescription Department	1084,1	1082,1	1673,3	917,8	50,6	-589,2
Department for the production of finished medicines	4256,7	4232,5	4660,9	3580,7	198,8	-404,2
Total	54796,7	89801,9	54238,4	46349,1	2558,4	320,2

Generalized by the author based on the municipal pharmacy "Viola" data.

by the department for the production of finished medicines

It should be noted that improving the financial position of the unprofitable departments of the municipal pharmacy "Viola" is possible in the development and production of drugs against rare diseases, based on the promise of such a direction in the global pharmaceutical business.

Another trend in the field of pharmaceuticals and biotechnology is the increase in the number of M&A agreements. Pharmaceutical companies are striving to take a leading position in the production of both already known and new medicines for them, as well as significantly reduce costs by consolidation. In addition, there is a practice of M&A agreements between pharmaceu-

tical companies and biotech companies that combine advances in these industries. Most M&A agreements deals concern companies involved in the development of drugs from oncological diseases, as well as infectious diseases, diseases of the central nervous system, endocrine and metabolic disorders.

Also, to accelerate the development of medicinal products, the specific legal mechanisms that are inherent in the pharmaceutical industry are used, namely: in-licensing (acquisition of intellectual property objects, mainly registration dossiers, on the finished medicinal product from another pharmaceutical developer/manufacturer, for the purpose registering this drug and putting it on the market with its own efforts) and out-licensing (selling rights to such facilities for market entry by a third-party company's efforts).

Thus, a new trend is the transition from concluding M&A agreements at the stage of obtaining permits from regulatory authorities until they are concluded at the initial stages of development of medicinal products (preclinical and clinical research).

In addition, today, in the healthcare market, large international corporations are beginning to create independent healthcare companies. They aim to provide employees of individual corporations with free access to health care. Among the latest examples of such an alliance of corporations is Amazon, Berkshire Hathaway and JPMorgan Chase. It should be noted that the effectiveness of such alliances will have a significant impact on the pharmaceutical market, since the goal of independent companies is availability of health care. Accordingly, independent companies will aim at reducing the cost of developing and manufacturing pharmaceuticals and providing health services.

Global trends will stimulate participants in the pharmaceutical market to use modern technologies and specific legal mechanisms, as well as to attract appropriate funding for the development of original medicines.

The development of the pharmaceutical market directly depends on the success of Ukraine's implementation of public health policy and the implementation of global trends by the pharmaceutical market participants in their activities. So, considering the main trends that are observed in the pharmaceutical industry of the world, it is necessary to focus on marketing and marketing activities.

In the opinion of N. Zherdiyev [7], the main purpose of trade-marketing is an ensuring the firm position of the trademark in the market, «pushing» the goods through the trading network (channels) to the consumer. Indeed, trade-marketing is one of the marketing areas that allows you to increase sales through the influence on the product chain from the manufacturer to the end user, maximizing the choice of the uttermost.

Consider the degree of using Viola's community pharmacy marketing and marketing activities:

• promotional offers: during 2017, they were not implemented at all;

• loyalty programs: a permanent customer card is issued for a discount of 3 % for medicines and medical products (in order to increase and maintain customers).

It should be noted that the communal pharmacy in 2017 participated in two projects:

• "Opika" — discounts on oncodrugs and preferential release of narcotic drugs for palliative treatment for Khmelnytsky, patients with cancer patients Khmelnitsky Regional Oncology Dispensary (purchasers of pharmacy item number 4);

• "Pulse" — discounts on the funds used in cardiac surgery for honeybees with cardiovascular diseases, patients with cardiac surgery in the Khmelnytsky regional hospital (shoppers of pharmacy number 5) and cardiology department of the Khmelnitsky city hospital (shoppers of pharmacy number 12);

• outdoor advertising on the facades of the pharmacy — additional signs and banners in pharmacies are placed; updated signboard at the pharmacy "Social" № 1;

• POS-materials in pharmacies and visualization of preparations on shelves — the presentation of medicines and medical preparations is constantly being carried out;

• staff training.

It should be noted that in the 2017 year, the municipal pharmacy "Viola" implemented measures to improve the quality of service to visitors, including by involving staff in participation in the training:

• 9 specialists were trained in the first half of 2017, 2 of them were awarded the highest qualification category and 2 were confirmed by the highest category. Specialists constantly undergo trainings, seminars, in particular, conducted a training on the topic "Ethics and deontology of the first-person, working with "categorical". Employees of pharmacy items № 1, № 3, № 5 took part in a seminar with knowledge of the drugs "Sanofi-Aventis", "Bayer", "Berlin-Chemie";

• The program "Life with diabetes" was conducted on the basis of the social pharmacy № 1. This is a free seminar for drugstore visitors on the topic "Prevention of complications in diabetes mellitus". With the assistance of the domestic manufacturer "Viola" an event was taken with a free measurement of the level of glucose in the blood. This event was aimed at creating the strength and loyalty of the "Viola" brand by increasing its awareness.

It should be noted that at the moment, the municipal pharmacy "Viola" carries out individual trade-marketing activities, however, for their greater effectiveness, other actions are necessary: 1) the approval of the marketing plan for the year according to the company's tricks (taking into account the season, the media activity of the drug); 2) creating a bonus calculation; 3) reinforcement of the sale of the focal point by competent counselling by pharmaceutical specialists; 4) informing customers about their own activities (SMS-mailing, publication in social networks); 5) further development of its own site for attracting new buyers; 6) the creation of a business marketing department; 7) accounting and analysis of results on the use of effective marketing and marketing activities.

At the same time, the well-known main directions of innovation development by pharmaceutical companies remain:

I. Production (1.1 development of priority innovative medicines, 1.2 obtaining new chemical substances, 1.3 creation of new pharmaceutical forms with improved pharmacological properties, 1.4 use of new carriers of drugs, 1.5 creation of new combinations of existing chemical substances, 1.6 development biotechnology);

II. Technological (2.1 introduction to the production of new resource-saving technologies, 2.2 development of new technological and biotechnological processes, 2.3 updating of production equipment, 2.4 modernization and expansion of production capacities, 2.5 transition of production in accordance with GMP rules);

III. Organizational (3.1 use of the system of balanced indicators, 3.2 implementation of the system of CRM-systems, 3.3 customer loyalty formation, 3.4 implementation of electronic forms of information collection and processing, 3.5 development of Internet marketing, on-line communications, 3.6 creation of marketing information systems, 3.7 branding of medical products).

Taking into account existing world trends of pharmaceutical business development and directions of innovations development by pharmaceutical companies, we give suggestions on the priority directions of the municipal pharmacy "Viola" development (Table 2).

So, the municipal pharmacy "Viola" has now: 1) a loss-making direction in the production of its own medicines; 2) long-term cooperation with protection institutions for the provision of their therapeutic drugs; 3) good indicators of trade-marketing activities. Taking into account the right set of innovations development in the pharmaceutical industry and trends on the world scale the municipal pharmacy "Viola" has the priority directions for development, namely:

• participation in the electronic recipe (for taking into account the needs of consumers);

• cooperation with charitable foundations and health facilities (for the development and production of rare (orphan) diseases);

• cooperation with health facilities (for the production of generic medicines).

Conclusion and prospects for further research. Thus, the following conclusions can be drawn from the research:

• world trends in the pharmaceutical industry are crucial for the further development of pharmacies at the regional level;

• the communal pharmacy that became the subject of the study, continuing the installation period (23 years in the Khmelnytsky market), has some achievements in the use of market-trading activities;

• due to the symbiosis of the macropharacteristics of the global pharmaceutical market's development of with the existing achievements of the regional communal pharmacy, the most important directions of its development are determined. This will further enable not only to improve the income from core activities but also to expand new jobs and enter the national market as a manufacturer of medicines and medical products for patients with rare (orphan) diseases and to be recognized as a brand for patients with a lower income level (production of generic drugs)

Table 2

Determination of the priority directions of the municipal pharmacy "Viola" development on the basis of trend manifestations of the world pharmaceutical industry

The name of the trend	A set of directions for the development of innovation	Degree of achievement		The name of a possible trend-marketing activity
		Achievement	Priority	
Consideration needs of the consumer	1.4, 2.1, 3.1, 3.2, 3.3, 3.4,3.5,3.6, 3.7		Electronic recipe (participating in the creation of a single classifier of medicines and the definition of the standard of the electronic recipe) with a clear identification of persons with the same name. Possibility of feedback with the patient	informing customers about their own activities (SMS-mailing, publication in social networks) about: 1) the results of control over duplication of prescribed drugs; 2) incompatibility of medicinal products; 3) Provide enough cloud cloud storage capacity to handle millions of electronic recipes per year
Development and production of rare (orphan) diseases	1.1, 1.2, 1.4, 1.5, 1.6, 2.1, 2.2, 2.3, 2.4, 2.5, 3.2, 3.6,3.7		Collaboration with charitable foundations. Strengthened cooperation with health facilities regarding the availability of their therapeutic drugs	Development of loyalty programs with patients on orphan diseases
Production of generic medicines	1.2, 1.3, 1.5, 1.6, 2.1, 2.2, 2.3, 2.4, 2.5, 3.2, 3.6, 3.7	Production: antiseptic and disinfectants and (antiseptic dyes). Strengthened cooperation with health facilities regarding the availability of their therapeutic drugs	Collaboration with healthcare providers regarding the possibility of providing them with medical products	Use promotional offers. Approval of the trend-marketing plan for the year according to the company's tricks (taking into account the season, the media activity of the drug). Supporting the sale of the focal point by competent counseling by pharmaceutical specialists. Inform buyers about their own activities

Developed independently by the author.

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ANALYSIS OF THE DEFINITIONS OF PUBLIC ADMINISTRATION AND REGULATION AND THEIR IMPORTANCE IN THE PRACTICE OF APPLICATION OF UKRAINE

Abstract. The article analyzes the scientific positions on the understanding of concepts of state regulation and public administration, which are somewhat different from each other. Thus, the researchers who study the theory and mechanisms of the public administration consider state regulation and administration in a broad sense, unlike the scientists conducting research in the field of economics. The latter, as a rule, give definitions of the state regulation and administration relatively narrowly, covering only the sphere of economic relations and everything related to the economics.

In general, the concept of state regulation is considered either as a state activity, or as a system of measures, or as a set of basic forms and methods of influencing a particular process or object. In our opinion, state regulation should be understood as the activity of the state, since the activity in its conceptual meaning

can absorb both processes related to the application of the system of measures and processes related to the use of any complex of forms and methods of influence.

Taking into account the closeness in the conceptual sense of state regulation and public administration, aspects of the relationship between them are outlined. Given the functions of a transitional society state that is relevant to modern Ukraine, it is proposed to support the view that administration is an activity that uses available resources, and regulation is a broader activity that involves attracting additional resources to fulfill certain tasks.

The apparatus of public administration is defined as the main component of the process of practical implementation of tasks of the executive power. Accordingly, for the effective implementation of the tasks arising in the process of state regulation and public administration, it is necessary to define clearly these concepts, which, in our view, must be unified (unambiguous). Only in this case the scientific-research activity will be able to be used qualitatively by the apparatus of public administration and be practically useful.

Keywords: public administration, state regulation, correlation of concepts, practice of application, state appara.

АНАЛІЗ ПОНЯТЬ ДЕРЖАВНОГО УПРАВЛІННЯ ТА РЕГУЛЮВАННЯ, ЇХ ЗНАЧЕННЯ В ПРАКТИЦІ ЗАСТОСУВАННЯ УКРАЇНИ

Анотація. Проведено аналіз наукових позицій щодо розуміння понять державного регулювання та державного управління, які дещо відрізняються одна від одної. Так, дослідники, які вивчають теорію та механізми державного управління, розглядають державне регулювання та управління у широкому розумінні на відміну від вчених, що проводять дослідження у сфері економіки. Останні, як правило, надають визначення державного регулювання та управління порівняно вужче, охоплюючи лише сферу економічних відносин та все, що пов'язано з економікою.

Загалом поняття державного регулювання розглядають або як діяльність держави, або як систему заходів, або як комплекс основних форм і методів впливу на певний процес чи об'єкт. На нашу думку, державне регулювання слід розуміти як діяльність держави, оскільки саме діяльність за своїм понятійним значенням може поглинати як процеси, пов'язані із застосуванням системи заходів, так і процеси, пов'язані з використанням будь-якого комплексу форм та методів впливу.

Беручи до уваги близькість у понятійному сенсі державного регулювання та державного управління, окреслено аспекти співвідношення між ними. Враховуючи функцій держави перехідного суспільства, що є актуальним для сучасної України, запропоновано підтримати позицію згідно якої управління — це діяльність яка використовує наявні ресурси, а регулювання є більш ширшою діяльністю, яка передбачає залучення додаткових ресурсів для виконання тих чи інших завдань.

Апарат державного управління визначено як основну складову процесу практичного здійснення завдань виконавчої влади. Відповідно, для ефективного здійснення завдань, що виникають у процесі державного регулювання та державного управління, необхідним є чітке визначення цих понять, що повинні бути, на наш погляд, уніфікованими (однозначними). Лише у такому випадку науково-дослідна діяльність зможе якісно використовуватись апаратом державного управління та бути практично-корисною.

Ключові слова: державне управління, державне регулювання, співвідношення понять, практика застосування, державний апарат.

АНАЛИЗ ПОНЯТИЙ ГОССУДАРСТВЕННОГО УПРАВЛЕНИЯ И РЕГУЛИРОВАНИЯ, ИХ ЗНАЧЕНИЕ В ПРАКТИКЕ ИСПОЛЬЗОВАНИЯ УКРАИНЫ

Аннотация. Проведен анализ научных позиций относительно понимания государственного регулирования и государственного управления, несколько отличаются друг от друга. Так, исследователи, изучающие теорию и механизмы государственного управления, рассматривают государственное регулирование и управление в широком смысле в отличие от ученых, проводящих исследования в сфере экономики. Последние, как правило, предоставляют определения государственного регулирования и управления, охватывая лишь сферу экономических отношений и то, что связано с экономикой.

В целом понятие государственного регулирования рассматривают или как деятельность государства, или как систему мер, или как комплекс основных форм и методов воздействия на определенный процесс или объект. По нашему мнению, государственное регулирование следует определять как деятельность государства, поскольку именно понятие деятельность может поглощать как процессы, связанные с применением системы мероприятий, так и процессы, связанные с использованием любого комплекса форм и методов воздействия.

Принимая во внимание близость в понятийном смысле государственного регулирования и государственного управления, определены аспекты соотношения между ними. Учитывая функций государства переходного общества, что являются актуальными для современной Украины, предложено поддержать позицию, согласно которой управление — это деятельность которая использует имеющиеся ресурсы, а регулирование — более широкая деятельностью, предусматривающая привлечение дополнительных ресурсов для выполнения тех или иных задач.

Аппарат государственного управления определено как основную составляющую процесса практического осуществления задач исполнительной власти. Соответственно, для эффективного осуществления задач, возникающих в процессе государственного регулирования и государственного управления необходимо четкое определение этих понятий, которые должны быть, на наш взгляд, унифицированными (однозначными). Только в таком случае научно-исследовательская деятельность сможет качественно ис-

пользоваться аппаратом государственного управления и быть практически полезной.

Ключевые слова: государственное управление, государственное регулирование, соотношение понятий, практика применения, государственный аппарат.

Formulation of the problem. Several definitions of public administration and state regulation have been provided in the scientific literature. Discussions by scientists about the correct definition of certain concepts are indispensable, but for their practical application to be effective, definitions of the concepts in theory must be as unified and understandable as possible for the practitioners.

Since the concepts of state regulation and administration do not have their unified (unambiguous) definitions, it causes inconvenience in the process of their use by practitioners, as well as in planning ways to improve them in the future. This situation is primarily due to the fact that these concepts are not enshrined in the statutory legislative acts, which are obligatory for implementation: that is why the presence of several definitions of the concepts of state regulation and administration is a natural process of forming a single understanding of them as phenomena, which is clearly born in the process of scientific research and discussion.

In addition to ambiguity in the regulatory framework, difficulties in understanding and using state regulation and administration arise because of the multifaceted nature of these concepts, as well as the wide scope of application, including economic activities and more.

It should be noted that researchers who study the theory and mechanisms of public administration view state regulation in a broad sense, unlike scientists conducting research in the field of economics. The latter, as a rule, give definitions of state regulation relatively narrowly, covering only the sphere of economic relations and everything related to the economics.

Particular attention should be paid to the closeness in the conceptual sense of state regulation and public administration. Given the above, as well as the fact that as of today there is a wide range of different approaches in discussions regarding the correlation of these concepts [1, p. 148], it is necessary to pay attention to the necessity to study the mentioned topic as relevant.

Undoubtedly, in order to improve the effectiveness of the application of state regulation and administration in practice in Ukraine is the formation of a unified theoretical approach to understanding these phenomena, which should be formed by reaching a compromise between scientists of different scientific schools.

Analysis of the recent research and publications. As a system of measures state regulation is defined by such scientists as A. S. Bulatov, D. S. Zuhba, E. N. Zuhba, N. H. Kapturenko, I. R. Mikhasyuk, L. Khodov. Proponents of the approach to understand-

ing state regulation as a complex of basic forms and methods of influencing a particular process or object are V. Bratyshko, L. S. Holovko L. I. Didkivska, S. V. Mocherniy, V. P. Oreshyna, N. Saniakhmetova, D. M. Stechenko.

The researchers who study the theory and mechanisms of public administration view state regulation and administration in a broad sense, unlike scientists conducting research in the field of economics. The latter, as a rule, make the definition of state regulation and public administration relatively narrow, covering only the sphere of economic relations and everything related to the economics.

A number of authors, namely A. Beykun, V. Yu. Keretzman, V. K. Kolpakov, E. Kuklinsky, in their works touch on aspects of the relation between the concepts of public administration and state regulation.

The purpose of the article is to analyze the scientific approaches to the definition of concepts of state regulation and public administration, to outline some aspects of the discussions of scientists on the relation of these concepts in theory. Considering that the development of theoretical material and research work of the employees of the scientific field should be directed to the needs of practice, attention should be paid to the problems of using science for the needs of practical activity. Therefore, we should consider the effectiveness of the use of state regulation and public administration in the context of ambiguous interpretation of these concepts in theory.

Presentation of the main material. The question that needs analysis is the closeness in the conceptual definition of state regulation and public administration, so it seems appropriate to consider these concepts and their relationships.

At the level of general administration science, the concepts of "regulation" and "administration" are almost never used as identical, but the relationship between them is interpreted differently. Most think that regulation and administration are social phenomena and have a common scope, but suggest a different nature of the impact on administration that is achieved through the implementation of the goals and objectives of administrative influence. Also, some scientists believe that regulation covers a wider area of organizational activity than administration. However, in the scientific field there is a position according to which state regulation of the economy is defined as an integral function of the public administration. Of course such a position also takes place among others.

With regard to administration, one can determine its deliberate impact specifically on the administration entities, as well as the use of methods that imply the subordination of these entities to administration influence by the administration entity.

In addition, public administration is defined as one of the activities of the state the essence of which is the exercise of administrative organizing influence by using the powers of the executive power through the organization of the implementation of laws, the exercise of administrative functions for the purpose of complex socio-economic and cultural development of the state, its separate territories, as well as ensur-

ing implementation of the state policy in relevant spheres of the public life, creating conditions for citizens to exercise their rights and freedoms [2, p. 47].

Public administration by its nature can also be considered as a type of activity of the state, that consists of its administration, that is, organizing influence on the branches and spheres of the public life, which require some intervention of the state through the use of the powers of the executive power. Thus, from the point of view of the common understanding, administration is a deliberate influence on a complex system, and directly by the term "administration" refers to activities related to the leadership of someone or something [3, p. 28].

The concept of state regulation can be grouped and considered as such that:

1) it is treated as an activity of the state;

2) it is considered as a system of measures;

3) it is represented as a complex of basic forms and methods of influence on a certain process or object [4, p. 302].

Given this, some scientists understand the concept of state regulation of the state's activities to create the legal, economic and social preconditions necessary for the functioning of the mechanism in accordance with the goals and priorities of the state policy, for the realization of national interests of the state [5, p. 95–96]. However, in our opinion, it is fair to note O. O. Kunditsky [4, p. 303] — state regulation does not replace, but enhances, complements the mechanism of its functioning, and the state assumes only those functions that are not subject to this mechanism.

It should be noted that regulation is associated not so much with the impact on the objects of administration as on the environment, and also involves a high degree of alternative behaviour of the administrated objects. At the same time, regulation is sometimes regarded as one of the functions of administration, which is caused by the theoretical uncertainty of the relation between these concepts. You can evaluate the relationship between the terms "regulation" and "administration" in the context of not only their relationship, but also the general concept of "organization" (or "organizational activity").

Based on these general ideas about the relationship of fundamental concepts of the science of administration, the concept of state regulation should be determined on the basis of the general theory of administration, taking into account the specific sphere of activity of the state bodies that have executive character. Therefore, in our opinion, "state regulation" is a broader concept than "public administration", because it covers a wider sphere of organization of the state activity. Thus, state regulation is closely related to the forms of public administration.

State regulation and public administration aim to achieve one goal of administration, namely: the ordering of the social objects and social processes. However, despite the common goal, state regulation and public administration have significant differences related to the use of specific means (methods) of the administrative influence.

Thus, public administration, in the light of the above, should be considered as a certain type of activity of the state bodies that has a power and

implies first of all organizing and administrative influence on the objects of administration, which is implemented through the exercise of certain powers. From this point of view, public administration has features characteristic of the executive as one of the branches of the government.

Also, as mentioned above, public administration is considered as one of the activities of the state, the essence of which is the exercise of administrative organizing influence through the use of powers of the executive power through the organization of implementation of laws, the exercise of administrative functions for the purpose of complex socio-economic and cultural development of the state, its separate territories, as well as ensuring the implementation of the state policy in the relevant spheres of the public life, creating conditions for citizens to exercise their rights and freedoms [2, p. 47].

The functioning of the executive power, along with the use of methods of public administration, involves the state regulation as well. The latter, based on the analysis of legal acts, applies not only within the executive branch and implies not only the impact on the objects of the administration, but also the impact on the social environment of these objects. Such an environment means social processes and phenomena that directly affect the state of a particular object of administration. Thus, state regulation creates conditions for the activity of the subjects and objects of administration in a direction that is desirable for the state and by which the administration system as a whole will develop. Moreover, state regulation provides several options for the future activity of the administrated objects, creating the opportunity to act most effectively.

In view of the above, it should be noted that precisely because of the creation of conditions for the activity of subjects and objects, state regulation is sometimes identified with the use of indirect (economic, incentive, stimulating) methods of administration influence. However, the implementation of the state regulation is impossible without public administration, since state regulation cannot be applied without the use of methods of direct influence on the subjects and objects of the regulation.

Analyzing the relation between the concepts of state regulation and public administration, taking into account their understanding of certain scientific schools, it is necessary to pay attention to a certain conditionality of concepts, which is partly connected with the lack of normative and legal enshrining them in the legislation of Ukraine.

Given the above, in our view, administration is an activity that uses the existing resources, and regulation is a broader activity that involves the implication of additional resources for certain tasks.

The practical application of public administration is carried out by its apparatus, and therefore it is considered appropriate in the article to consider what constitutes the apparatus of the public administration.

Thus, the apparatus of public administration is its integral part that represents the most extensive and numerous set of interconnected executive-administrative bodies (bodies of executive power), acting exclusively

on behalf of the state, in their activity are governed solely by laws and carry out the administration of the public affairs, have power, competence, have a defined structure and personnel.

Also, the apparatus of public administration is defined as a collection of bodies of the executive power, organized into a system for the realization of the goals of the executive power, in accordance with the constitutional principle of separation of the state power.

Thus, it is the apparatus of public administration that can be considered as the main lever for the practical implementation of numerous tasks of the executive power, which daily carries out practical activities to ensure the implementation of legislative acts of the state, namely:

• implements, within the limits of the state policy, the administration of objects of the state ownership, as well as the administration of the economic activity of state-owned enterprises, institutions and organizations;

• implements the directions of the state of the economic and social aspects;

• solves and coordinates a considerable number of the issues of the political-administrative, socio-cultural life, state regulation in all sectors of the economics;

• provides administration services to citizens [2, p. 17].

Conclusions. Having analyzed the scientific positions on the understanding of the concept of state regulation and public administration, as well as the relationship of these concepts, it should be noted that there are several different interpretations of them. In order to improve the scientific and practical activity, the most unified concepts of both state regulation and public administration have been proposed, which will help the state apparatus to realize the tasks of the state policy of Ukraine.

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GROWING AND FUNCTIONS OF THE STATE REGULATORY SERVICE OF UKRAINE AS THE MAIN SUBJECT OF FORMATION AND REALIZATION OF THE STATE REGULATORY POLICY

Abstract. The article deals with the issues of establishing the State Regulatory Service as the main subject of the formation and implementation of the state regulatory policy. It is noted that during the period of its activity the status of this state body changed — from the State Committee of Ukraine for Regulatory Policy and Entrepreneurship to the State Regulatory Service of Ukraine. Also, the functions of the SRS have changed — except, in fact, participation in the formation and implementation of a single state regulatory policy in the field of entrepreneurship; related to the development and implementation of measures to implement a unified state regulatory policy in the field of entrepreneurship, etc. Today, the service focuses on the following three areas: participation in the formation of the state regulatory policy, activities in the field of the public policy in licensing business activity and control over the activity of the public authorities in the field of regulatory policy formation. Recently, the Better Regulation Delivery Office, a non-governmental organization whose main purpose is to help Ukraine become an effective institution-able state, to develop and implement a regulatory instrument, has been significantly assisted by the Better Regulation Delivery Office to take into account the global regulatory trends and improve business engagement aimed at the public interest and development of small and medium-sized enterprises. Collaboration with non-governmental organizations and structures representing business interests makes the State Regulatory Service of Ukraine more open to the public and the state regulatory policy more transparent and effective.

Keywords: state regulatory policy, State Committee of Ukraine for Regulatory Policy and Entrepreneurship, State Regulatory Service of Ukraine, functions of the State Regulatory Service, Better Regulation Delivery Office, interaction between the state and business, effective regulatory decisions.

СТАНОВЛЕННЯ ТА ФУНКЦІЇ ДЕРЖАВНОЇ РЕГУЛЯТОРНОЇ СЛУЖБИ УКРАЇНИ ЯК ОСНОВНОГО СУБ'ЄКТА ФОРМУВАННЯ ТА РЕАЛІЗАЦІЇ ДЕРЖАВНОЇ РЕГУЛЯТОРНОЇ ПОЛІТИКИ

Анотація. Розглядаються питання становлення Державної регуляторної служби як основного суб'єкта формування та реалізації державної регуляторної політики. Зазначається, що протягом періоду своєї діяльності статус цього державного органу змінювався — від Державного комітету України з питань регуляторної політики та підприємництва до Державної регуляторної служби України. Також змінювалися і функції ДРС — крім, власне, участі у формуванні та реалізації єдиної державної регуляторної політики у сфері підприємництва, до них додавалися та забиралися функції реалізації державної політики щодо ліцензування підприємницької діяльності та державної реєстрації підприємництва, контролю та координації діяльності органів виконавчої влади, пов'язаної з розробкою і реалізацією заходів щодо проведення єдиної державної регуляторної політики у сфері підприємництва тощо. На сьогодні діяльність служби зосереджена на таких трьох напрямках: участь у формуванні державної регуляторної політики, діяльність у сфері державної політики щодо ліцензування підприємницької діяльності та контроль за діяльністю органів публічної влади у сфері формування регуляторної політики. Останнім часом для врахування світових тенденцій у сфері регуляторної діяльності та покращення взаємодії з бізнесом суттєву допомогу в своїй діяльності ДРС отримує від Офісу ефективного регулювання — неурядової організації, головною метою якої є допомога Україні стати ефективною інституційно-спроможною державою, розробити та впровадити інструменти ефективного державного регулювання, спрямовані на суспільний інтерес та розвиток малого та середнього підприємництва. Співпраця з неурядовими організаціями та структурами, що представляють інтереси бізнесу, робить Державну регуляторну службу України більш відкритою для суспільства, а державну регуляторну політику — більш прозорою та ефективною.

Ключові слова: державна регуляторна політика, Державний комітет України з питань регуляторної політики та підприємництва, Державна регуляторна служба України, функції Державної регуляторної служби, Офіс ефективного регулювання, взаємодія держави та бізнесу, ефективні регуляторні рішення.

СТАНОВЛЕНИЕ И ФУНКЦИИ ГОСУДАРСТВЕННОЙ РЕГУЛЯТОРНОЙ СЛУЖБЫ УКРАИНЫ КАК ОСНОВНОГО СУБЪЕКТА ФОРМИРОВАНИЯ И РЕАЛИЗАЦИИ ГОСУДАРСТВЕННОЙ РЕГУЛЯТОРНОЙ ПОЛИТИКИ

Аннотация. Рассматриваются вопросы становления Государственной регуляторной службы как основного субъекта формирования и реализации государственной регуляторной политики. Отмечается, что в течение периода своей деятельности статус этого государственного органа менялся — от

Государственного комитета Украины по вопросам регуляторной политики и предпринимательства до Государственной регуляторной службы Украины. Также менялись и функции ДРС — кроме, собственно, участия в формировании и реализации единой государственной регуляторной политики в сфере предпринимательства, к ним добавлялись и убирались функции реализации государственной политики относительно лицензирования предпринимательской деятельности и государственной регистрации предпринимательства, контроля и координации деятельности органов исполнительной власти, связанной с разработкой и реализацией мероприятий по проведению единой государственной регуляторной политики в сфере предпринимательства и тому подобное. На сегодня деятельность службы сосредоточена на следующих трех направлениях: участие в формировании государственной регуляторной политики, деятельность в сфере государственной политики относительно лицензирования предпринимательской деятельности и контроль за деятельностью органов публичной власти в сфере формирования регуляторной политики. В последнее время для учета мировых тенденций в сфере регуляторной деятельности и улучшения взаимодействия с бизнесом существенную помощь в своей деятельности ГРС получает от Офиса эффективного регулирования — неправительственной организации, главная цель которой — помощь Украине стать эффективным институционально-способным государством, разработать и внедрить инструменты эффективного государственного регулирования, направленные на общественный интерес и развитие малого и среднего предпринимательства. Сотрудничество с неправительственными организациями и структурами, представляющими интересы бизнеса, делает Государственную регуляторную службу Украины более открытой для общества, а государственную регуляторную политику — более прозрачной и эффективной.

Ключевые слова: государственная регуляторная политика, Государственный комитет Украины по вопросам регуляторной политики и предпринимательства, Государственная регуляторная служба Украины, функции Государственной регуляторной службы Офис эффективного регулирования, взаимодействие государства и бизнеса, эффективные регуляторные решения.

Formulation of the problem. Along with the processes of forming the regulatory framework of the state regulatory policy (SRP), there are processes of becoming its institutional support, i.e. the creation of a system of institutions and organizations whose purpose is to implement in practice changes in the SRP, enshrined at the regulatory and legal level.

The State Committee of Ukraine for Regulatory Policy and Entrepreneurship (hereinafter referred to as SCRPE or State Committee for Entrepreneurship), the central body of executive power of Ukraine, whose activity was

directed and coordinated by the Cabinet of Ministers of Ukraine through the Vice Prime Minister of Ukraine [1], which was later reorganized several times and is today called the State Regulatory Service of Ukraine.

Therefore, studying the activity of the State Regulatory Service of Ukraine as the main subject of the formation and implementation of the state regulatory policy is very important.

Analysis of the recent research and publications. V. Lyashenko [2], A. Meshcheryakov [3], L. Popova [4], V. Yurchyshyn, and D. Lyapin [5] addressed the issues of development and implementation of the state regulatory policy in terms of economic mechanisms. From the point of view of public administration of the SRP was studied by R. Veprytsky [6], S. Bevz [7], T. Kravtsova [8], Y. Berezhny [9], N. Ovchar [10], M. Pohrebnyak [11] and others.

However, the establishment of the State Regulatory Service of Ukraine as the main subject of the formation and implementation of the state regulatory policy, as well as its function and interaction with the public and business structures, has not yet been overlooked by researchers.

Formulation of purposes (goal) of the article. The purpose of the article is to study the history of formation, to determine the place and role of the State Regulatory Service as the main body, whose functions include the formation of the legislative and regulatory framework of the state regulatory policy, the tracking of the regulatory decisions of other entities of the SRP on their compliance with the legislation and so on.

Presentation of the main material. According to the Presidential Decree "On Issues of the State Committee of Ukraine for Regulatory Policy and Entrepreneurship" [12], this Committee was proclaimed a central executive body with a special status that ensures the implementation of the state policy in the field of entrepreneurship, and a coordinator of the activities of the state executive bodies on preparation of projects, publication and implementation of the regulatory acts.

In 2003, after the adoption of the special Law of Ukraine "On the Principles of State Regulatory Policy in the Field of Economic Activity" [13], the role of the SCRPE as a body coordinating the work of other authorities with regulatory powers has only increased.

Among the main tasks of the SCRPE were:

- firstly, participation in the formation and implementation of a unified state policy in the field of entrepreneurship, in particular regulatory policy, state policy on licensing of the business activities and state registration of business;
- secondly, coordination, licensing of the business activities, state registration of business.

As of December 9, 2010, the Committee was in the process of reorganization [14], and the state registration service of Ukraine was entrusted with implementing the state policy on registration of the legal entities and natural persons-entrepreneurs. However, as early as June 2011, this Decree was repealed and by the order of the Cabinet of Ministers of Ukraine [16] the functions of the State Committee for the Implementation of State Regulatory

Policy, State Policy for the Development of Entrepreneurship (except for registration of legal entities and natural persons-entrepreneurs) were suspended and transferred to the Ministry of the Economic Development and Trade of Ukraine.

And already on December 19, 2011, the State Service of Ukraine for Regulatory Policy and Entrepreneurship Development was formed [17] as the central body of executive power of Ukraine, which is a legal entity of public law, has a seal with the image of the State Emblem of Ukraine and its name, its own forms, accounts with the Treasury bodies. However, in 2014, the State Service of Ukraine for Regulatory Policy and Entrepreneurship Development was "reorganized through transformation" into the State Regulatory Service of Ukraine (SRS) [18].

In addition to the SCRPE, a number of institutions have been set up at the central and regional levels to create the conditions for the implementation and effective realization of the regulatory reform in the field of entrepreneurship. In particular, at the central level, at the initiative of the SCRPE, the following were created: Public Collegium of the State Committee for Regulatory Policy and Entrepreneurship [19], the Council of Associations of Entrepreneurs of Ukraine with the Governmental Committee for Economic Development [20], which have already expired and the Council of Entrepreneurs under the Cabinet of Ministers of Ukraine [21], which, as amended, is valid today.

The Public Collegium of the State Committee for Regulatory Policy and Entrepreneurship was established in order to involve a wide range of the public in discussing and implementing the state policy in the field of entrepreneurship development. The board was comprised of representatives of the national associations of entrepreneurs empowered to support the entrepreneurship in the regions. One of the main tasks of the board was to prepare proposals for the formation and implementation of a unified state policy in the field of entrepreneurship, in particular regulatory policy, policies on registration and licensing of the business activities.

The Council of Associations of Entrepreneurs of Ukraine with the Governmental Committee for Economic Development of its time consisted of 33 representatives of the all-Ukrainian and local associations of entrepreneurs of Ukraine. The main purpose of the Council of Associations of Entrepreneurs was to involve a broad mass of entrepreneurs in discussing and analyzing the effectiveness of decisions of the executive authorities to adjust the regulatory environment in the country.

At the regional level an institute of business support commissioners has been established. The activities of the commissioners are regulated by the order of SCRPE "On Amendments to the Regulations on the Commissioner for Support of Entrepreneurship" [22], which defines the main tasks, functions, rights and duties of the commissioners, the procedure for their appointment and dismissal, the main aspects of the relations with the state authorities, institutions and organizations. The purpose of the commissioners' functioning was to facilitate the dialogue between the local executive authorities and business entities regarding the optimi-

zation of the regulatory climate of the local business activity.

Coordination councils on entrepreneurship development at the local executive bodies were established in accordance with the Decree of the President of Ukraine "On Measures to Ensure the Support and Further Development of the Entrepreneurial Activity" [23]. Coordination councils include representatives of the associations of enterprises, authorized persons for protection of the rights of the entrepreneurs, employees of the state tax authorities, internal affairs and local executive authorities. The purpose of the functioning of the coordination councils is to facilitate the effective decision-making on the development of entrepreneurship and the implementation of the regulatory reform.

Also in 2015, the State Regulatory Service was empowered with the relevant Law of Ukraine [24] in the field of licensing certain types of the economic activity and issuing other permits for conducting economic activity, which became a separate major "layer" of work.

Considering the powers of the current State Regulatory Service of Ukraine, we can say that according to the Regulation [18]:

1. "The State Regulatory Service of Ukraine (SRS) is a central executive body, whose activities are directed and coordinated by the Cabinet of Ministers of Ukraine, and which implements the state regulatory policy, policies on supervision (control) in the sphere of economic activity, licensing and permitting system in the sphere of economic activity and deregulation of the business activity.

...

3. The main tasks of the SRS are:

• implementation of the state regulatory policy, the policy on supervision (control) in the sphere of economic activity, licensing and the permit system in the sphere of economic activity;

• coordination of the actions of the executive authorities, civil society institutions and entrepreneurship on deregulation of the economic activity.

4. SRS in accordance with its tasks:

1) generalizes the practice of application of the legislation on issues within its competence, develops proposals for improvement of the legislative acts, acts of the President of Ukraine, the Cabinet of Ministers of Ukraine and submits them to the Ministry of Economic Development in due course;

2) develops draft laws of Ukraine, acts of the President of Ukraine, the Cabinet of Ministers of Ukraine on issues pertaining to the sphere of activity of the SRS;

3) ensures the implementation of the state regulatory policy on the basis of economic feasibility and effectiveness of the regulatory acts, reducing the level of the state interference in the activities of the economic entities and removing obstacles to the development of the economic activity;

4) carries out measures on optimization of the number of functions of the state supervision (control) in the sphere of economic activity performed by the executive authorities, makes proposals in accordance with the established procedure for their reduction and elimination of duplication;

5) conducts examination of the draft laws of Ukraine, other normative-legal acts that regulate the economic and

administrative relations between the regulatory bodies or other bodies of the state power and economic entities;

6) participates in the preparation of the plans of measures of the Cabinet of Ministers of Ukraine on deregulation of the economic activity, provides for monitoring and coordination of the implementation of such plans by the executive authorities;

7) approves the draft normative legal acts on supervision (control) in the sphere of economic activity and on licensing issues that are developed by the central bodies of the executive power;

8)conducts, in accordance with the procedure established by the Law of Ukraine "On the Principles of State Regulatory Policy in the Field of Economic Activity" [13], analyzes the draft regulatory acts submitted for approval and analyzes their regulatory impact;

9) conducts, in accordance with the procedure established by the Law of Ukraine "On the Principles of State Regulatory Policy in the Field of Economic Activity", regulatory acts of the central executive bodies, their territorial bodies, the Council of Ministers of the Autonomous Republic of Crimea, and local executive authorities. In case of violation of the requirements of Articles 4, 5, 8–13 of the said Law during the examination, it decides on the necessity to eliminate the violations of the principles of the state regulatory policy by the body that has adopted the relevant act;

10) informs the executive authorities, their officials, authorized to adopt or approve the regulatory acts on revealing the statutory regulatory policy in the sphere of economic activity established by the Law of Ukraine "On the Principles of State Regulatory Policy in the Sphere of Economic Activity" of the circumstances in which the regulatory acts cannot be adopted or approved, and if the said regulatory acts are subject to state registration with the judicial authorities, — also informs the relevant judicial authorities, that are competent to carry out the state registration of such regulatory acts;

11) prepares proposals for improvement in accordance with the principles of the state regulatory policy in the field of economic activity of draft regulatory acts developed by the local self-government bodies;

12) provides methodological support to the activities of the regulatory bodies related to the implementation of the state regulatory policy in the field of the economic activity;

13) ensures preparation and submission annually to the Cabinet of Ministers of Ukraine of the results of implementation of the state regulatory policy in the sphere of economic activity in the system of executive bodies;

14) takes within the powers provided for by law measures to protect the rights and legitimate interests of the economic entities violated as a result of the regulatory acts;

15) carries out the analysis of the reports on the monitoring of the effectiveness of the regulatory acts adopted by the central executive bodies, their territorial bodies, the Council of Ministers of the Autonomous Republic of Crimea, local executive bodies;

16) appeals to the regulatory bodies, in accordance with the law, with proposals to amend or invalidate adopted by such bodies regulatory acts that are contrary to the principles of state regu-

latory policy or adopted in violation of the statutory requirements;

17) appeals in accordance with the established procedure to the bodies of the state power, their officials, bodies and officials of the local self-government, which in the cases and in the procedure established by the Constitution and laws of Ukraine, have the right to repeal or suspend the acts of other state bodies, their officials, bodies and local government officials, with submissions on the cancellation (suspension) of the regulatory acts that are contrary to the principles of the state regulatory policy in the field of economic activity or adopted in violation of the statutory requirements;

18) provides clarification of the provisions of the legislation on the state regulatory policy in the field of economic activity;

19) generalizes the practice of applying legislation on the state supervision (control) in the field of economic activity;

20) informs the Cabinet of Ministers of Ukraine on the state of implementation by the executive authorities of the requirements of the Law of Ukraine "On Basic Principles of the State Supervision (Control) in the Field of Economic Activity";

21) develops basic directions of development of licensing, provides methodical guidance and information support of activity of the licensing bodies;

22) oversees the licensing authorities' compliance with the licensing legislation and clarifies its application;

23) develops the forms of licensing documents and rules for their design;

24) agrees upon the submission of the licensing authority the licensing conditions for conducting a certain type of economic activity and the procedure for exercising control over their observance, except in cases provided by law;

25) forms expert-appellate council and carries out its organizational, informational and logistical support;

26) organizes training, retraining and advanced training of the licensing specialists;

27) maintains a Unified License Registry;

28) organizes orders, supplies, records and reports on the use of the license forms;

29) issues, in accordance with the Law of Ukraine "On Licensing of the Certain Types of Business Activities" [24], on the elimination of violations of the legislation in the field of licensing;

30) participates in the development of the draft regulatory acts on the issue of permits and approves them in due course;

31) carries out, within the limits of the powers provided for by the law, compliance with the requirements of the legislation on issues of permits and the methodological support of the activities of permitting bodies and state administrators;

32) organizes training and advanced training of the state administrators, coordinates their nominations for appointment and dismissal;

33) is the manager of the Registry of permits;

34) manages the state-owned objects within the scope of management of the Service;

35) organizes interaction with NGOs, their unions and market participants on a sectoral basis;

36) carries out consideration of the citizens' appeals on issues related to the activity of the SRS, enterprises, institutions and organizations belonging to the sphere of its management;

37) informs the public about its activities and the state of implementation of the state policy in certain spheres of activity, as well as about the progress of implementation of the action plans for simplification of the regulatory base and deregulation of the economic activity;

38) exercises other powers specified by the law."

As we can see, the list of the functions performed by the State Regulatory Service of Ukraine is quite large. These include function blocks that are directly related to:

• the development of the regulatory decisions;

• the formation of the regulatory framework of the state regulatory policy;

• the monitoring and control over the authorities regarding compliance with the requirements of the regulatory legislation;

• the carrying out the state policy in the field of licensing of certain types of business activity;

• the formulating a policy for handling permits in various areas of government;

• the interaction with NGOs, their unions and market participants on a sectoral basis, as well as with the public, etc.

However, as the experience of the SRS has shown for almost two decades, this activity has not always been effective and efficient. Therefore, the Better Regulation Delivery Office (BRDO) has been operational in Ukraine since 2015 [25].

The Better Regulation Delivery Office is an independent non-governmental structure that does not replace the functions of the State Regulatory Service or other public institutions, but its experts and available resources can be used to analyze the regulatory field and formulate effective regulatory decisions in various spheres of the public administration.

The main tasks of the Office are to reduce the cost and complexity of doing business in the country, and to minimize the corruption schemes. The Office should help improve the regulatory climate and ultimately facilitate Ukraine's entry into the European regulatory field and the DCFTA.

"The Better Regulation Delivery Office is a resource for all the ministries. This is an external department for the preparation of the deregulation regulations, so as the British say, use and abuse: use full-time office professionals to carry out reforms as quickly as possible. In addition, deregulation is the most effective way to fight corruption, out of pockets of corrupt officials we are returning billions of hryvnias to the business", said then Minister of Economic Development and Trade of Ukraine Aivaras Abromavichus to his colleagues in the Government [26].

The Office is involved in analyzing the legislation and the regulatory field, identifying issues and drafting new documents that will address these issues. Draft regulatory documents are being drafted, and Cabinet regulations have already been amended to accelerate the adoption of these important initiatives

to improve the investment climate and economic growth.

Thus, the Better Regulation Delivery Office becomes an assistant for the State Regulatory Service of Ukraine and will help to increase the transparency of its activities and improve the regulatory decisions.

Conclusions and prospects for further research. In its formation the State Regulatory Service of Ukraine has passed several stages, its initial functions have changed, but the main function has remained unchanged - participation in the development and implementation of the state regulatory policy in order to develop Ukraine more effectively. As can be seen from the above, the necessary legal and institutional frameworks for the radical reform of the system of "state-business" relations have been formed, therefore, the basis for increasing the transparency of the regulatory environment has been created, and there are potential opportunities for the legal influence of the entrepreneurs on the regulatory regulation of the business activity at both local and central level. We see prospects for further exploration in analyzing the activities of the SRS of Ukraine and identifying those functions that are inefficiently performed in order to improve them in terms of economy and public administration.

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PECULIARITIES OF DEVELOPMENT OF THE STATE SYSTEM REGULATION OF THE INSURANCE MARKET OF UKRAINE

Abstract. The features of functioning of the system of state regulation of the insurance market of Ukraine were considered. Based on the analysis of activity of subjects of insurance market scientific principles were expanded, which together can be described as the idea of the presence of direct and reverse connections between the links of different levels in the system of regulation of non-bank financial services, particularly insurance market. The scheme of interactions between public authorities, primarily of the regulator of non-bank financial services, and non-governmental institutions, self-regulatory associations, unions that unite a certain number of market members proposed in previous research works is recommended to be supplemented by connections with regional markets, as well as communi-

cation with scientists, the public and other institutions. Additions to the above scheme have been developed, which cover legally formed and informal channels of communication and interaction of insurance market entities. It is noted that the disadvantages of the insurance market include the insufficient level of responsibility of some insurance companies, insurance agents and insurance brokers to policyholders, which reduces the credibility of the market on the part of consumers of insurance services, citizens of Ukraine. Specific examples of violations of the current legislation by intermediaries in the insurance market are given. The attention is focused on the need to bring domestic legislation in the sphere of regulation of insurance mediation closer to European standards. Proposals in this direction, which take into account the European integration processes in Ukraine, were provided. The features of the new laws of Ukraine, which amended some legislative acts on the expansion of functions for state regulation of financial services markets and consumer protection, are considered. The improvement of legislation provides an opportunity to optimize the quantitative composition of regulatory bodies in the markets of non-banking services. This introduces the responsibility of financial institutions for violations of the rights of consumers of financial services. It is important that the authorized bodies have the right to apply measures of influence to economic entities and impose administrative penalties on officials. Improving the efficiency of the state regulatory policy, expanding and strengthening the mechanisms of state regulation and supervision should contribute to the termination of the activities of unscrupulous entities in the insurance market. We should expect a positive impact of the new laws on the economy of the state as a whole, since the insurance market, in particular, is one of the important segments of the financial sector of Ukraine.

Keywords: markets of non-bank financial services, insurance, legislation, management, state regulation, insurance mediation, problems, development.

ОСОБЛИВОСТІ РОЗВИТКУ СИСТЕМИ ДЕРЖАВНОГО РЕГУЛЮВАННЯ СТРАХОВОГО РИНКУ УКРАЇНИ

Анотація. Розглянуто особливості функціонування системи державного регулювання страхового ринку України. На підставі аналізу діяльності суб'єктів страхового ринку розширено наукові положення, сукупність яких можна кваліфікувати як ідею щодо наявності прямого та зворотного зв'язків між ланками різного рівня у системі регулювання ринків небанківських фінансових послуг, зокрема ринку страхування. Запропоновану у попередніх наукових роботах схему взаємозв'язків органів державної влади, насамперед регулятора ринку небанківських фінансових послуг, і недержавних інституцій у вигляді саморегулівних асоціацій, союзів, спілок, які об'єднують певну кількість суб'єктів ринку, рекомендовано доповнити зв'язками з регіональними ринками, а також комунікаціями з науковцями, громадськістю й іншими інституціями. Розроблено доповнення до зазначеною схеми, яке висвітлює юридично оформлені і неформальні канали комунікації і взаємодії суб'єктів ринку страхування. Зазначено, що недоліками страхового ринку

є недостатній рівень відповідальності деяких страхових компаній, страхових агентів і страхових брокерів перед страхувальниками, що знижує довіру до ринку з боку споживачів страхових послуг, громадян України. Наведені конкретні приклади порушень діючого законодавства посередниками на страховому ринку. Зосереджена увага на необхідності наближення вітчизняного законодавства до європейських норм у сфері регулювання страхового посередництва. Надано пропозиції у цьому напрямі, які враховують євроінтеграційні процеси в Україні. Розглянуті особливості нових законів України, якими внесені зміни до деяких законодавчих актів щодо розширення функцій із державного регулювання ринків фінансових послуг і захисту споживачів. Вдосконалення законодавства надає можливість оптимізувати кількісний склад регуляторних органів на ринках небанківських послуг. При цьому запроваджується відповідальність фінансових установ за порушення прав споживачів фінансових послуг. Важливо, що уповноваженим органам надано право застосовувати до суб'єктів господарювання заходи впливу та накладати на посадових осіб адміністративні стягнення. Підвищення ефективності державної регуляторної політики, розширення і посилення механізмів державного регулювання та нагляду має сприяти припиненню діяльності недобросовісних суб'єктів на страховому ринку. Слід очікувати позитивного впливу нових законів на економіку держави у цілому, оскільки ринок страхування, зокрема, є одним із важливих сегментів фінансової сфери України.

Ключові слова: ринки небанківських фінансових послуг, страхування, законодавство, управління, державне регулювання, страхове посередництво, проблеми, розвиток.

ОСОБЕННОСТИ РАЗВИТИЯ СИСТЕМЫ ГОСУДАРСТВЕННОГО РЕГУЛИРОВАНИЕ СТРАХОВОГО РЫНКА УКРАИНЫ

Аннотация. Рассмотрены особенности функционирования системы государственного регулирования страхового рынка Украины. На основании анализа деятельности субъектов страхового рынка расширены научные положения, совокупность которых можно квалифицировать как идею о наличии прямой и обратной связей между звеньями разного уровня в системе регулирования рынков небанковских финансовых услуг, в частности, рынка страхования. Предложенную в предыдущих научных работах схему взаимосвязей органов государственной власти, прежде всего регулятора рынка небанковских финансовых услуг, и негосударственных институтов в виде саморегулируемых ассоциаций, союзов, объединяющих определенное количество субъектов рынка, рекомендуется дополнить связями с региональными рынками, а также коммуникациями с учеными, общественностью и другими институтами. Разработаны дополнения к указанным схемам, которые освещают юридически оформленные и неформальные каналы коммуникации и взаимодействия субъектов рынка страхования. Отмечено, что недостатками страхового рынка является недостаточный уровень ответственности

некоторых страховых компаний, страховых агентов и страховых брокеров перед страхователями, что снижает доверие к рынку со стороны потребителей страховых услуг, граждан Украины. Приведены конкретные примеры нарушений действующего законодательства посредниками на страховом рынке. Сосредоточено внимание на необходимости приближения отечественного законодательства к европейским нормам в области регулирования страхового посредничества. Даны предложения в этом направлении, которые учитывают евроинтеграционные процессы в Украине. Рассмотрены особенности новых законов Украины, которыми внесены изменения в некоторые законодательные акты по расширению функций государственного регулирования рынков финансовых услуг и защиты прав потребителей. Совершенствование законодательства позволяет оптимизировать количественный состав регуляторных органов на рынках небанковских услуг. При этом вводится ответственность финансовых учреждений за нарушение прав потребителей финансовых услуг. Важно, что уполномоченным органам предоставлено право применять к субъектам хозяйствования меры воздействия и налагать на должностных лиц административные взыскания. Повышение эффективности государственной регуляторной политики, расширение и усиление механизмов государственного регулирования и надзора должно способствовать прекращению деятельности недобросовестных субъектов на страховом рынке. Следует ожидать положительного влияния новых законов на экономику государства в целом, поскольку рынок страхования, в частности, является одним из важных сегментов финансовой сферы Украины.

Ключевые слова: рынки небанковских финансовых услуг, страхование, законодательство, управление, государственное регулирование, страховое посредничество, проблемы, развитие.

Statement of the problem in general and its relation to important scientific or practical tasks. Ukraine's economy is gradually moving in the European direction. Under these conditions, improving the system of state regulation of non-bank financial services and in particular insurance market, which is the most significant in the field of non-banking services acquires strategic importance. Recently the possibility and methods of state regulation of this market is growing and improving due to the adoption by the Verkhovna Rada of Ukraine in September of 2019 two laws of Ukraine "On amendments to some legislative acts of Ukraine regarding protection of rights of consumers of financial services" (the draft law dated 06.09.2019 № 1085-1, the law was adopted on 20.09.2019) and "On amendments to some legislative acts of Ukraine concerning improvement of the functions of state regulation of financial services markets" (draft law dated 06.09.2019 № 1069-2, the law was adopted on 12.09.2019). These laws entrust new powers and thus expand the power of regulators of the market of non-bank financial services. Accord-

ing to the first law (the "split" which in the dictionary of economic terms is interpreted as "increase") supervision and regulation of insurance companies will be transferred from the National Commission, carrying out state regulation of markets of financial services to the National Bank of Ukraine (NBU). The second law significantly strengthens the control over the activities of participants in this market and the quality of services provided, as well as strengthens the responsibility of insurers and the protection of consumers of insurance services. Supervision and regulation of the insurance market will now be carried out by the NBU, which will eliminate duplication of functions of regulators for control and supervision, including the activities of various associations of banking structures with insurance companies.

According to the NBU, the markets of non-bank financial services in Ukraine have historically operated under less strict control and regulation by the state than, in particular, the banking sector. These laws will ensure the same model of state regulation of the banking and non-banking financial markets. The regulator, which the NBU becomes, is entrusted with the functions of segmentation of non-bank financial services markets, licensing, prudential supervision of the insurance market, its verification, protection of the rights of consumers of services. There is reason to expect that the system of regulation of non-bank financial services markets and, in particular, the insurance market, envisaged by the new legislation, will strengthen their attractiveness for potential investors, increase consumer confidence in them, expand and improve the legislative framework, and ensure full transparency of the activities of market entities.

According to this, the task is to analyze the trends and prospects for the development of the system of state regulation of non-bank financial services markets, as well as to develop recommendations for the effective use of new opportunities in practice. The insurance market is the example for the analysis, it is the most significant in the field under consideration.

Analysis of recent studies and publications that started to address this problem. Theoretical and practical foundations and various specific aspects of state regulation of the insurance market of Ukraine were investigated by leading Ukrainian and foreign scientists [1–5 and others]. In these and many other scientific researches views of scientists on essence, tendencies, ways of development of the market of insurance services, principles of regulation of its activity are covered.

Currently, the state of the economy of Ukraine and the financial and economic situation in the world are changing rapidly. Therefore, given the immutability of the fundamental foundations of the theory of insurance and the theory of public administration and administration [6–7] certain scientific and practical issues of state regulation of the insurance market need to be detailed in relation to modern conditions. The position of the author of this article, which is expressed in [8–9] and others, is that the system of regulation of markets of non-bank financial services should be understood as laws and other state regulations that create conditions for the functioning of these

markets and the activities of their subjects. Legal documents that form an integral legislative and regulatory framework in this area should be considered as interrelated elements of the system of regulation of non-bank financial services markets. State regulation has a strategic nature and provides for a targeted impact on market members to achieve the ultimate goal — to increase the efficiency of their activities in favor of the state economy. Regulation includes the identification and analysis of problems, the allocation of the most important tasks in this period, the search for optimal solutions and ensuring their implementation. The concept of development of the system of regulation of markets of non-bank financial services characterizes the change in its composition, structure, state over time. The result is a new state of the system. The development of the system of regulation of non-bank financial services markets in Ukraine has an evolutionary form associated with gradual qualitative and quantitative changes.

Regulation of non-bank financial services, like regulation of other sectors of the economy, includes the monitoring of positive trends and rapid identification of the signs of the negative phenomena, the analysis and understanding of their causes, development of possible interventions to study the likely consequences of their implementation. Effective regulation also implies the creation of conditions for the development and implementation of optimal management decisions to prevent crisis phenomena, eliminate complications that may arise, increase the potential of all market segments.

It is not possible to name all the scientists who contributed to the development of the theory, methodology, practice of functioning and state regulation of insurance and other markets of non-bank financial services because of the limited volume of the text of this article. Therefore, during the consideration of specific issues in the article, references will be made only to the literature used, with deep respect for the authors of all scientific works.

The purpose of this article is to identify patterns of market development non-bank financial services insurance market of Ukraine, peculiarities of impact on the market regulatory system, the definition and justification of directions of regulation and increase of efficiency of activity of subjects of the insurance market to ensure its stability and reliability.

Presentation of the main research material. It is necessary to agree with the authors of the above scientific works [1–7] and other studies, that the development of the system of regulation of the insurance market should provide, first of all, strengthening the protection of property interests of policyholders, which are individuals and legal entities. Secondly, it should meet the interests of the state, since this market is one of the sources of financial investment in various sectors of the national economy. Thirdly, it needs to promote the implementation of a certain course of economic and social policy of the state. Fourth, it should ensure the possibility of effective activities of insurance market entities (insurance companies, brokers, agents) and other persons working in the insurance market (banks, associations of insurers, law firms, etc.).

Fifth, it needs to ensure the integration of the Ukrainian insurance market in the relevant international network, in the global space of non-bank financial services.

The insurance market is one of the powerful segments, sectors of the general market of non-banking services. In our work [8] the complex of views, representations, ideas directed on interpretation of essence of system of regulation of the markets of non-bank financial services in Ukraine is offered. The scientific provisions, the totality of which can be qualified as the idea of the presence of direct and feedback links between links at different levels in the system of regulation of markets of non-bank financial services were described and substantiated. In the development of the ideas expressed in [8], we note that the system of regulation of markets of non-bank financial services in Ukraine is characterized by the fact that its components at different levels (from the state to the level of a small enterprise) have strong direct and reverse relations. According to the mathematical formulation, under certain assumptions, it can be considered that the regulation of markets for non-bank financial services by public authorities is a direct theorem, which proves that the initial conditions and tasks when implemented in practice provide a pre-declared, expected result. Therefore, the state regulator formulates and approves tasks and creates conditions (laws, resolutions, orders, other documents) for the development of non-bank financial services markets. When they are implemented, the goal is achieved.

Links of state bodies of various levels and subjects of the markets of non-bank financial services have direct and inverse relations among themselves which consist in the are as follows. Comments, recommendations, decisions of the state regulator are brought to the management of structures operating in the markets. That is, to market entities, where solutions are tested in practice, their shortcomings are identified and proposals for their improvement are formulated. Management of the lowest level, namely insurance companies, credit unions, etc directs its developments to the appropriate higher level - to the regulator and then to the Cabinet of Ministers of Ukraine to take them into account through changes and additions to existing regulatory documents or those that are being developed. In this way, there are direct and feedback links in the markets of non-bank financial services between managers of different levels, between the state bodies regulating the markets and the structures that work there. Such relationships are the features of the system of regulation of non-bank financial services markets.

A significant role in the system of regulation of markets of non-bank financial services in Ukraine is played by non-governmental non-profit self-regulatory organizations, which voluntarily unite the structures operating in the markets, companies in order to closely interact and develop a common policy and principles of behavior [8]. The influence of market entities on strategic decision-making looks like a chain: subject-association-regulator-Cabinet of Ministers — Verkhovna Rada of Ukraine. The message on the implementation of the decisions taken is transferred in the opposite direction.

The scheme of relations of public authorities, primarily the regulator, with self-regulatory organizations, proposed in the article [8] each of which unites a certain number of market entities, in our work [9] is supplemented by communications with science, the public and other institutions. These additions provide for strengthening the participation of the general public through the Internet space in the development of proposals to address problematic issues, the introduction of measures to influence the authorities on the market by adopting new or improving existing regulatory acts. At the same time, the concept of "power" should be understood not only and not so much as the regulator represented by the National Financial Services Committee or the National Bank of Ukraine, but also local and regional authorities. Communication subjects of the market of non-banking financial services regulator, the public, expert groups from among scientists, local and regional authorities and other agencies and feedback of these schema elements are based on the principles of openness and transparency of partnerships. The schemes of communication of the insurance market with state and non-governmental structures in Ukraine presented in [9] complement and expand the previously developed models of development and functioning in the future of the system of regulation of non-bank financial services and the structure of interaction of public authorities with self-regulatory organizations that operate in the insurance market in Ukraine. The scheme of channels of interaction between subjects of the insurance market is proposed as the development [9] of the communication structures (Fig. 1). The existence of such formal and informal ties should be taken into account in the system of state regulation of this market.

Insurance brokers and insurance agents indicated in the diagram (Fig. 1) are intermediaries who actively work

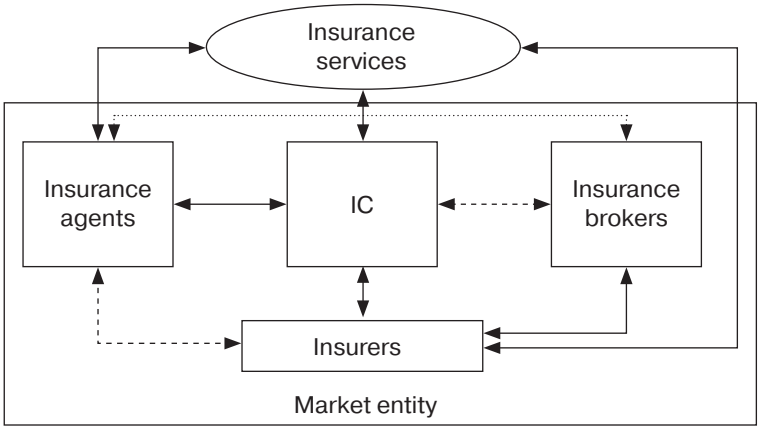

Fig. 1. **Scheme of communication channels and interaction of subjects of the insurance market.**

It is designated: IC – insurance company; continuous lines – legally issued communications; dotted lines – commercial relations; dashed-dotted lines – possible contacts

in the market of providing insurance services. They have different functions in the market. Brokers carry out business activities in relation to the provision of paid services to policyholders to protect their interests through effective risk insurance.

An insurance broker is a legal entity that must act in the interests of the policyholder. The task of insurance agents on the contrary is to satisfy the interests of insurance companies to expand the volume of sales of services provided by them. Insurance agents act on behalf of and under the control of the insurer on the basis of the Agency agreement.

The legislation of Ukraine allegedly differentiates the activities of insurance brokers and insurance agents in terms of, first of all, the protection of property interests of consumers of insurance services. But despite the existence of a regulatory framework that regulates the activities of these intermediaries at the legislative level, in real life there are unresolved issues in this area [9]. As a matter of fact insurance agents, given the fierce competition for customers among insurance companies in the market of services, often offer policyholders, which they control, simultaneously to several insurance companies instead of one on behalf of which the agent works. Stop at the company that provides the agent with the greatest reward. The negative consequences of this market situation lies in the fact that agents often give their clients to conclude insurance contracts financially weak and insolvent companies that in the event of an insured event are not able to fulfill obligations to the policyholder. This aspect of the interaction of insurance agents with insurance companies requires regulation at the level of legal acts.

The activity of the insurance broker should be aimed exclusively at finding insurers that best meet the interests of the policyholder. But unscrupulous brokers collude with "their" insurance companies, provide them with clients-insurers and receive remuneration from insurance companies, which is not provided by the legislation on brokerage. Intermediaries in the insurance market are in contact with millions of consumers of insurance services (more than 8 mln only in compulsory insurance of civil liability of owners of land vehicles and more than 1 mln traveling abroad [9]). Therefore, perceiving this situation as significant, it is necessary to distinguish the intermediary activity of insurance agents and insurance brokers at the legislative level more categorically than now [10; 12].

In our article [9] it is shown that among the specialists engaged in the insurance market, there are different views on the optimal size (rate) of payments to intermediaries and other persons for the conclusion of the insurance contract. Opponents give weighty arguments in support of their positions on this issue. But there is reason to expect that the introduction of a corporate tax in the amount of 18 % of the amount exceeding the established norm of payments to intermediaries will reduce the practice of evading unscrupulous insurers from paying taxes by excessively inflating the remuneration of intermediaries. Practice shows that now the company's insurance agents are paid from 40 to 80 % of the insurance premiums received, which almost always significantly exceeds the cost of agents to

perform intermediary work. According to expert estimates, the amount of economically justified payments to intermediaries should not exceed 30 %, and everything else means the tax evasion.

Despite some unsettled activity of insurance intermediaries (brokers, agents), they play a positive role in the insurance market of Ukraine, helping insurers to provide and policyholders to receive insurance services. A detailed review of domestic and European legislation in the field of insurance mediation is carried out in article [10]. The author of this work did not consider the above remarks regarding violations in the activities of insurance brokers and insurance agents in the market of insurance services, which are common in real life. He focused on conceptual issues, namely the comparison of legislation in the field of insurance mediation regulation in Ukraine and the European Union (EU). The proposals presented in [10] on the adaptation of domestic legislation in the field of regulation of insurance mediation to the European one are relevant and should be adopted. There are many ways to implement recommendations. The easiest way, perhaps, to amend the resolution of the Cabinet of Ministers of Ukraine "On the procedure for the activities of insurance intermediaries" or the current law of Ukraine "On insurance". It is also possible to adopt new laws on insurance mediation or insurance and provide for the implementation of EU directives on insurance mediation. We emphasize that in [10], as well as later in our article [9], the object of regulation is understood to be the legislation concerning the activities of market entities to provide intermediary services in insurance, in particular brokerage operations and Agency services. This is due to the fact that this approach is applied in the Association Agreement between Ukraine and the EU, namely in subsection 6 "Financial services", in accordance with article 125.2(a) [11].

The results and conclusions of our studies [6; 8–9; 12 and others] coincide in fact with the solid recommendations given in [10]. First of all, it concerns the need to expand the limit of regulation of insurance mediation and establish restrictions on uncontrolled activities of entities for which the sale of insurance products is not the main activity. In addition, it is advisable to introduce mandatory liability insurance of intermediaries selling insurance products to policyholders. Also it is necessary to oblige intermediaries to inform policyholders to sign insurance contracts with them the official status of sellers of the insurance product, the amount of remuneration they receive, and their liability. The proposed can be applies not only to insurance brokers or insurance agents, but also to other individuals and legal entities that mediate in the insurance market, in particular banks. In this way, the safety of consumers of insurance products will be enhanced regardless of the channel of sale of services — through intermediaries or directly in insurance companies. These requirements will facilitate the transfer of mediation in a civilized and controlled way, as is the case in the highly deve_ loped countries of the European Union.

Summary. State regulation of non-bank financial services and, in particular, the insurance market has the potential to increase efficiency through wider involvement in this process of

non-state self-regulatory organizations, the public, the Internet space, scientific institutions. The specifics of the insurance market require taking into account both the financial interests of both market participants and the interests of the state. To strengthen the protection of consumers of financial services, it is necessary to provide safeguards against the penetration and presence in the market of problematic, insolvent, unscrupulous insurance companies. It is also necessary to take measures to eliminate the practice of applying economically unjustified remuneration to insurance intermediaries and to tighten the requirements for their liability to consumers of insurance services. In general, it is necessary to expand the boundaries of state regulation of the insurance market and strengthen the responsibility of subjects for compliance with legislative norms at the level of implementation of regulatory acts.

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POLITICAL AND LEGAL ASPECTS OF STATE LANGUAGE POLICY FORMATION: CZECH EXPERIENCE FOR UKRAINE

Abstract. The article deals with the political and legal aspects of the language policy formation of the Czech Republic and Ukraine in a diachronic section. When comparing the language policies of these countries, the following criteria were taken into account: stay under occupation of other states; was the national language official during the occupation of the country; the largest ethnic group in the country at the time of consolidation of the state/official language; existence of a special law on state/official/national language; the number of official (official) languages in the country; ratification and entry into force of the Euro-

pean Charter; whether special status is given to particular languages of national minorities.

The history of the formation of the Czech Republic over the centuries has been marked by the struggle for the establishment of a sovereign state, and language policy has become a cornerstone of the Czech identity.

Despite the absence of a special law on official (official) language in the Czech Republic, the key to language policy was the displacement of the occupier's language (German and Hungarian) from the public sphere. The struggle for language has become a marker of struggle for territory, population and sovereignty.

After a long period of linguistic expansion, the Czechs began to renew their language through fiction, theater, created national scientific terminology, published lexicographic sources, formed state institutions on language policy and language planning.

State language policy in Ukraine has been inconsistent, slow, hindering the resolution of problematic issues in regulating language relations, contributing to the emergence of legal nihilism, giving rise to language conflicts, and was used by Russia against Ukraine in 2014. The loosening of the language issue, the delay in the implementation of the language law, threatens the national security of Ukraine, its sovereignty and territorial integrity. Today, Ukrainian society faces an overriding challenge, which can be resolved by the Czech experience — to get rid of the colonial past in the language issue.

Keywords: state language policy, national minorities, European Charter for Regional or Minority Languages, state language.

ПОЛІТИКО-ПРАВОВІ АСПЕКТИ ФОРМУВАННЯ ДЕРЖАВНОЇ МОВНОЇ ПОЛІТИКИ: ЧЕСЬКИЙ ДОСВІД ДЛЯ УКРАЇНИ

Анотація. Розглядаються політико-правові аспекти формування мовної політики Чеської Республіки та України в діахронічному зрізі. При зіставленні мовних політик цих країн бралися до уваги такі критерії: перебування під окупацією інших держав; чи була національна мова офіційною під час перебування країни під окупацією; найчисельніша етнічна група в країні на момент закріплення державної/офіційної мови; наявність спеціального закону про державну/офіційну/національну мову; кількість державних (офіційних) мов у країні; ратифікація Європейської хартії та набрання нею чинності; чи надано особливий статус окремим мовам національних меншин.

Історія формування Чехії протягом століть була позначена боротьбою за становлення суверенної держави, а мовна політика стала наріжним каменем будівництва ідентичності чехів.

Незважаючи на відсутність у Чехії спеціального закону про державну (офіційну) мову, ключовим моментом мовної політики було витіснення з публічних сфер мови окупанта (німецької та угорської). Боротьба за мову стала маркером боротьби за територію, населення і суверенітет.

Після тривалого періоду мовної експансії чехи почали відновлювати свою мову через художню літературу, театр, створювали національну наукову тер-

мінологію, видавали лексикографічні джерела, утворювали державні інституції з мовної політики та мовного планування.

Державна мовна політика в Україні проводилася непослідовно, повільно, що гальмувало вирішення проблемних питань у регулювання мовних відносин, сприяло породженню правового нігілізму, давало привід для виникнення мовних конфліктів й було використано Росією проти України у 2014 році. Розхитування мовного питання, зволікання з реалізацією мовного закону ставить під загрозу національну безпеку України, її суверенітет і територіальну цілісність. Сьогодні українське суспільство стоїть перед надважливим завданням, вирішити яке може допомогти досвід Чехії — позбавитися колоніального минулого в мовному питанні.

Ключові слова: державна мовна політика, національні меншини, Європейська хартія регіональних або міноритарних мов, державна мова.

ПОЛИТИКО-ПРАВОВЫЕ АСПЕКТЫ ФОРМИРОВАНИЯ ГОСУДАРСТВЕННОЙ ЯЗЫКОВОЙ ПОЛИТИКИ: ЧЕШСКИЙ ОПЫТ ДЛЯ УКРАИНЫ

Аннотация. Рассматриваются политико-правовые аспекты формирования языковой политики Чешской Республики и Украины в диахроническом срезе. При сопоставлении языковых политик этих стран принимались во внимание следующие критерии: пребывание под оккупацией других государств; был ли национальный язык официальным во время пребывания страны под оккупацией; самая многочисленная этническая группа в стране на момент закрепления государственного/официального языка; наличие специального закона о государственном/официальном/национальном языке; количество государственных (официальных) языков в стране; ратификация Европейской хартии и вступление в силу; предоставлен ли особый статус отдельным языкам национальных меньшинств.

История формирования Чехии протяжении веков была обозначена борьбой за становление суверенного государства, а языковая политика стала краеугольным камнем строительства идентичности чехов.

Несмотря на отсутствие в Чехии специального закона о государственной (официальную) язык, ключевым моментом языковой политики было вытеснение из публичных сфер языка оккупанта (немецкой и венгерской). Борьба за язык стала маркером борьбы за территорию, население и суверенитет.

После длительного периода языковой экспансии чехи начали восстанавливать свой язык через художественную литературу, театр, создавали национальную научную терминологию, издавали лексикографические источники, образовывали государственные институты по языковой политике и языковому планированию.

Государственная языковая политика в Украине проводилась непоследовательно, медленно, что тормозило решение проблемных вопросов в регулирование языковых отношений, способствовало порождению правового нигилизма, давало повод для возникновения языковых конфликтов и было

использовано Россией против Украины в 2014 году. Расшатывание языкового вопроса, промедление с реализацией языкового закона ставит под угрозу национальную безопасность Украины, ее суверенитет и территориальную целостность. Сегодня украинское общество стоит перед важнейшей задачей, решить которую может помочь опыт Чехии – избавиться от колониального прошлого в языковом вопросе.

Ключевые слова: государственная языковая политика, национальные меньшинства, Европейская хартия региональных языков или языков меньшинств, государственный язык.

Thesis statement. Each country constantly keeps an eye on the language problems of the society. As a language is one of the factors of the society self-organization and also an inalienable feature of such communities as an ethnos, an ethnic group, a nation, then one of the traits of the self-empowerment of a nation is the state status of its language, which legislatively provides its functioning at all the areas of social life without any exceptions. In monoethnic states, the language status doesn't cause any problems, in the dependent and multi-ethnic countries the issue of the state status of a language is one of the most complicated social and political problem.

The language policy of the Czech Republic has been developed for many centuries under complicated historical and geopolitical conditions. The choice to analyze the language policy of the countries like Czechia and Ukraine has been conditioned by the point that the history of their establishment as independent, modern democratic countries is similar to each other: firstly, all of them during centuries had been under the authority of other states and their borders had been changed many times; secondly, at the end of the XX century they had to oppose the Communist regime, fight for their nation-building on the basis of European democratic civilization values; thirdly, all these countries had to restore their languages, oppose the language expansion, state their national languages as official ones in their countries, solve the issues of the language rights of different ethnic groups.

Analysis of recent research. Despite the fact that the issues of language policy in Ukraine are of recent importance, there are practically no scientific papers devoted to examining the possibilities of applying the experience of the countries of Central and Eastern Europe in regulating language relations in Ukraine. In part, they are covered in the articles by G. Yevseyeva [1], O. Kravchuk [2], G. Meleganych [3], N. Podberezhnik [4].

Results. The "black" epoch in the history of Czechia starts with the political crisis of the beginning of the XVII century preceding the Thirty Years' War between Bohemia (Czechia) and Austria: in 1620, after capitulation, Czechia became the Austrian province, Czechs lost their rights, property, national originality because of catholicization and Germanization, German

becomes the official language. During almost the whole XVIII century not a single book in the Czech language was published. It was unpopular within the Germanized aristocracy and intellectuals, bald and not worked out to become a literary language [5, p. 33–35]. During the reign of Joseph II, the German language pushed Czech out of education.

Only after the Spring of Nations in 1848–1849, the national rebirth of Czechia began: the Czech language started to be restored, it became the language of science, education, literature, theatre and later the language of the military arts, diplomacy and other areas of social life. In 1918 Czechs together with Slovaks (who also had been in as part of Austria-Hungary) created the Czechoslovak Republic, and Czech Constitution recognized a so-called Czechoslovak language as an official one. They managed to establish it in all the areas of life and also widen among all the social strata.

During the Inter-War period (between World War I and World War II) there were some attempts to establish the idea of "Czechoslovakism", to create a "czechoslovakian national self-awareness" and the "Czechoslovakian language"[1]. In the districts where there were no less than 20 % of not Czech population, the language of a corresponding nationality was used in the state bodies together with the state language.

The first president of Czechoslovakia T. Masaryk justified this idea with the natural right on the national self-building, creation of one nation in Europe based on the language commonness of Czechs and Slovaks. This doctrine of the Czechoslovakian nation was connected to the point that there were more Germans than Slovaks in Czechoslovakia and it was necessary to get rid of the strong aggressive influence of the German language. And though the leading language of the whole state was Czech. This policy didn't aim to push out or humiliate the Slovak language. At the moment of establishment of the independent Czechoslovakian state establishing the official language was an extremely important step. T. Masaryk clearly defined the grounds for the language policy: even in the regions where there lived up to 90 % of Germans, the applications of citizens had to be received in Czech, and the official bodies had to answer them in Czech too.

T. Masaryk directly pronounced that the German population had to be subordinated to the valid state authorities as their ancestors had come to the Czech lands as immigrants and colonists [6].

In spite of the absence of any support from the German deputies in the parliament, he during several years purposefully established the language and cultural policy on the legislative level. The main thesis of T. Masaryk in the development of the national state was about the point that the national idea was the idea of culture. Actually, that's what Czechs followed when creating a powerful cultural background for establishing the national state with the national language of the indigenous population.

[1] In effekt, an artificial language. Czech was used officially, and Slovak had a minor role. After the World War II this issue hadn't been regulated by the law. Both languages considered to be the state ones: Czech – in Czechia, Slovak – in Slovakia.

The introduction of a single Czech language was intended to support the Slovak language, which was at risk of being displaced by Hungarian.

But professor of Charles University M. Sloboda notices that Slav languages had been used at the same time and they were legally equal, they never reached the real equity [7]. Another professor of Charles University in Prague M. Putny states that Czech was a dominant language, and Slovak was considered as a dialect of Czech. But the will of Slovaks to identify themselves as a nation had been increasing and after 1945 Slovak had been recognized as an independent literary language [7].

Czechs and Slovaks were united by the common language, but Czechs and Germans were separated from each other also because of the language. There were 3 million Czech Germans on the territory of Czechoslovakia, for whom the expansion of the Czech language became a challenge. The discontent of the Germans in the Sudetenland with, among all, the language policy of Czechia was used by Nazi Germany to annex the Sudetenland. Majority of 3 million Czech Germans believed in the idea of "great Germany", but they were just used for the invasion plans of Adolf Hitler. As the researchers of Czech history notice, "Hitler defined three variants of the national policy in Czech-Moravian lands. According to the first, he considered it to be possible to give Czechs the autonomy within which the equal rights for the Germans of the Sudetenland had to be guaranteed. At that point, Hitler admitted his apprehension that autonomy could lead to the appearance of the source of instability and internal opposition to Germany. The second variant foresaw expulsion of Czechs and putting Germans on their territories. But, according to the calculations of Germans, the length of that process could have reached up to 100 years. The third variant seemed to be the most realistic for Hitler: Germanizing the population of the dominion, in particular, by the mean of assimilation. At that point, Hitler declined the plans of separation of the territory of the dominion and of making German zones within it. In October 1940 Hitler ordered to start preparing "Germanizing the territory and the people" of the dominion, which was being made during the whole war. The final aim was to transform the Czech lands into the consisting and inalienable part of the great German Empire of the Third Reich" [8, p. 209–210]. So, occupation of the territory of Czechia was made with the slogan of setting the national minorities, suffering the discrimination, in particular, the language one, free.

After the World War II and till the separation of Slovakia in 1993 monolingualism had been established in Czechoslovakia officially, but it was bilingual: the Czech language was spread on the Czech territory and Slovak – on the Slovak one.

Up to 1991 Czechs were 62,8 %, Slovaks — 31 % of the total population of Czech and Slovak Federative Republic [9]. The majority of Czechs lived in Czech Republic — 81,2% [10].

According to the enumeration of 2011, the number of Czechs in Czechia was 64,3 %, the number of Slovaks decreased to 1,4 %, and 95,4 % could speak Czech [11].

In 1920, at the same time as the Czech Constitution, a law on language

was adopted, which established the principles for regulating the use of languages [12]. In particular, § 1 of this law defines Czechoslovakian language as the official and official language of the republic. In all the next constitutions, including the valid one of 1992 the definition of the official or the state language had been excluded.

Today learning Czech is obligatory for all the inhabitants of the country and the foreigners who want to get Czech citizenship. Education of all levels is provided in Czech, in higher educational institutions English and German are also used, but the education in these languages is to be paid for.

The Czech Republic ratified the European Charter of Regional and Minority Languages on the 15th of November 2006, having recognized Slovak, Polish, German and Roma languages as the languages of minorities which had been included to the force of the Charter [13]. At that point, to those languages the country used just p. II of the Charter. The exception was made for the Polish (in Moravia-Silesia region and on the territory of Fridek-Mistek and Karvina districts it is also used in education, court proceeding, administrative bodies, when public service is provided, in the economic and social life, mass media), and Slovak (usage in the same areas as Polish, but on the whole territory of Czechia)[2].

[2] Up to now Czechia recognized 14 national minorities: Belarus, Bulgarians, Croatians, Germans, Greeks, Hungarians, Poles, Romanians, Russians, Ruthenians, Serbians, Slovaks, Ukrainians and Vietnamese. It gives them the right to develop their culture, traditions and the language, use their language in the contacts with authorities and in courts.

Ukraine

The fight for the status of Ukrainian language as the language of the Ukrainian nation and Ukrainian state ran under complicated historical and political conditions with the constant impact of other countries and their languages and it is still running.

The starting point of Ukrainian Slav state-building and culture is considered to be Kievan Rus of IX–XIII centuries. After the Tatar-Mongol Invasion its descendant became Regnum Russia of XIII-XIV century. It was swallowed by the neighboring Grand Duchy of Lithuania and Kingdom of Poland, united since XVI century into the federative Polish-Lithuanian Commonwealth. On the territories belonging to Poland, the language of documentation was Latin, in the Grand Duchy of Lithuania "Ruthenian language was the language of administrative management and court proceeding.

Development of the newest Ukrainian nation became active during the national liberation war of 1648–1657 led by Bohdan Khmelnitsky against the Polish-Lithuanian Commonwealth. Creation of Kozak state in the Dnieper area became the result of the war, but, because of the internal strife after 1667 appeared to be divided between the Polish-Lithuanian Commonwealth and Moscovian Tsardom. After he last division of the Polish-Lithuanian Commonwealth in 1795 Ukrainian lands were divided between Austro-Hungary and Russia. The first one received Galicia, Bukovina and Zakarpattya, the second country received the rest of Ukrainian lands. Except for Germanization of the western Ukrainian lands, Galicia suffered Polonization, Magnyarization oc-

curred in Zakarpattya, Romanization in Bukovina, on the rest of territories Russification of Ukrainian population occurred.

When Ukrainian state was being destroyed by Russian Tsarism at the end of XVIII century in the Left Bank Area and in Slobozhanshchina, it was being collaborated with the russification of indigenous population. The Ukrainian language had been pushed out of the Empire government and educational institutions of all the educational levels. Two Tsar's Acts became the strikes on Ukrainian language — they were Valuyev circular letter of 1863 and Emsky Order of 1876, according to which publishing of religious, teaching and scientific books, bringing to Russian Empire the books written in Ukrainian from abroad without a special permission; publishing original books and translations from foreign languages to Ukrainian, performance of Ukrainian theatre plays, concerts with Ukrainian songs, teaching in Ukrainian in primary schools were prohibited.

Just in the first third part of XX century (till 1930-x pp.) the support of the Ukrainian language had been started, in the 20-s there was issued number of resolutions about Ukrainianization: about opening schools with the Ukrainian language of teaching, increasing of amount of editions of literature of different kinds, magazines and newspapers in Ukrainian, in particular, learning of Ukrainian by the state officials, transferring the documentation into Ukrainian etc. But at the beginning of the 30-s Ukrainization was minimized considerably, its achievements were being liquidated, and on the 22nd of November of 1933 CC of CP(b) approved the resolution about its termination. The backward process on minimization of the functions of Ukrainian and its replacement with Russian had been started, and that process was maintained during the whole Soviet period [14]. Since 1938 an obligatory learning of Russian had been provided in not Russian schools of Ukraine.

Changes in the language policy were also reflected in the language system: in 1928 Ukrainian orthography was established (it was also called "Kharkiv" or "Skrypnyk's"), but in 1933 it was recognized as "nationalistic" and cancelled. All the next orthographies of Soviet period unified Ukrainian and Russian languages. In May 2019 the government of Ukraine agreed with the new edition of Ukrainian orthography, having taken under consideration the orthography rules of 1928.

After it had been declared independent in 1991, Ukraine didn't hurry with approval of the language law: the law approved in the USSR "About the languages in Ukrainian Soviet Social Republic" was valid till 2012 [15]. And, though the law gave Ukrainian the status of the state language, it also established expanded powers for Russian in all public areas, which defined its status as the second state language.

Establishing in Art. 10 of the Constitution of Ukraine of 1996 the status of the state language for Ukrainian hadn't changed the situation in the language area considerably: the Russian language still had the social status. Legally it was defined among the languages of national minorities and actually, it replaced both the state and the language minorities languages, especially in the places where there was any compact inhabi-

tance of Russian-speaking population and there was no compact inhabitance of any other nationalities.

According to the data of Ukrainian enumeration of 2001 (the last one at the moment), representatives of more than 130 nationalities and peoples lived in Ukraine [16]. The majority of the population according to the nation are Ukrainians — 77,8 % from the total number of population, in 1989 — 72,7 % (see Table). The second place in number took Russians — 17,3 % (in 1989 — 22,1 %), the third — Crimean Tatars — 12 % (1,9 % in 1989) [17]. According to the language preferences, the Ukrainian language had been considered as the language of their nationality by 67,5 % of the population of Ukraine (in 1989 — 64,7 %), Russian — 29,6 % of the population (in 1989 — 32,8 %) [18]. And at that point the ethnic Russians were 56 %, the rest were representatives of other nationalities assimilated by the language.

Without any developed state language policy, not having provided any real development and functioning of Ukrainian language as the language of the indigenous nation, in 2003 Ukraine ratifies the European Charter of Regional or Minorities languages (in 2006 it became valid), which was expanded on 13 minorities languages including Russian (see Table 1). It was a premature step for Ukraine because there was no society Ukrainian identity, which had been a result of the Soviet past with its russification language policy deepened in the minds. At that time there existed three possible vectors of the state development of Ukraine: 1) European (building sovereign Ukraine with European values); 2) pro-Russian vector ("strong friendship" with Russia and common development on the grounds of "elder-younger brothers" conditions); 3) restoration of Soviet Union. And, when the third variant was just a social construct, the first two variants are still the alternative reality. Strengthening of the Ukrainian language as one of the identity factors on the stage of Ukrainian nation development would have to help strengthening and unionization of the last one.

The Law of Ukraine "About the grounds of Ukrainian language policy" of 2012 didn't make any better, it, formally pronouncing Ukrainian as the state language, established the usage of 18 languages of national minorities on the territories where the speakers of those languages are from 10 % of the population, in all public areas. But, actually, that law was Russification indeed, as established the unlimited expansion of Russian language on the largest part of the territory of Ukraine (especially East, South, Autonomy Republic of Crimea) and pushing Ukrainian out with it, and also discriminated the languages of other national minorities.

The law was recognized as the one contradicting the Constitution in 2018 when the military aggression of Russia against Ukraine had been provided for five years, and the aggression started with the slogans of the liberation of Russian-speaking population in Ukraine. The targets of the aggressor were the territories with the majority of Russian-speaking population — Crimea, Donetsk, Luhansk, Kharkiv, Odesa, Dnipropetrovsk.

In the terms of a hybrid war the law "About maintaining the functioning of the Ukrainian language as the state

one" has been finally approved, it was agreed with Venice commission and became valid on the 16th of July of 2019 [19]. But it's too early to seal the deal in the language issue solution. The Russian Federation initiated the discussion of this law in the UN Security Council on the grounds of the point like it limited the rights of Russian-speaking persons in Ukraine, but no resolution was approved at the meeting of the Security Council on the 16th of July of 2019. In June 2019 the deputies of the pro-Russian party "Oppozytsiyny Block" issued a claim to the Constitutional Court of Ukraine to recognize the law like the one which contradicted the Constitution, and on July 2019 the applied to Verkhovna Rada the law project about recognizing the law to be the one which came out of force. It should be noted that today language policy in Ukraine is being implemented very slowly and reflects the unformed identity of the Ukrainian nation.

The results of the research made are represented in table.

Conclusion and prospects for further research. The history of the formation of the Czech Republic over the centuries has been marked by the struggle for the establishment of a sovereign state, and language policy has become a cornerstone of the Czech identity.

The Czech Republic did not adopt a special law on the official (official) language, but the key to language policy was the displacement of the occupier's language (German and Hungarian) from the public sphere. The struggle for language has become a marker of the struggle for territory, population and sovereignty.

After a long period of linguistic expansion, the Czechs began to renew their language through fiction, theater, created national scientific terminology, published lexicographic sources, formed state institutions on language policy and language planning.

According to the censuses of the Czech population, like Ukraine, they are mostly homogeneous: in the Czech Republic almost 2/3, and in Ukraine, more than 3/4 of the population consists of indigenous people (see Table). The Czech-speaking population is predominant in the Czech Republic — 95, in Ukrainian almost one-third less (Ukrainian — 67,5 % in 2001, 61 % — in 2011).

Both countries have opted for a one-language-one language policy model, and the language rights of national minorities and ethnic groups are governed by separate laws and a European Charter for Regional or Minority Languages, which they have signed and ratified. However, none of them is definitively settled.

The Czech Republic has fewer problems than Ukraine: the major part of its population is Czechs, the largest minority is Slovak and its language is freely used throughout the Czech Republic, and vice versa. The only exception is education: in Czech state institutions, education is provided in Czech.

Ukraine has a very difficult situation with defining the status of the Russian language: according to the Constitution of Ukraine, it has a special status discriminating other languages and their speakers. The situation with a special status for the language which for a long time was spread in Ukraine, is opposite

Comparing characteristics of the political and legal aspects of the language policy of Czechia and Ukraine

Criterion	Czech Republic	Ukraine
1. Being occupied by other countries	Yes	Yes
2. Was the national language official when the country was part of another country	N	no
3. A year of independence obtained (after the collapse of the empire/after the communist regime was ruined)	1918 / 1993	1918 / 1991
4. The most numerous ethnic group (according to the enumeration data)	Czechs:	
1991 – 62,8 %		
(in Czech and Slovak Federative Republics);		
(81,1 % in Czech Republic)		
2011 – 64,3 %	Ukrainians:	
1989 – 72,73 %		
2001 – 77,8 %		
2011 – no data		
5. Presence of a special law about the state/ official/national language	No	Yes
5. Number of official (state) languages	1	1
6. The most spread language (according to the censuses)	Czech – 95,4 % (enumeration of 2011)	Ukrainian – 67,5 % (enumeration of 2001) 61 % – 2011 [20]
7. The Charter ratification/entering into force (year, regional languages/national minorities languages)	2006/2007, minority languages: Slovak, Polish, German, Roma	2005/2006 minority languages: Belarus, Bulgarian, Gagauz, Greek (new Greek), Hebrew (idish, Crimea Tatarian, Moldavian, German, Russian, Polish, Romanian, Slovak, Hungarian
8. Special status of a minority language	Slovak	Russian

to Czechoslovakian one: if due to creation of Czechoslovakian language both languages had been saved from Magyarization (especially it's relevant to Slovakian language) and now they do not push each other out in their countries, the Russian language has always been expansive according to Ukrainian (which was the direct feature of the imperial politics of Russia to Ukraine), and the process of Russification in Ukraine has never stopped (neither before 1991, nor after), that's why giving its special status to Russian threatens

to push Ukrainian out of the language space of Ukraine.

State language policy in Ukraine had been conducted inconsequently, slowly and it slowed down the solution of troublesome issues in regulation of language relationships, assisted the birth of the legal nihilism, gave reasons to language conflicts to appear, which was used by Russia against Ukraine in 2014 and now Hungary is trying to use it. Impairing of the language issue, slowing down the realization of the language law threaten the national security of Ukraine, its sovereignty and territorial entirety.

Now Ukrainian in Ukraine is a symbol of its European choice, a civilization sign to progress and value of Ukraine as a state.

Ukrainian society is faced with the overriding challenge — for the existence of the Ukrainian state itself, it is necessary to rid the colonial past of the language issue, as the Czech Republic did. The law on the state language has been adopted today, ahead of the law on the languages of national minorities and indigenous peoples.

Considering the Czech experience, the following are the most important measures of state language policy in Ukraine:

– to ensure implementation of the Law "On Ensuring the Functioning of the Ukrainian Language as State" adopted in 2019 in the public spheres to which it applies, and to establish state control over its implementation;

– in the law on national minorities and indigenous peoples whose project is being drafted, it is necessary to stipulate which national minorities are recognized in the territory of Ukraine and by what criteria (number of representatives, duration of residence, etc.);

– in view of the above, it is necessary to amend the Law of Ukraine "On Ratification of the European Charter for Regional or Minority Languages", which, contrary to the declared goals of the Charter, imposes on the state a considerable amount of obligations for special protection of those languages which are not endangered and leaves outside languages that really need special protection and support (for example, Karaite, Roma).

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STATE POPULATION EMPLOYMENT POLICY IN THE CONDITIONS OF THE LABOR MARKET

Abstract. The main approaches to state participation in the formation of an employment policy are defined: 1) the participation of state bodies in regulating the labor market, during which they take on only those functions that cannot be performed using market mechanisms; 2) methods of active influence of the state on the sphere of managing the population's employment. It is noted that state regulation of employment should be aimed at stimulating demand for labor and developing a set of measures that contribute to reducing the supply of labor. It is proposed that the employment policy of the population be directed, first of all, to a change in the nature of the labor market through the transition from excess employment with low labor productivity to a combination of low unemployment and over-productive employment. It is noted that the object of employment policy is not only officially registered unemployed, but also the entire able-bodied population. A definition of the concept of "state policy in the field of employment" is proposed. The fundamental directions of the state employment policy are structured and proposed. The state guarantees for the realization of the rights of citizens to work and social protection against unemployment are analyzed. We

believe that it is advisable to combine all types of employment guarantees in one chapter “State guarantees of employment”, in which it is necessary to determine the conditions for their implementation and the sources of financing. Moreover, in the Law of Ukraine “On Employment” it is advisable to define the concept of “system of state guarantees of employment”. The types of guarantees for the intended purpose are proposed: guarantees of employment; material support for the unemployed; guarantees for employment and dismissal. According to population categories, guarantees are proposed to be differentiated into general, special and social. It is proposed, depending on the source of funding, to classify employment guarantees that are realized at the expense of: the state budget; local budgets; employers’ funds. A system for ensuring employment of the population is proposed, which is a set of government bodies and organizations implementing the population employment policy and includes various levels of management, the employment service, the regulatory framework and state guarantees of employment and protection against unemployment.

Keywords: state policy, population employment, labor market, unemployment, state regulation.

ДЕРЖАВНА ПОЛІТИКА ЗАЙНЯТОСТІ НАСЕЛЕННЯ В УМОВАХ РИНКУ ПРАЦІ

Анотація. Визначено основні підходи до участі держави у формуванні політики зайнятості: 1) участь державних органів в регулюванні ринку праці, при якому вони беруть на себе лише ті функції, які не можуть бути виконані ринковими механізмами; 2) заходи активного впливу держави на сферу управління зайнятістю населення. Зазначено, що державне регулювання зайнятості повинно бути спрямовано на стимулювання попиту на робочу силу та розробки сукупності заходів, що сприяють скороченню пропозиції робочої сили. Запропоновано політику зайнятості населення направити, насамперед, на зміну характеру ринку праці за допомогою переходу від надлишкової зайнятості з невисокою продуктивністю праці до поєднання низького рівня безробіття з високопродуктивною зайнятістю. Зазначено, що об’єктом політики зайнятості є не тільки офіційно зареєстровані безробітні, а й все працездатне населення. Представлено визначення поняття “державна політика в галузі зайнятості населення”. Структуровано та запропоновано основоположні напрями державної політики зайнятості населення. Проаналізовано гарантії держави щодо реалізації прав громадян на працю та соціальний захист від безробіття. Вважаємо, що всі види гарантій зайнятості населення доцільно об’єднати в одну главу “Державні гарантії зайнятості”, в якій слід визначити умови їх реалізації та джерела фінансування. При цьому в Законі про зайнятість доцільно визначити поняття “система державних гарантій зайнятості”, яка, на нашу думку, являє собою сукупність загальних (для всіх громадян), спеціальних (для слабозахищених категорій населення) і соціальних (для безробітних) гарантій. Запропоновано види гарантій за цільовим призначенням: гарантії забезпечення зайнятості; матеріальної

підтримки безробітних; гарантії при прийомі на роботу і звільнення. За категоріями населення гарантії пропонується диференціювати на загальні, спеціальні та соціальні. Пропонується, залежно від джерела фінансування пропонуємо класифікувати гарантії зайнятості населення, що реалізуються за рахунок: державного бюджету; місцевих бюджетів; коштів наймачів. Запропонана система забезпечення зайнятості населення, яка являє собою сукупність державних органів і організацій, що здійснюють реалізацію політики зайнятості населення, і включає різні рівні управління, службу зайнятості, нормативно-правову базу та державні гарантії зайнятості та захисту від безробіття.

Ключові слова: державна політика, зайнятість населення, ринок праці, безробіття, державне регулювання.

ГОСУДАРСТВЕННАЯ ПОЛИТИКА ЗАНЯТОСТИ НАСЕЛЕНИЯ В УСЛОВИЯХ РЫНКА ТРУДА

Аннотация. Определены основные подходы к участию государства в формировании политики занятости: 1) участие государственных органов в регулировании рынка труда, при котором они берут на себя только те функции, которые не могут быть выполнены при помощи рыночных механизмов; 2) методы активного влияния государства на сферу управления занятости населения. Отмечено, что государственное регулирование занятости должно быть направлено на стимулирование спроса на рабочую силу и разработку совокупности мер, способствующих сокращению предложения рабочей силы. Предложено политику занятости населения направить, прежде всего, на смену характера рынка труда с помощью перехода от избыточной занятости с невысокой производительностью труда к сочетанию низкого уровня безработицы с высокопродуктивной занятостью. Отмечено, что объектом политики занятости является не только официально зарегестрированные безроботные, но и все трудоспособное население. Предложено определение понятия “государственная политика в области занятости населения”. Структурировано и предложены основополагающие направления государственной политики занятости населения. Проанализированы гарантии государства по реализации прав граждан на труд и социальную защиту от безработицы. Считаем, что все виды гарантий занятости населения целесообразно объединить в одну главу “Государственные гарантии занятости”, в которой следует определить условия их реализации и источники финансирования. При этом, в Законе Украины “О занятости населения” целесообразно определить понятие “система государственных гарантий занятости”. Предложено виды гарантий по целевому назначению: гарантии обеспечения занятости; материальной поддержки безработных; гарантии при приёме на работу и увольнении. По категориям населения гарантии предлагается диференцировать на общие, специальные и социальные. Предлагается, зависимо от источника финансирования классифицировать гарантии занятости населения, которые реализуються за счет: государственного бюджета;

месных бюджетов; средств нанимателей. Предложена система обеспечения занятости населения, которая представляет собой совокупность государственных органов и организаций, осуществляющих реализацию политики занятости населення, и включает разные уровни управления, службу занятости, нормативно-правовую базу и государственные гарантии занятости и защиты от безработицы.

Ключевые слова: государственная политика, занятость населения, рынок труда, безработица, государственное регулирование.

The problem statement. High degree of uncertainty in employment sphere increases importance of state policy in the labor market. Implementation of the state policy implies the development of various socio-economic processes. The state activity should not be based simply on these processes regulation but in their detailed correction, organization and planning.

One of the fundamental tasks of modern labor market reforming is to formulate national structure of employment in accordance with the needs of the state economy and to increase efficiency of labor use and its competitiveness. The task of primary importance is measures implementation to improve the state employment policy.

Analysis of the latest investigations and publications where solution of the problem was started. Important contribution to issue of the state employment policy was made by V. S. Vasylchenko [1], Ye. Vyshnevska [2], M. Vorona [3], V. I. Herasymchuk [4], V. Hzheshchuk [5], O. O. Tytar [6], Ya. Kaminetskyi [7] etc. At the same time determination of basic directions of the state population employment policy and whole system of ensuring population employment requires deeper study.

The article aim formation. The article aim is to define role and place of the state population employment policy in the labor market conditions.

Description of the research main material with full grounding of the obtained scientific results. We think that population employment as an object of the state regulation is a unity of three parts: complex of socio-economic relations regarding participation of labor resources in labor activity, quantitative and qualitative parameters of labor activity and its legal form. Legal aspect inclusion is justified by the fact that employment is only a subject of the state regulation in legal form.

At this time there were two approaches to participation of the state in the formulation of employment policy. First includes involvement of the state agencies in market regulation for the product. In this case they take over only those functions that cannot be performed by the market mechanisms. Second includes measures of active influence of the state on the sphere of population employment management.

In conditions of economic transformation, in absence of definitively established and effective market regulators it is advisable to build a population employment policy according to the

second option. It should promote realization of the population right to work. Some scientists state that emphasis in the state population employment policy should be done on improvement of qualitative characteristics, adaptation and flexibility of labor force [1; 6, p. 26].

In 2013 the Law of Ukraine "On Employment of the Population" was adopted [8] in order to ensure the legal, economic and organizational foundations of the state policy in the field of promoting employment of the population, guarantees of the state regarding the realization of the rights of citizens to work and social protection against unemployment.

The Article 3 of the Law defines the population rights in the employment field. The state guarantees following in the employment sphere (Article 5):

1) free choice of the place of employment and type of activity, free choice or change of profession;

2) receipt of wages (remuneration) in accordance with the legislation;

3) professional orientation for the purpose of self-determination and realization of personal ability to work;

4) vocational training in accordance with abilities and taking into account needs of the labor market;

5) results confirmation of non-formal vocational training of working professions;

6) free assistance in employment, selection of suitable work and information obtaining on situation in the labor market and its prospects;

7) social protection in the case of unemployment;

8) protection against discrimination in employment, unjustified refusal to hire and unlawful dismissal;

9) additional assistance in employment of certain categories of citizens.

Article 24 defines measures to promote employment.

1. Measures to promote employment are aimed at:

1) ensuring that level of professional qualification of able-bodied persons corresponds to the labor market needs;

2) creation of conditions for active job search for unemployed persons;

3) increasing of individuals competitiveness in the labor market.

2. Measures to promote employment include:

1) vocational guidance and vocational training;

2) stimulation of employers activity aimed to create new jobs and employment of unemployed persons;

3) creation of conditions for population self-employment and support of entrepreneurial initiative;

4) promotion of providing young people with the first job and introducing incentives for internships at enterprises, institutions and organizations irrespective of ownership, type of activity and management;

5) promotion of employment of disabled people and others.

Section II of the Law is devoted to the state employment policy. It clearly defines the principles and purpose, main directions of public employment policy (Article 15) and ways of implementing public employment policy (Article 16).

The state regulation of the population employment is defined as a set of methods and instruments of influence of the state on the processes of formation, distribution and use of labor force. It is aimed to improve efficiency of its

functioning and keeping unemployment within socially acceptable level [6; 9; 10].

In our view, the state regulation of employment is a set of socio-economic measures and instruments aimed to eliminate disparities between labor supply and demand in order to achieve balanced and rational employment structure.

The state employment regulation, on the one hand, should be aimed to stimulate demand for labor and, on the other, to develop a set of measures that contribute to accumulation of labor supply. Development of small business and self-employment, development of specific programs for the improvement of the social sphere, introduction of non-standard forms of employment and flexible modes of work, expansion of the organization of paid community work are optimal for the first option. The most promising areas in the second option are following: expansion of general and special education forms, development of continuous system of education, retraining and advanced training of staff, improvement of the system of social benefits and state guarantees of employment for persons with disabilities [2–5].

The population employment policy should be directed to change the labor market nature through the transition from excess employment with low productivity of labor to combination of low unemployment rate with high productive employment. This is especially true in the period of formation of a differentiated economy, when different forms of ownership and management take place, technologies and types of production are changed. There is a need to transform a series of narrow Western employment models into a more specific model for Ukraine. It will ensure quality of labor in the labor market as a mean of population social protection from unemployment.

We consider that employment policy object is not only officially registered unemployed but also all able-bodied population. Therefore, the state regulation of employment should focus not only on the unemployed population, but also on the efficient use of labor resources, improving their educational and qualification level, ensuring employment and social guarantees of employment.

Thus, the state employment policy is a set of methods and instruments aimed to ensure employment of the able-bodied population and development of the system of employed citizens (Fig. 1).

Article 5 of the Law defines the following guarantees in the field of employment for citizens [8]:

1. The state guarantees following in the employment sphere:

1) free choice of the place of employment and type of activity, free choice or change of profession;

2) receipt of wages (remuneration) in accordance with the legislation;

3) professional orientation for the purpose of self-determination and realization of personal ability to work;

4) vocational training in accordance with abilities and taking into account needs of the labor market;

5) results confirmation of non-formal vocational training of working professions;

6) free assistance in employment, selection of suitable work and informa-

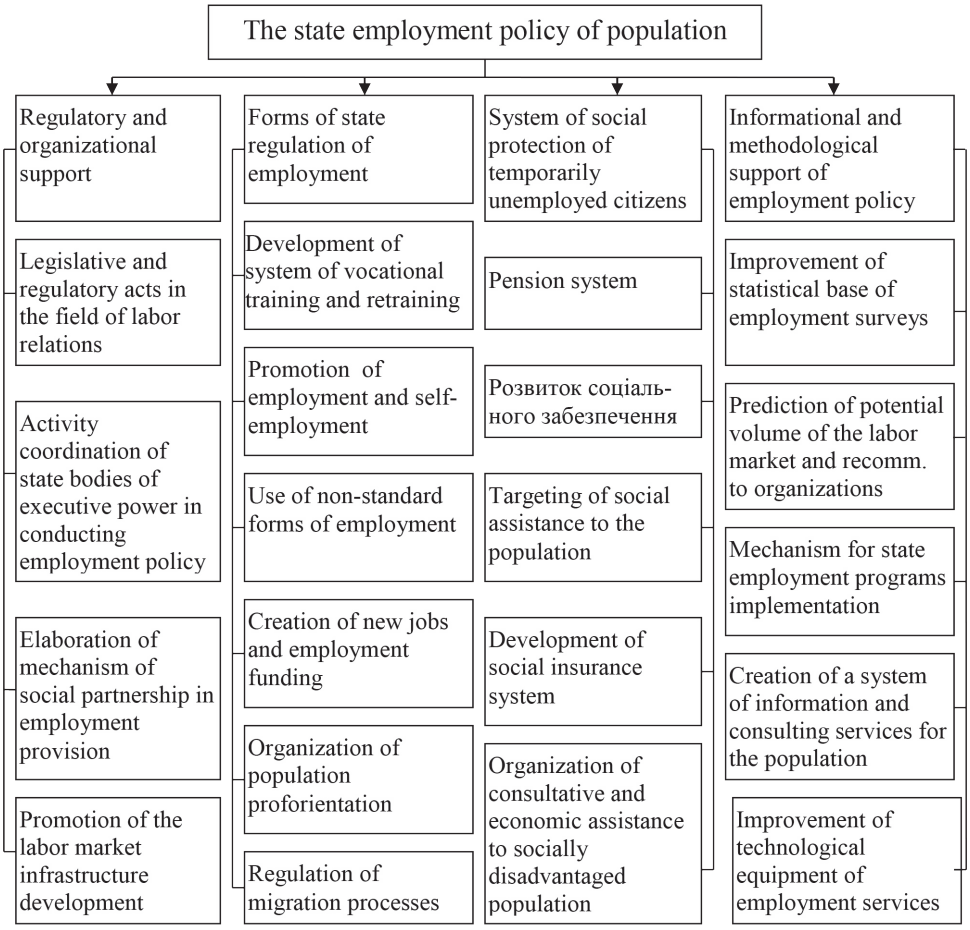

Fig. 1. **Fundamental aims of the state employment policy** (developed by the author)

tion obtaining on situation in the labor market and its prospects;

7) social protection in the case of unemployment;

8) protection against discrimination in employment, unjustified refusal to hire and unlawful dismissal;

9) additional assistance in employment of certain categories of citizens.

The state guarantees to unemployed are discussed for certain categories of unemployed who lost their jobs due to changes in organization of production and labor and contain the following provisions [Art. 49]:

1. Employees whose employment contract was terminated on initiative of employer in connection with changes in organization of production and labor, including liquidation, reorganization, bankruptcy, re-organization of enterprises, institutions, organizations, reduction of staff and dismissed soldiers from military service in connection with reduction of staff number without right to pension have guaran-

tees for pre-term pension. It is regulated by Article 26 of the Law of Ukraine "On obligatory insurance of the state pension", the laws of Ukraine "On the Civil Service", "On the Status of the Public Deputy of Ukraine", "On the Prosecutor's Office", "On Scientific and Technical Activities". The minimal labor experience which is necessary to pre-term pension is defined by the first paragraph of Article 28 of the Law of Ukraine "On Obtory State Pension Insurance".

The first paragraph of this part is also applied to employees who are dismissed from enterprises, institutions and organizations, regardless of their form of ownership, type of activity and management, in connection with the resettlement or self-relocation from the territory of radioactive contamination and registered within a month after dismissal in territorial body of the central body of executive power, which implements the state policy in the field of employment and labor migration.

2. Expenses for pre-term pension payment and its delivery are reimbursed to the Pension Fund of Ukraine by the funds of the Obligatory State Social Insurance Fund of Ukraine in accordance with the procedure established by central executive authority and the Pension Fund of Ukraine.

An application for pre-term pension of unemployed is issued in accordance with procedure for registration and keeping of unemployed.

It should be noted that state clearly limits guarantees in the field of employment for employed and unemployed based on the logic of this article of the Law of Ukraine "On Employment".

We believe that it is advisable to combine all types of employment guarantees into a single chapter on "State Guarantees of Employment'. It should specify conditions for their implementation and the source of funding. At the same time the Law "On Employment" should define the term "system of the state employment guarantees". In our opinion this concept represents a set of general (for all citizens), special (for poorly protected categories of population) and social (for unemployed) guarantees.

By purpose we recommend to distinguish the following:

- employment guarantees;
- financial support for unemployed;
- guarantees for hiring and firing.

For the, the Guarantees for different categories of population provided by the Law of Ukraine "On Employment of the Population" should be differentiated into general, special and social ones.

General employment guarantees are applied to all citizens and include free professional training and re-training, free information on job vacancies, judicial protection of employment rights and other guarantees under the law.

Special guarantees are aimed to ensure employment of citizens who are not able to compete in the labor market on equal terms (single and many-children parents, disabled persons, citizens affected by the Chernobyl accident, etc.).

Social guarantees extend to unemployed and include payment of benefits, scholarships and material benefits.

Depending on the source of funding, we propose to classify the guarantees of population employment depending on the financing source:

• the state budget;
• local budgets;
• employer budget.

Practical application of the state employment guarantees, classified by given above criteria, will allow organizing them, differentiating by population categories, regulating provision of the state guarantees in the field of employment and rationalizing use of financial resources for their realization.

Thus, the state regulation of employment is realized through the purposeful influence of the state on the employment of population in order to achieve full, productive and freely chosen employment. At the same time, the dominant positions are active regulation of employment aimed to shape its national structure. At the same time, passive regulation (payment of benefits and provision of financial assistance to the unemployed) does not lose its significance.

The state employment policy is implemented at different levels of government and has an extensive system of employment security that allows centralized management of the labor market.

The system of population employment provision is a collection of state bodies and organizations that implement the population employment policy, and includes various levels of management, employment service, legal framework and state guarantees of employment and protection against unemployment (Fig. 2).

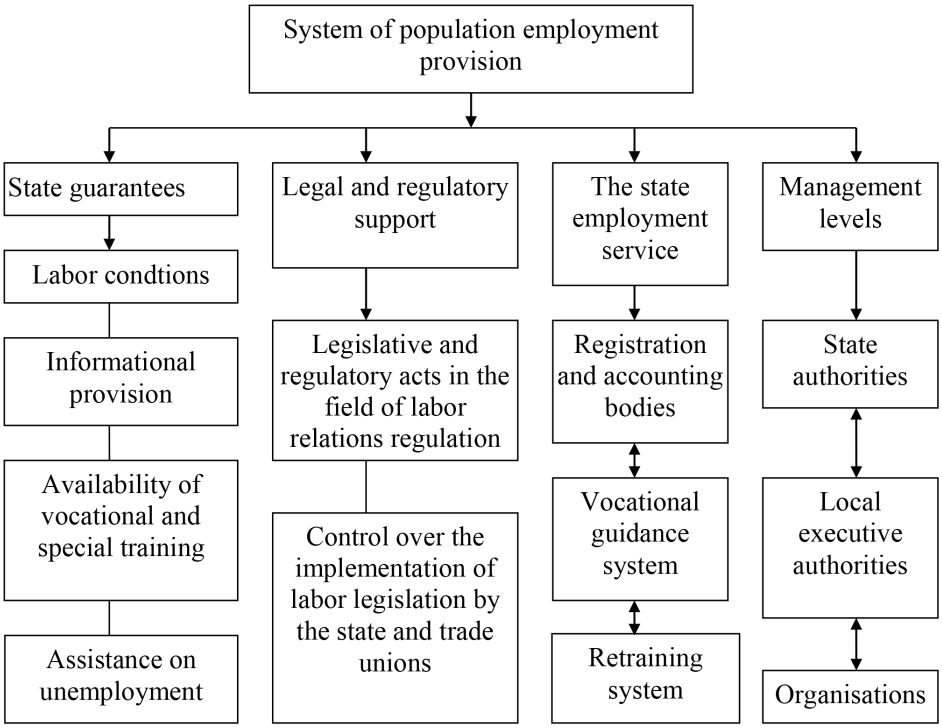

Fig. 2. **System of population employment provision**
(developed by the author)

Priority directions of the state employment policy are: on the one hand — an increase in the demand for labor force by increasing the number of newly created jobs and improving sectoral and professional structure of population employment, and on the other — decrease in number of workers in the labor market by development of systems of education, retraining and advanced training of personnel within the system of vocational training and retraining of the state employment service.

Differences in the specific employment policy instruments can be traced in terms of labor force — on the labor supply side or on the labor demand side.

Conclusions. The main directions of the state regulation of employment are defined. They are a set of socio-economic measures and instruments aimed to eliminate disparities between labor supply and demand in order to achieve a balanced and rational structure of employment. The system of employment provision is defined as a set of the state bodies and organizations that implement the population employment policy and includes different levels of management, employment service, legal framework and state guarantees of employment and protection against unemployment.

It is determined that the current concept of employment policy implies strengthening of the state's regulatory function in the social and labor sphere in order to form the national structure of employment and increase efficiency of of the country's labor potential. It involves intensifying of cross-sectoral redistribution of labor resources in favor of services and social sectors of economy, reducing excess and incomplete forced employment, reducing level of unregistered unemployment and promoting its transformation into registered employment.

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SUBJECT OF THE AUTHORITY POWERS AS A PARTY OF THE PUBLIC-LEGAL DISPUTES: PUBLIC-ADMINISTRATIVE ASPECT

Abstract. The article deals with the problem of using the public-legal disputes as a possible mechanism for establishing, forming and exercising the powers of the public authorities. In particular, it refers to the notion of "subject of the authority powers" from the point of view of analyzing its institutional and status substantive characteristics as one of the parties to a public-legal dispute with a view to possible further application in the field of establishing, delineating and exercising competencies, and in the narrow sense of the powers of the public authorities.

The article provides a generalized description of the subject matter of the public-legal disputes. In particular, it concerns the status of the subjects of the authority powers, which is one of the main features of the issues of identifying, analyzing and studying the ways of resolving the public-legal disputes. The public-legal disputes arise between the individuals and the legal entities, on the one hand, and the public authorities, on the other. The article raises the problem of defining the

subjective component of the public-legal disputes as executive bodies, local self-government bodies, their officials, and other entities exercising the administrative functions on the basis of legislation, including the exercise of the delegated powers. Functional traits have identified institutions that are endowed with representative functions, while other entities have administrative functions, indicating that they have the authority power to exercise them.

Attention is drawn to the position under which the protection of the interests of the state should be exercised by the respective subjects of the authority powers and the cases of impossibility of such protection are considered. Generalization of the legal basis of the activity of the subject of the authority powers as one of the parties in the consideration of the public-legal disputes allowed to reveal the peculiarities and shortcomings of the institutional and status character in the formation of the subjective composition of the legal relations in the public-legal disputes.

Keywords: public-legal dispute, public authorities, powers, subject of the authority powers, public administration.

СУБ'ЄКТ ВЛАДНИХ ПОВНОВАЖЕНЬ ЯК СТОРОНА ПУБЛІЧНО-ПРАВОВИХ СПОРІВ: ДЕРЖАВНО-УПРАВЛІНСЬКИЙ АСПЕКТ

Анотація. Порушена проблематика застосування публічно-правових спорів як можливого механізму встановлення, формування та реалізацій повноважень органів публічної влади. Зокрема, йдеться про поняття "суб'єкт владних повноважень" з позиції аналізу його інституційних та статусних змістових характеристик як однієї зі сторін публічно-правового спору з метою можливого подальшого застосування у сфері встановлення, розмежування та реалізації компетенцій, а у вузькому значенні повноважень органів публічної влади.

У статті здійснено узагальнену характеристику суб'єктного складу публічно-правових спорів. Зокрема, йдеться про статус суб'єктів владних повноважень, який є однією з основних ознак для питань визначення, аналізу та вивчення способів вирішення публічно-правових спорів. Публічно-правові спори виникають між фізичними та юридичними особами, з одного боку, та органами публічної влади, з іншого. У статті піднято проблематику визначення суб'єктної складової публічно-правових спорів як органів виконавчої влади, органів місцевого самоврядування, їх посадових чи службових осіб та інших суб'єктів, які здійснюють владні управлінські функції на основі законодавства, в тому числі на виконання делегованих повноважень. За функціональною ознакою виявлено інституції, які наділені представницькими функціями, у той час як інші суб'єкти володіють управлінськими функціями, що вказує на наявність владних повноважень для їх реалізації.

Акцентовано увагу на такій позиції, за якою захист інтересів держави мають здійснювати відповідні суб'єкти владних повноважень та розглянуто випадки неможливості здійснення такого захисту. Узагальнення норматив-

но-правової основи діяльності суб'єкта владних повноважень як однієї зі сторін у розгляді публічно-правових спорів дозволило виявити особливості та недоліки інституційного та статусного характеру у формуванні суб'єктного складу правовідносин у публічно-правових спорах.

Ключові слова: публічно-правовий спір, органи публічної влади, повноваження, суб'єкт владних повноважень, державне управління.

СУБЪЕКТ ВЛАСТНЫХ ПОЛНОМОЧИЙ КАК СТОРОНА ПУБЛИЧНО-ПРАВОВЫХ СПОРОВ: ГОСУДАРСТВЕННО-УПРАВЛЕНЧЕСКИЙ АСПЕКТ

Аннотация. Рассматривается проблематика применения публично-правовых споров как возможного механизма установления, формирования и реализаций полномочий органов публичной власти. В частности, речь идет о понятии "субъект властных полномочий" с позиции анализа его институциональных и статусных содержательных характеристик как одной из сторон публично-правового спора с целью возможного дальнейшего применения в сфере установления, разграничения и реализации компетенций, а в узком смысле полномочий органов публичной власти.

В статье осуществлено обобщенную характеристику субъектного состава публично-правовых споров. В частности, речь идет о статусе субъектов властных полномочий, который является одним из основных признаков для вопросов определения, анализа и изучения способов решения публично-правовых споров. Публично-правовые споры возникают между физическими и юридическими лицами, с одной стороны, и органами публичной власти, с другой. В статье поднята проблематика определения субъектной составляющей публично-правовых споров как органов исполнительной власти, органов местного самоуправления, их должностных или служебных лиц и других субъектов, осуществляющих властные управленческие функции на основе законодательства, в том числе на выполнение делегированных полномочий. По функциональному признаку обнаружено институции, которые наделены представительскими функциями, в то время как другие субъекты обладают управленческими функциями, что указывает на наличие властных полномочий для их реализации.

Акцентировано внимание на такой позиции, согласно которой защита интересов государства должны осуществлять соответствующие субъекты властных полномочий, а также рассмотрены случаи невозможности осуществления такой защиты. Обобщение нормативно-правовой основы деятельности субъекта властных полномочий как одной из сторон в рассмотрении публично-правовых споров позволило выявить особенности и недостатки институционального и статусного характера в формировании субъектного состава правоотношений в публично-правовых спорах.

Ключевые слова: публично-правовой спор, органы публичной власти, полномочия, субъект властных полномочий, государственное управление.

Formulation of the problem. Problems of the application of the public and private law are manifested in different spheres of the relationship between the state and the society. In the domestic sphere of the public law there is a process of formation of the administrative justice, which requires scientists and practitioners of scientific methodological and practical development of the topical issues. One is the possibility of using the public-legal disputes as a way of establishing, delineating and exercising competencies, and in a narrower sense — the powers of the public authorities. Administrative law, as part of the public law, to a certain extent provides for the consideration of the public-legal disputes, but there remain questions of organizational-legal, methodological, procedural character that require settlement and resolution. In particular, identifying the peculiarities and deficiencies of the institutional and status character in the formation of the subjective composition of the legal relations in the public-legal disputes will allow to open the possibilities of their effective application in practice.

Analysis of the recent research and publications. The problem of the nature of the public-legal disputes has been largely explored from the point of view of the application of the public law in general. Thus, the main essence of the public-legal disputes, their scope, their use as a way to establish, differentiate and realize the competencies of the subjects in the field of the public administration are presented by scientists in the works of V. B. Averyanov, Yu. P. Bytyak, I. L. Borodin, T. O. Kolomoyets, V. K. Kolpakov, A. T. Komzyuk, O. V. Kuzmenko, T. O. Matselyk, O. I. Mykolenko, O. P. Ryabchenko and a number of other scientists. Summarizing the research of the scientists we can conclude that there is no single approach to the interpretation of the essence of the public-legal dispute both among practitioners and theorists. It is argued that theorists, based on the distribution of the law to private and public, attach more importance to the theoretical division of the national law. At the same time, practitioners place greater emphasis on the procedural issues and issues of methodological support for the public-legal disputes. The problem of jurisdiction of the concepts applied to the public-legal disputes is actively investigated. Thus, the Doctor of Laws O.P. Ryabchenko examines the problem of delimitation of the constitutional and the administrative jurisdictions of the category "public-legal dispute" [1].

For the most part the ways of establishing, delineating and exercising the competences of the subjects of the authority powers are within the practitioners' view. Thus, the Judge Ya. Sidey focuses on the problems of delimitation of the administrative jurisdiction with other types of jurisdiction in the area of judicial competence, analyzes the problems of delimitation of the jurisdiction of the administrative and commercial courts [2].

The normative-legal component of the definition of the concept of the public-legal dispute and legal support for their consideration is raised by the judge of the Zhytomyr District Administrative Court I.E. Chernyakhovych, who also considers other related concepts: such as "public-legal conflict",

"state-legal conflict", "administrative-legal dispute" [3].

Formulation of the purposes (goal) of the article. The study aims to uncover the notion of the "subject of authority powers" from the point of view of analyzing its institutional and status content characteristics as one of the parties to a public-legal dispute with a view to its possible further application in the sphere of establishing, delineating and exercising competencies, and in the narrow sense of the powers of the public authorities. To achieve this goal, the following tasks have been set:

• to make a generalized description of the subject matter of the public-legal disputes;

• to consider the normative-legal basis of the subject of the authority powers as one of the parties to the public-legal disputes in the sphere of the public administration;

• to identify the peculiarities and deficiencies of institutional and status character in the formation of the subjective composition of the legal relations in the public-legal disputes.

Presentation of the main material. Article 4 of the Code of Administrative Judiciary of Ukraine (hereinafter referred to as CAJU) states that a public-legal dispute is a dispute in which:

• at least one party performs public-administrative functions, including the exercise of the delegated powers, and the dispute arises in connection with the execution or non-execution by such party of such functions; or

• at least one party provides administrative services under a law authorizing or obliging to provide such services solely the subject of the authority powers and the dispute arose in connection with the provision or non-provision by such party of those services; or

• at least one party is the subject of the electoral process or the referendum process and the dispute arose over the violation of its rights in such process by the subject of the authority powers or another person [4].

In the domestic jurisprudence the public-legal disputes include the appeal of the administrative decisions, actions or inaction of the public-administrative institutions by natural or legal persons who use this mechanism as a way of protecting their rights. In particular Article 17 of the CAJU stipulates that the jurisdiction of the administrative courts extends to public-legal disputes, in particular, disputes of the natural or legal persons with the subject of the authority powers over the appeal of its decisions (normative-legal acts of individual action), actions or inaction [4].

In the CAJU the concept of "subjects of authority powers", its substantive load, characteristics are covered in many articles. In particular, Article 4 specifies that the subject of the authority powers is a public authority, a local self-government body, their officials, another entity in the exercise of their public-power administrative functions on the basis of legislation, including the performance of the delegated powers, or often narrow it down to administrative services. The concept of "subject of the authority powers" as defined by the CAJU is considered to be quite general. There is an opinion that in case the list of the subjects of the authority powers is exhaustive, it is advisable to form it with the possible establishment of competence characteristics. This would then make it possible to distinguish the

subject matter in the areas of identification, analysis and application of the methods of resolving the public-legal disputes.

The normative field defines a list of those subjects of the authority powers that may be challenged in the administrative courts. On the basis of the presence of the authority powers, it is possible to make a generalization that the following entities may be referred to: the President of Ukraine (Article 102 of the Constitution); legislative body, that is, the Verkhovna Rada of Ukraine (Article 75 of the Constitution); bodies of executive power: Cabinet of Ministers of Ukraine, central and local bodies of the executive power (Articles 113, 118 of the Constitution, Law of Ukraine "On the Cabinet of Ministers of Ukraine", Law of Ukraine "On Local State Administrations"); bodies of the judiciary (Article 124 of the Constitution, laws of Ukraine "On the Constitutional Court of Ukraine", "On the Judiciary and Status of the Judges"); the Prosecutor's Office of Ukraine (Article 121 of the Constitution); Authorities of the Autonomous Republic of Crimea: The Verkhovna Rada, the Council of Ministers; ministries of the Autonomous Republic of Crimea, Republican committees of the Autonomous Republic of Crimea; bodies of the local self-government: village, settlement, city, district, regional councils (Article 140 of the Constitution of Ukraine, Law of Ukraine "On Local Self-Government in Ukraine") [5–10].

Particular attention should be paid, in particular, to the competences and scope of their implementation, to the following entities: officials of the above bodies; other entities in the exercise of their administrative functions, such as house, street, quarterly and other bodies of self-organization of the population, public formations for the protection of the public order and state border, etc. In their activities it is necessary to differentiate the separation between administrative and other functions and take into account the presence of these functions in their status characteristics.

The practice of the public-legal disputes indicates that parties to the public-legal disputes are usually the public authorities, in particular state authorities and their officials. However, given the norm of Article 6 of the Constitution of Ukraine it is known that the state power is exercised on the basis of its division into legislative, executive and judicial, and Article 7 establishes that the local self-government is recognized and guaranteed in Ukraine [5]. Accordingly the public authorities will belong to the bodies with relevant competencies (legislative, executive or judicial), including powers. The subjects with authority (executive) powers under the Constitution of Ukraine according to the organizational and legal criteria are divided into higher, central and local bodies of the executive power. The supreme body of the system of the bodies of the executive power is the Cabinet of Ministers of Ukraine, which is responsible for ensuring the state sovereignty and economic independence of Ukraine, the implementation of the internal and foreign policy of the state, the implementation of the Constitution and laws of Ukraine, acts of the President of Ukraine. Article 37 of the Law of Ukraine "On the Cabinet of Ministers of Ukraine" discloses the relations of the Cabinet of Ministers of Ukraine

with the courts of the general jurisdiction. In particular, it is stated that the Cabinet of Ministers of Ukraine may be the plaintiff and the defendant in the courts, in particular, to apply to the court if it is necessary for the exercise of their powers in the manner stipulated by the Constitution and laws of Ukraine. The interests of the Cabinet of Ministers of Ukraine are represented in the courts by the Ministry of Justice of Ukraine, unless otherwise provided by the laws of Ukraine or by the acts of the Cabinet of Ministers of Ukraine [6].

Other subjects of the authority powers that can be a party to the public-legal disputes are all central executive bodies, which include ministries, public services, agencies, central executive bodies with special status, which are directly subordinated to the Cabinet of Ministers of Ukraine. To date 15 ministries, 23 services, 13 agencies, 4 inspections, 7 Central Executive Bodies with special status, 6 other Central Executive Bodies, and 27 local executive bodies are in the executive power in Ukraine [11].

According to the Law of Ukraine "On the Cabinet of Ministers of Ukraine" the Cabinet of Ministers of Ukraine may form governmental bodies of the state administration (agencies, services, inspections). The powers of the governmental bodies of the state administration include the issues of administration of the individual subsectors or spheres of activity, control-supervisory functions, regulatory and permitting-registration functions for the individuals and legal entities. There are more than 30 such bodies. The actions of the mentioned state authorities, their officials that violate the rights, freedoms and interests of the natural persons, rights and interests of the legal entities, may be appealed in the courts in the order of the administrative proceedings. Central executive bodies with special status include bodies with specific tasks and powers, defined by the Constitution and legislation of Ukraine. Among them the Antimonopoly Committee of Ukraine, the State Committee for Television and Radio Broadcasting of Ukraine, the State Property Fund of Ukraine, the National Agency of Ukraine for Prevention of Corruption, the State Bureau of Investigation, the National Agency of Ukraine for the detection, search and management of the assets obtained from corruption and other crimes, Administration of the State Service for Special Communications and Information Protection.

One of the parties to the public-legal dispute may be the local executive authorities, that is, the regional and district state administrations, as well as the local (territorial) bodies of the central executive authorities. Taking into account the norm of the law in Article 118 of the Constitution of Ukraine, the local state administration is headed by a chairman, who is appointed by the President of Ukraine upon the submission of the Cabinet of Ministers of Ukraine. The National Bank of Ukraine and the Central Election Commission are also subject of the authority powers, whose competence is valid throughout Ukraine and decisions, actions or inaction may be challenged in the public-legal disputes with the use of the administrative justice.

Local self-government bodies, as subjects of the authority powers may be a party to a public-legal dispute. In

accordance with the Law of Ukraine of May 21, 1997 № 280/97-BP "On Local Self-Government in Ukraine" [10], the local self-government bodies include: district and regional councils representing the common interests of the territorial communities of the villages, settlements, cities; executive bodies of the village, settlement, city councils; village, settlement, city heads. Article 5 of the Law of Ukraine of May 21, 1997 № 280/97-BP "On Local Self-Government in Ukraine" defines the system of the local self-government to which the territorial community and bodies of the self-organization of the population belong. The Law of Ukraine of 11.07.01 № 2625-01 "On the Bodies of Self-Organization of the Population" [12] defines the forms of participation of the members of the territorial communities of the villages, settlements, districts in the cities in solving particular issues of the local self-government.

That is, improper execution, non-execution, inaction, and other offenses related to the exercise of the above functions, competences and powers by the public authorities can be considered a potential subject of consideration of the public-legal disputes.

The possibility of involving the self-organization bodies of the population as a subject of the authority powers remains controversial in the national government, since their power component is limited by the basic powers specified in the normative field. Among the public institutions that are bodies of self-organization are the house, street, quarterly committees, committees of districts, committees of districts in the cities, village and settlement committees. The body of self-organization of the population within the territory of its activity during its formation may be granted such powers as representation together with the deputies of the interests of the residents of the house, street, neighborhood, village, settlement, city in the relevant local council and its bodies, local bodies of the executive power. Thus, these institutions are endowed with representative functions, while other entities have administrative functions, which indicates the existence of authority powers within their core functions.

The term "official" is normatively defined in the Law of Ukraine "On Service in the Local Self-Government Bodies". Article 2 of the Law of Ukraine "On Service in the Local Self-Government Bodies" stipulates that a local government official is a person who works in the local self-government bodies, has the relevant official authority to perform organizational, administrative and advisory functions and receives wages at the expense of local budget [13].

Discussions arise regarding the membership of the organizational-administrative and advisory-consultative functions to the public-governmental administrative functions, which the party should be empowered in the case of referring the dispute to as public-legal. Since the appeal should take place in administrative decisions, actions or inaction of the public-administrative institutions, it is appropriate to take into account the status characteristics and competencies of the subjects of the authority powers with regard to the possibility of carrying out or not performing such actions.

The Grand Chamber of the Supreme Court has clarified that administrative

courts are considering disputes that are based on public-legal nature, that is, they derive from power-administrative functions or executive-administrative activities of the public bodies. If a person acquires a substantive right as a result of a decision, then the dispute concerns private-legal relations and is subject to consideration in the civil or commercial proceedings, depending on the subject composition of the parties to the dispute.

In addition, the Grand Chamber of the Supreme Court drew attention to the fact that, in accordance with the law, a deputy of the local council may exercise the right to participate in the activities of the council and in taking the relevant decisions by the council. The rules of the current legislation set a special way for the deputy to influence both the decision-making by the local self-government body and the life of the residents of the respective administrative-territorial unit. However, the competence of the deputy should be taken into account, since he is not empowered to directly represent the interests of the territorial community in the public-legal disputes [14].

According to the status characteristics, the prosecutor cannot be considered as an alternative subject to the court and to replace a proper subject of the authority powers, who can protect the interests of the state and has such competence.

The ruling in Case № 822/1169/17 of July 19, 2018, clarified that a prosecutor could represent the interests of the state in court in only two cases:

1) if the protection of these interests is not exercised or improperly exercised by a public authority, a local self-government body or other subject of the authority powers having the relevant powers;

2) in the case of absence of such an authority [15].

The administrative judiciary emphasizes the position on which the protection of the interests of the state should be exercised by the respective subjects of the authority powers. Only when such protection cannot be exercised does the prosecutor exercise such protection within their competence.

In order to keep the interests of the state out of protection, the prosecutor takes a subsidiary position, that is, the judicial authority is replaced by a subject of the authority powers that does not protect or improperly exercise it. In such cases the prosecutor must indicate the reasons that impede the protection of the interests of the state by the relevant subject of the authority powers and to go to court on these grounds.

It is clear that a prosecutor cannot substitute for a person of the subject of the authority powers who has the competence and desire to protect the interests in the courts. Pursuant to part four of Article 23 of the Law of Ukraine "On the Prosecutor's Office", the presence of grounds for representation must be substantiated by the prosecutor in the court [16].

The generalization of the subjective composition of the authority powers in the public-legal relations, according to experts, indicates the need for the distribution of the subjects of the authority powers by their types, status characteristics, ways of resolving the public-legal disputes [17].

In the absence of a subject of the authority powers to which the protec-

tion of the legitimate interests of the state is entrusted, as well as in the case of the representation of the interests of the citizen or the representation of the interests of the state in cases of recognition of unfounded assets and their collection in the state revenue in order to establish the existence of grounds for representation, then the prosecutor may represent the interests of the relevant entities in the state.

It is reasonable to take an approach whereby one of the essential features of the public-legal disputes is that they have a public interest as a matter of the dispute.

As to the nature of the dispute, the existence of the public interest is poorly understood. This issue develops in the direction in which the competent disputes in the sphere of activity of the public authorities have a public-legal nature, since they are intended to resolve conflicts in the part of the public interest and in the presence of one of the parties as a subject of the authority powers [18].

Conclusions and prospects for further research. On the basis of the conducted research and in accordance with the tasks set, the following conclusions were drawn:

1. The paper determines that the subjective composition of the public-legal disputes is characterized by different institutional and status content. The subject of the authority powers acts as one of the parties to a public-legal dispute, and is involved in publicly legal relations. The status of the subjects of the authority powers is one of the main features of the issues of identifying, analyzing and exploring the ways to resolve the public-legal disputes. The public-legal disputes arise between the individuals and legal entities, on the one hand, and the public authorities, on the other. The legislator defined the subject constituent as an executive body, local self-government body, their officials, or other entity exercising the administrative power based on legislation, including the exercise of the delegated powers. Therefore, public-legal disputes may also arise in the internal-organizational activity of the public authorities, affecting not only the competence of a public institution but also the competences of the public servants.

2. The subjective component of the implementation of the public-legal relations is determined, which is a prerequisite for the emergence of the public-legal disputes on the issues of authority powers. The analysis of the normative-legal framework of the subjects of the authority powers as one of the parties to the public-legal disputes has revealed the basic basis in the current legislation for the consideration and resolution of the public-legal ones. The subjects of the authority powers that may be a party to the public-legal disputes are all central executive bodies, which include ministries, public services, agencies, central executive bodies with special status, which are directly subordinated to the Cabinet of Ministers of Ukraine; local executive authorities; local governments; and public servants (officials) that are endowed with relevant competencies. The competence of the prosecutors as subjects in the consideration of the public-legal disputes is analyzed. It was found that the prosecutor could not be considered as an alternative subject to the court and to replace a proper subject of the authority po-

wers who can protect the interests of the state and has such competence.

3. Some peculiarities and shortcomings of the institutional and status character in the formation of the subjective composition of the legal relations in the public-legal disputes are revealed in the work. It was found that the parties to a public-legal dispute may be in different statuses, which implies different substantive content of the public-legal relations in the part of the subject composition. It is concluded that the status characteristics of an individual or a legal entity, bodies of the self-organization are not always endowed with administrative functions, authority powers, but functionally they can be filled. The status characteristics of the subjective composition of the legal relations in the public-legal disputes regarding the acquisition and realization of the delegated powers need clarification.

The actual direction of further scientific research is determined by the way in which the problem of the contractual relations, outsourcing in the context of the exercise of the delegated powers influences the formation of the subjective composition of the legal relations, shifts the essence of the concept of the subject of the authority powers to the side of persons with other status-rights, as a consequence another competence with the participation of the subject as a party to a public-legal dispute.

Generalizing the characteristics of the subjective composition of the authority powers in the exercise of the public-legal relations, it is necessary to separate the subjects of the authority powers by certain criteria, namely: type, status characteristics, ways of resolving the public-legal disputes.

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INFORMATION POLICY AND INFORMATION SECURITY OF THE STATE AS PSYCHICAL AND SOCIAL PHENOMENON: PROBLEMS AND PROSPECTS

Abstract. The article states that the influence of the psychic on the social and political processes in conditions of a continuous information flow is decisive; psychological pressure on consciousness becomes more widespread; emotionality of

information messages, their influence on the psychological and social position of society increase. The authors convince that practices of influence and dissemination of emotionally stained false information have become today informational and psychological wars that aim at activating of public consciousness of a public of an enemy state and influence on a state policy. It is determined that psychological influence on the aggressor that is based on communicative processes with using of modern information technologies, involves change of a public opinion in the given direction.

The authors carried out a comprehensive scientific analysis of the current state of information policy and information security of Ukraine as a psychological and social phenomenon. Social phenomena that arise in the informational sphere under influence of information propaganda of the aggressor and the military conflict, their influence on the psychological state of society, and what the consequences can be are examined.

It is determined that in the conditions of real information aggression there is an urgent need for formation and active functioning of a single national regulator in the information sphere. Its activity would be aimed at developing of an effective national information policy, qualified fight off manipulative propaganda attacks, formation of national patriotic cconvictions among Ukrainian citizens, and development of a Ukrainian national information space.

It is noted, that the doctrinal adjustment of information processes is correlated with psychological and social ones. It is indicated that information flows, which go through mass communication channels, carry knowledge of the laws of reality, reflect the structure of human memory and intelligence, the main features of the social system, where interaction of individual and mental phenomena is most striking.

Keywords: influence, psychological and social phenomena and processes, informational influence, informational policy, informational security, informational aggression, a doctrine of informational security.

ІНФОРМАЦІЙНА ПОЛІТИКА ТА ІНФОРМАЦІЙНА БЕЗПЕКА ДЕРЖАВИ ЯК ПСИХОСОЦІАЛЬНЕ ЯВИЩЕ: ПРОБЛЕМИ ТА ПЕРСПЕКТИВИ

Анотація. Констатується, що вплив психічного на суспільно-політичні процесів умовах безперервного інформаційного потоку є визначальним; психологічний тиск на свідомість стає все більш розповсюдженим, збільшується емоційність інформаційних повідомлень, їх вплив на психосоціальний стан суспільства. Автори переконують, що практики впливу та розповсюдження емоційно забарвленої неправдивої інформації перетворилися сьогодні на інформаційно-психологічні війни, які переслідують мету активізувати суспільну свідомість громадськості держави-противника і вплинути на державну політику. Визначено, що психологічний вплив на противника, що базується на комунікативних процесах із використанням сучасних інформаційних технологій, передбачає зміну громадської думки в заданому напрямку.

Авторами здійснено комплексний науковий аналіз сучасного стану державної інформаційної політики та інформаційної безпеки України як психосоціального явища. Розглянуто соціальні явища, що виникають в інформаційній сфері під впливом інформаційної пропаганди агресора та військового конфлікту, як вони впливають на психологічний стан суспільства, до яких наслідків можуть призвести.

Визначено, що в умовах реальної інформаційної агресії існує нагальна потреба у формуванні та активному функціонуванні єдиного національного регулятора в інформаційній сфері, діяльність якого була б спрямована на вироблення дієвої національної інформаційної політики, кваліфіковане відбиття маніпуляційно-пропагандистських атак, формування у громадян України національно-патріотичних переконань, розвитку українського національного інформаційного простору.

Зазначено, що доктринальне коригування інформаційних процесів корелюється з психосоціальними. Вказано, що інформаційні потоки, які проходять по каналам масової комунікації, несуть у собі знання про закономірності дійсності, відображають структуру людської пам'яті та інтелекту, основні особливості соціальної системи, де найбільш яскравими є взаємодія індивідуально-психічних явищ.

Ключові слова: вплив, психосоціальні явища та процеси, інформаційний вплив, інформаційна політика, інформаційна безпека, інформаційна агресія, доктрина інформаційної безпеки.

ИНФОРМАЦИОННАЯ ПОЛИТИКА И ИНФОРМАЦИОННАЯ БЕЗОПАСНОСТЬ ГОСУДАРСТВА КАК ПСИХО-СОЦИАЛЬНОЕ ЯВЛЕНИЕ: ПРОБЛЕМЫ И ПЕРСПЕКТИВЫ

Аннотация. Констатируется, что влияние психического на общественно-политические процессы в условиях непрерывного информационного потока является определяющим; психологическое давление на сознание становится все более распространенным, увеличивается эмоциональность информационных сообщений, их влияние на психосоциальное положение общества. Авторы утверждают, что практики влияния и распространения эмоционально окрашенной ложной информации превратились сегодня в информационно-психологические войны, которые преследуют цель активизировать общественное сознание общественности государства-противника и повлиять на государственную политику. Определено, что психологическое воздействие на противника, основано на коммуникативных процессах с использованием современных информационных технологий, предусматривает изменение общественного мнения в заданном направлении.

Авторами осуществлен комплексный научный анализ современного состояния государственной информационной политики и информационной безопасности Украины как психосоциального явления. Рассмотрены социальные явления, возникающие в информационной сфере под влиянием информационной пропаганды агрессора и военного конфликта, как они вли-

яют на психологическое состояние общества, к каким последствиям могут привести. Определено, что в условиях реальной информационной агрессии существует насущная потребность в формировании и активном функционировании единого национального регулятора в информационной сфере, деятельность которого была бы направлена на выработку действенной национальной информационной политики, квалифицированное отражение манипуляционнно-пропагандистских атак, формирование у граждан Украины национально-патриотических убеждений, развитие украинского национального информационного пространства. Отмечено, что доктринальные корректировки информационных процессов коррелируют с психосоциальными. Указано, что информационные потоки, которые проходят по каналам массовой коммуникации, несут в себе знания о закономерностях действительности, отражают структуру человеческой памяти и интеллекта, основные особенности социальной системы, где наиболее яркими являются взаимодействие индивидуально-психических явлений.

Ключевые слова: влияние, психосоциальные явления и процессы, информационное воздействие, информационная политика, информационная безопасность, информационная агрессия, доктрина информационной безопасности.

Fightings for power remain just as intense — both in the war zones and at the negotiation tables, and in cyberspace — but the impact on them is less and less.
Moises Naim "The End of Power" [1, p. 25]

Problem statement. The world of an information society becomes more saturated and confused, people are more perplexed, and states are more vulnerable and unprotected. The age of post-truth, fake news, unrestricted accumulation of public data, the development of artificial intelligence that is capable of reproducing human capabilities, require from the countries of the world more rigorous attention to information security and protection of personal data. Problems of information policy in public administration remain very relevant.

Structural elements of consciousness are concentrated expression of various parameters of social life of people for millennia that affect the social processes of the state and the psychology of power. The Spanish philosopher H. Ortega-i-Gasset believed that "power means the domination of thoughts and views" [2, p. 117]. At the same time, it is interpreted as an ability of agents of power to dominate or impose certain political decisions.

Modern scientists have come to believe that the nature of power is a secret of real, not stylized overconfidence that is capable to create a special aura, plunging into it, some firmly govern (rule) and others obey selflessly and perform any orders [3, p. 4] or "an abil-

ity and possibility to exercise one's will to make a decisive influence on activities, behavior of people" [4, p. 87]. That is, possession and conquest are rooted in human nature, in archetypal structural elements of human consciousness. However, methods of influence and the nature of power itself change because of progress and development of new technologies.

In fact, the world is now in the active phase of the formation of a new social and communication system — an information society that is a computerized community of people, where information technologies acquire universal importance and cover all spheres of human activity, and communication technologies change the process of communication and contribute to the provision of social services through a computer communications network [5, p. 4]. It transforms the social space, creates new values and relationships, and creates new institutions, everything that E. Toffler defines as a new way of life.

In the information society, "power, which is based on force and wealth, loses its influence, though not completely disappears" [6, p. 114]. The information world increases the amount of information, diversifies methods and channels of influence, but a person's mental capacity to perceive information does not keep up with changes and it leads to the emergence of mental stress. The influence of the mental on social and political processes has always been significant, and in a continuous information flow, it becomes decisive. In Ukraine, the situation is complicated by the conflict in the East that translates a vector of rational rationalization into emotional, and the closeness and influence of the information space of Russia. Therefore, there is a need for a comprehensive interdisciplinary analysis of the current state of the state information policy and information security of Ukraine as a psychological and social phenomenon, finding ways of non-traumatic impact on the population, social interaction and providing of information security of the state.

Analysis of recent publications on this problem confirms that the research of the current state of information security of the country and well-known domestic scientists, researchers and experts pay serious attention on the development of practical recommendations on the improvement of the state information policy. Thus, an analysis of the psychology of crowds, the public, and civilization is presented in the works of such prominent scholars as G. Lebon [7], S. Moskovichi [8], Z. Freud [9], and C-G Jung [10, p. 83].

The Ukrainian researcher G. Pocheptsov [11] considers in his works the essence of manipulative influence through mass media and the Internet, M. Varij [12] — technologies for influencing the masses during the election campaign period, the use of archetypes and values to influence consciousness is explored by O. Radchenko [13], Y. Naplyokov [14] and others.

The purpose of the research is a scientific analysis of the current state of the state information policy and information security in Ukraine as a psychological and social phenomenon and develop recommendations to provide information security of the Ukrainian society.

Statement of the main research material. There is an opinion that in conditions of democracy, the government changes the direct dictate and the enslavement to more subtle and effective methods. But the use of various manipulative technologies of influences, information and psychological pressure, for any purpose, results in serious disorders of mental and social life, generates public apathy and alienation of the majority of the population from conscious participation in social processes.

According to M. Kastels, since the 1990s, our planet has been integrated into a single telecommunications computer network, which is the basis of the information system and communication processes. Information and communication technologies in today's globalized world undoubtedly contribute to the economic development and growth of material well-being of people, and are a condition of power, knowledge and creativity [15]. The network integrates many elements according to the criterion of communicative communication and has an ability to democratize communication and integrate different hierarchical levels into a single communicative space, translates communication into a horizontal plane. In these conditions, the psychological pressure on the consciousness becomes more widespread, the emotionality of information messages, their influence on a psychological and social state of society increase. A. Tocqueville [16] drew attention to the role of information in the formation of public consciousness. Today, these practices of influence and spreading of emotionally colored false information have turned into information and psychological wars. Information wars pursue the goal to activate public consciousness of the adversary's public and influence on public policy. Psychological influence on the enemy, which is based on communication processes with using of modern information technologies, implies a change of public opinion in a given direction.

The object of information warfare is both mass and individual consciousness. Means of conducting information warfare are any means of transmitting information – from the media and social networks, to the spread of rumors. As a rule, methods of information warfare are to disseminate misinformation or to provide information to the benefit of the individual [17, p. 119].

Veronique de Geoffroy, the director of operations of the URD Groupe, proposed a typology of impact strategies. The strategy aims to achieve the following goals: to inform, persuade, motivate, and induce to an action. The choice of impact strategy will depend on various factors: dialogue to achieve power, access to power, and, according to a risk analysis, an organizational culture. The table below lists the transaction types for each strategy (Table).

Special intelligence operations have been conducted by Russia against Ukraine for many years. Activated with direct aggression in the Donbas and annexation of Crimea, and changed with the advent of social networks and the ability to create fake accounts and "boto-farms". The results have affected the state of society, which today has been shattered by a worldview trait, lost in a lot of information noise and ideologically disoriented.

Typology of impact strategies (Veronique de Geoffroy)

Strategy	Exchange	Conviction	Communication, negotiations	Pressure
Types of actions	dialogue, communication, message	teaching, motivation, dispute, awareness raising, advocacy, discussion, proof	E – offer, finding a common solution, alternative question	coercion, indignation, mobilization, lobbying, message, call to order

Source: based on materials of the URD Groupe [18].

The information space is divided between the representatives of the financial and industrial groups that are behind many news messages, which spread by thought leaders in social networks; they own the majority of television channels. Various missionary religious structures, often also affiliated with financial and industrial groups, impart ideas and beliefs to the society, often using methods of psychological influence and technologies of neuropsychological programming and hypnosis. The society is offered a wealth of thoughts, interpretations of events and news that contradict each other and sometimes common sense. Often it leads to the emergence of a psychological phenomenon that is characterized as a cognitive dissonance, interpreted as an internal disharmony between knowledge in the human mind (the term was introduced by Leon Festinger in 1956). Such a mental state causes a feeling of stress, guilt, the appearance of uncontrolled aggression. Transformation of high social expectations is transformed into the energy of false public expectations and the need to reduce dissonance pushes a person to seek passionate information and evaluations that would make his or her decision more reasonable and comfortable.

Television remains the most popular media in Ukraine. According to the the Ukrainian Sociological Survey Report 2018, the vast majority of Ukrainian residents (86 %) receive information about events in the country from Ukrainian television channels, 27 % — from Ukrainian websites, 24 % — from social networks, 18 % — from relatives, friends, colleagues, etc. Other sources use only 8 %, 5 % of which are watched by Russian television channels. On average, an adult Ukrainian watches three Ukrainian channels, but on the events in Ukraine and relations between Ukraine, Russia, DPR (Donetsk People's Republic not recognized in Ukraine) / LPR (Lugansk People's Republic, not recognized in Ukraine) trusts only 1,5 channels. Only 27 % of Ukrainian TV viewers believe that Ukrainian channels do provide objective information about events in Ukraine, 43 % believe that the information is untrue (30 % were unable to answer this question).

Technical access to Russian channels for 69 % of users is satellite, 13 % — watch broadcasts on the Inter-

net, 12 % — via analogue antenna, and 8 % — on cable net. As for social networks, the majority (42 %) of Ukrainians use at least one social network. Facebook is the most popular one now (36 %). No more than 11 % of population use other networks. Only 35 % of respondents say that they check information in other sources, obtained from national, Russian, local media, or DPR/LPR media, would not check more than half (52 %) [19, p. 6].

At the same time, in the case of conflicting information from different sources, 58 % prefer the Ukrainian media and only 1 % to the Russian or LPR/DPR media; although 38 % do not know which media they would rather believe. And among the residents of Western Ukraine, those who do not know who to believe, only 27 %, in the center of them already are 37 %, and in the south — 47 % (despite the fact that in all regions are the Ukrainian media) [Ibid, p. 7]. Such duality and ambiguity of views are the result of many years of unified information field with the Russian Federation. These data indicate not only a low level of information content in Ukrainian media, but also a low level of media literacy and a potential threat to information impact on the society. According to psychologists, the effect of the influence of the media, the introduction of new ideas in the public consciousness depend on their compliance with the needs, moods and attitudes that have already been formulated in the psychology of mass consciousness of the society. Since the creation of the state of Ukraine, the society has been constantly influenced by the information field of neighboring countries and the state did not pay attention to it until the aggression. In Ukraine, even conceptually, the conceptual bases of the state information policy are not fixed at all. The modern law of Ukraine "On Information" (2017 edition) sets out some basic directions of the state information policy and one of them defines the provision of information security (Article 3).

Since the beginning of the events in November 2013 in Ukraine, which have been called "Euromaidan" and "Revolution of Dignity", all miscalculations in the domestic information sphere in the previous years have manifested themselves. It was during this period that the aggressive information policy of the Russian Federation affected distortion of the Ukraine's image in the world, in particular, in Russia itself and in the occupied territories. Only due to the active coverage of these events by European and world media, the practice of obtaining information about Ukraine exclusively from Russian sources was violated.

In early 2014, in addition to the military contingent of the Russian Federation, information and psychological pressure was exerted on the territory of the Autonomous Republic of Crimea by the mass media of a foreign state. Therefore, in accordance with the decision of the National Security and Defense Council of Ukraine (NSDCU) — "On urgent measures to ensure national security, sovereignty and territorial integrity of Ukraine," dated by 1st March 2014, the National Television and Radio Broadcasting Council of Ukraine appealed to the associations of software service providers demanding to stop relaying in their broadcast networks

of Russian TV channels — "Russia 24," ORT (First Channel World Network), "RTR Planet," and "NTV-Mir." The most effective mechanism to deter the aggressive campaign of the Russian Federation (both at the informational and real levels) was the use of public journalism. Online broadcasts from the scene with using of "Stream-TV" tools made it possible to disavow most provocative statements, and in some cases to prevent provocations. The domestic social media has been actively engaged in targeted dissemination of information about Ukraine abroad. For example, "Information Resistance Group," "StopFake," and "Beyond the News" still conduct a systematic policy of exposing and refuting false information about events in Ukraine and in the world. Prepared by experts argumentum materials are translated into English, German, French, Czech, Bulgarian and other languages and distributed by information media of the world media.

The development of a national global broadcasting system is closely linked to the establishment of effective "news management" by the state (news management, spin-doctoring). It is a common practice in the world to create services that, through specially designed mechanisms, take care of the spread of messages about the country. One of the first examples of such bodies being set up in the countries of the world was the Strategic Communication Unit in the UK.

Ukraine has followed by the path of establishment of a Ministry of Information Policy. The main tasks of the Ministry are ensuring the informational sovereignty of Ukraine, in particular on issues of dissemination of socially important information in Ukraine and abroad, as well as ensuring the functioning of state information resources; implementation of media reforms to disseminate publicly important information.

The creation of the Ministry of Information Policy of Ukraine without public discussion and conducting of proper scientific and professional expertise in any case questioned the transparency of implementation of state information policy in the country. In 2015, the Ministry of Information Policy of Ukraine started working on the Information Security Doctrine of Ukraine [20] and the Concept of Information Security of Ukraine. On February 25, 2017 the doctrine was put into effect by a Presidential Decree.

The positive of this document, in our opinion, should include the regulatory definition of a number of terms: *strategic communications, government communications*, and *crisis communications*, which delimit their problems and allows avoiding duplication of tasks and activities implemented by different state bodies of Ukraine. For the first time, the term "*strategic narrative*" is enshrined at the level of the regulatory act, which is one of the key ones for ensuring information security.

At the same time, an objective analysis of the Information Security Doctrine of Ukraine allows making several caveats: 1) the doctrine is a declarative document that defines strategic vectors of influence; 2) the document identifies about ten central bodies of government; a "subsidiary body" within the Ministry of Information Policy of Ukraine may be formed for coordination between them, but the mechanism

of coordination needs clarification; 3) the document defines the direction of development of media culture in the society and raising of the culture of political discussion, but there are no concrete measures to combat fakes and information noise that are directed at the internal audience.

In our opinion, the issue of creation of the information security system of Ukraine is very important today and concerns various areas, in particular: protection of the internal information space; providing the sovereignty of the country, impeding foreign information expansion; protection of independence, sovereignty, state and territorial integrity; providing information and cultural influence in Ukraine and abroad. An important area of information security is the development of media literacy among the population, the creation of conditions to protect society from the influence of false and sometimes aggressive information, which blurs the real picture of the world, creates cognitive dissonance and leads to nervous disorders that affect the psychological and social state of society.

In conditions of escalation of threats in the information sphere that are facing Ukraine, information messages from representatives of state authorities of all levels should be truthful, timely and be taken as the official position of Ukraine on the events taking place in the context of the Russian-Ukrainian confrontation. This position should be concise, clear and understandable.

The conclusions and perspectives of further research. In the current conditions of information aggression there is an urgent need for the further formation and active functioning of a single national regulator in the information sphere, whose activity would be aimed at developing Ukrainian national information policy, intellectually qualified reflection of manipulation and propaganda attacks, formation of national and patriotic convictions among citizens of Ukraine, development of the Ukrainian national information space. The state information policy of Ukraine should take into account the environment of its existence and, accordingly, build a system of its own information security.

An attempt was made to doctrinally identify information security issues. However, in the absence of elaborated documents that should form the integral basis of legal regulation of the information sphere and ensure information security of Ukraine, their level does not fully meet the needs of Ukrainian society.

In conditions of the information world, it should be remembered that information flows that flow through the mass communication channels, carry knowledge of the laws of reality, reflect the structure of human memory and intelligence, the main features of the social system, where the most vivid are the interaction of individual and mental phenomena.

A person in this system of information exchange and communication is only one, albeit very complex, of the elements. However, the psychological and social state of the society, the strength of the state and the efficiency of its institutions depends on only from a person. The information sphere is completely imprisoned in the human nature, is its product and consequence, closely relat-

ed to psychology and social processes, therefore, the doctrinal adjustment of information processes is correlated with psychological and social ones.

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GENDER ORIENTED BUDGETING AS A TOOL FOR ACHIEVING GENDER EQUALITY

Abstract. The article explores the issues of gender-oriented budgeting as a tool of gender-sensitive policy, which enables to ensure gender equality, increase the efficiency of use of the budgetary funds and achieve a fair distribution of the budgetary expenditures by gender. The national legislative framework for gender budgeting has been analyzed. Gender analysis has been identified as a tool for examining the socio-economic differences between women and men, girls and boys. The main steps of the gender budgeting analysis are outlined. It is substantiated that gender-oriented budgeting, as a management technology tool, allows us to assess how and to what extent the public budget spending policies affect men and women (girls and boys) as service consumers, infrastructure users and taxpayers. Gender budgeting was found to relate to both the revenue and expenditure side of the budget; means budgeting centered on people by their gender (both adults and children); prompting a more thorough examination of the results of the budget implementation; calls for a broader range of stakeholders to participate, and therefore, forges democratic processes. Therefore, when allocating funds to healthcare, education, sports, social policy institutions, one should consider the gender dimension and keep in mind that the needs of women and men, girls and boys are different. It is proved that the essence of gender-oriented budgeting — this new tool for Ukraine — is to plan the revenue and expenditure part of the state and local budgets with respect to who will be the end consumer of the services financed by the respective budget. That is, the overall goal of the gender-oriented budgeting is to increase economic efficiency and transparency of the budget expenditures, taking into account the needs of women and men, girls and boys.

Keywords: budget, budgeting; budget process, program-target method; gender policy, gender-oriented budgeting, management technology.

ҐЕНДЕРНО ОРІЄНТОВАНЕ БЮДЖЕТУВАННЯ ЯК ІНСТРУМЕНТ ДОСЯГНЕННЯ ҐЕНДЕРНОЇ РІВНОСТІ

Анотація. Досліджується проблематика ґендерно орієнтованого бюджетування як інструменту ґендерно чутливої політики, що дає можливість забезпечити ґендерну рівність, підвищити ефективність використання бюджетних коштів та досягти справедливого розподілу бюджетних видатків за статевою ознакою. Проаналізовано національну законодавчу базу забезпечення ґендерно орієнтованого бюджетування. Визначено, що ґендерний аналіз є інструментом для вивчення соціально-економічних відмінностей

між жінками та чоловіками, дівчатами і хлопцями. Зазначено основні кроки проведення ґендерного бюджетного аналізу. Обґрунтовано, що ґендерно орієнтоване бюджетування як інструмент управлінської технології дозволяє оцінити, як і якою мірою державна політика у сфері розподілу видатків бюджету впливає на чоловіків і жінок (дівчат і хлопців) як споживачів послуг, користувачів інфраструктури та платників податків. Установлено, що ґендерне бюджетування стосується як дохідної, так і видаткової частини бюджету; означає бюджетування, у центрі якого люди за їхньою статевою приналежністю (як дорослі, так і діти); що спонукає до більш ретельного вивчення результатів виконання бюджету; закликає до участі ширше коло зацікавлених осіб, а, отже, укорінює демократичні процеси. Отже, виділяючи кошти на заклади охорони здоров'я, освіти, спорту, соціальної політики, слід урахувати ґендерний аспект і пам'ятати, що потреби жінок і чоловіків, дівчат і хлопців є різними. Доведено, що суть ґендерно орієнтованого бюджетування — цього нового для України інструменту — планування дохідної та видаткової частини державного і місцевого бюджетів з огляду на те, хто буде кінцевим споживачем тих послуг, що фінансуються відповідним бюджетом. Тобто загальна мета ґендерно орієнтованого бюджетування — підвищення економічної ефективності та прозорості видатків бюджету з урахуванням потреб жінок і чоловіків, дівчат і хлопців.

Ключові слова: бюджет, бюджетування; бюджетний процес, програмно-цільовий метод; ґендерна політика, ґендерно орієнтоване бюджетування, управлінські технології.

ГЕНДЕРНО ОРИЕНТИРОВАННОЕ БЮДЖЕТИРОВАНИЕ КАК ИНСТРУМЕНТ ДОСТИЖЕНИЯ ГЕНДЕРНОГО РАВЕНСТВА

Аннотация. Исследуется проблематика гендерно ориентированного бюджетирования как инструмента гендерно чувствительной политики, что позволяет обеспечить гендерное равенство, повысить эффективность использования бюджетных средств и достичь справедливого распределения бюджетных расходов по половому признаку. Проанализирована национальная законодательная база обеспечения гендерно ориентированного бюджетирования. Определено, что гендерный анализ является инструментом для изучения социально-экономических различий между женщинами и мужчинами, девушками и парнями. Указаны основные шаги проведения гендерного бюджетного анализа. Обосновано, что гендерно ориентированное бюджетирование как инструмент управленческой технологии позволяет оценить как и в какой мере государственная политика в сфере распределения расходов бюджета влияет на мужчин и женщин (девушек и юношей) как потребителей услуг, пользователей инфраструктуры и налогоплательщиков. Установлено, что гендерное бюджетирование касается как доходной, так и расходной части бюджета; означает бюджетирование, в центре которого люди с их половой принадлежностью (как взрослые, так и дети); что побуждает к более тщательному изучению результатов исполнения бюджета; при-

зывает к участию широкий круг заинтересованных лиц, а, следовательно, укореняет демократические процессы. Итак, выделяя средства на учреждения здравоохранения, образования, спорта, социальной политики, следует учесть гендерный аспект и помнить, что потребности женщин и мужчин, девушек и парней разные. Доказано, что суть гендерно ориентированного бюджетирования — этого нового для Украины инструмента — планирование доходной и расходной части государственного и местного бюджетов с учетом того, кто будет конечным потребителем тех услуг, которые финансируются соответствующим бюджетом. То есть общая цель гендерно ориентированного бюджетирования — повышение экономической эффективности и прозрачности расходов бюджета с учетом потребностей женщин и мужчин, девушек и парней.

Ключевые слова: бюджет, бюджетирование; бюджетный процесс, программно-целевой метод, гендерная политика, гендерно ориентированное бюджетирование, управленческие технологии.

Formulation of the problem. The consideration of the interests, needs, opportunities and experiences of the different groups of women and men (girls and boys) in all spheres of the society is at the heart of the country's gender-sensitive policy. One of the effective tools for implementing gender-sensitive policies is gender-oriented budgeting (GOB). It is a globally recognized effective tool for achieving gender equality, contributing to greater use of the budgetary resources. The GOB is the implementation of a comprehensive gender approach in the budgetary policy and budgetary processes at the state and local levels, which includes gender budgeting and enhances transparency and accountability. Understanding gender is an awareness of the importance of gender and gender relations to the society, as well as how they are valued by the government. This principle is a starting point in addressing gender inequality and contributes to building an equal society.

Analysis of the recent research and publications. Recently, gender mainstreaming has been addressed by V. Bykhovchenko (gender budgeting at the local level as a tool for improving budget efficiency) [1], O. Holynska (gender-oriented budgeting as a critical basis of the budget program effectiveness) [2–11] S. Danylenko, K. Lubynets, H. Tereshchenko, O. Chernyuk (ways to introduce gender-oriented budgeting in Ukraine) [6], N. Zhovnytska (gender-oriented budgeting per person) [7], T. Ivanina, O Zhukova, S. Yevchenko, N. Karpets, O. Mykytas, O. Ostapchuk, N. Ryabushenko, O. Yarosh (theory and practice of the gender-oriented budgeting in Ukraine) [4], H. Tereshchenko, O. Chernyuk (development of the gender-oriented budgeting in the Ukrainian education) [8] and others.

Highlighting previously unresolved parts of the common problem. At the same time, their and other intelligence services do not essentially ad-

dress the issue of gender-based budgeting in relation to the implementation, starting in 2019, of the program-targeted budgeting method at the local level.

Formulation of the purposes of the article. That is why the purpose of our article is to highlight the problems of gender-oriented budgeting that have arisen through the introduction of a program-targeted budgeting method at the local level.

Presentation of the main material. The first two decades of the 21st century are characterized by rapid change and progress, while at the same time the struggle for equal rights for all, regardless of race, religion, political preferences, attitudes and gender, is still going on in the world. The issue of gender equality remains one of the world's leading issues.

Today, gender equality policy is an important factor in the global development and a fundamental human right. Most governments in the world have committed themselves to achieving the goals of gender equality and mainstreaming gender into the public policy. To this end numerous tools and approaches have been created. Since 1995 a number of international organizations and institutions, including the United Nations Development Fund for Women (UNIFEM, now UN Women), the United Nations Development Program (UNDP), the United Nations Economic Commission for Europe (UNECE) and others, have initiated the gender budgeting approach and thus contributed to the development of the concept and strategy of the gender-oriented budgeting (GOB).

The concept of "gender budget" was introduced following the adoption of the Platform for Action at the Beijing Conference (1995), that emphasized that the governments should make every effort to systematically examine how public sector budgets are spent or whether they were spent for the benefit of man. This will, in particular, require gender mainstreaming in the budgetary policy and program decisions, as well as adequate funding for specific programs to ensure equality between women and men.

Gender budgeting is used to achieve gender equality, which helps to increase the efficiency of the budget spending. It refers to the various processes and tools that take into account the specific interests of women and men (girls and boys) when allocating the budget resources at all levels.

At the same time, Ukraine is doing its best, especially in the legal field, to ensure equal rights and opportunities for men and women (girls and boys). Gender equality is primarily concerned with political, economic and social development. That is why the issues of equality and non-discrimination should be a mandatory component of the programming documents of any civilized country.

The Constitution of Ukraine emphasizes on ensuring equality of rights and opportunities for women and men in different spheres of their activity. The Article 24 of the Basic Law gives an interpretation of the application of the principles of equality and non-discrimination, while emphasizing the particular attention that women need.

In addition, this Document of state weight emphasizes an important aspect of the principle of equality — the need to apply the same standards of rights

and obligations to all the persons without exception. Gender equality is the equal legal status of women and men (girls and boys) and equal opportunities for its implementation, which allows the persons of both sexes to participate in all the spheres of the life of the society (Article 1 of the Law of Ukraine of September 8, 2005 № 2866-IV "On Ensuring Equal Rights and Opportunities for Women and Men"). And one of the tasks that we set ourselves as a country, as a community, as a civilized nation is to use a gender approach when formulating and using the budget.

In this connection, both the bodies of executive power on local places (region and district state administrations, city, settlement and rural executive committees and executive committees of the councils of the united territorial communities (UTC), and the non-governmental organizations (NGOs) are constantly asked about how to take into account the needs of different population groups in planning a community budget; why the developed countries pay much attention to the gender-oriented budget; why it is important to implement such practices in Ukraine; what results the urban and rural communities received when addressing the needs of women and men in the budget planning; why it is beneficial for the community to have a gender-oriented budget; why addressing the needs of women and men (girls and boys) contributes to the effective use of the community funds, etc.

Thus, gender-oriented budgeting (GOB) is a budgeting method that focuses on specific people — women and men, girls and boys from different social and demographic groups.

The main normative documents defining the state policy of gender budgeting in Ukraine are:

• Presidential Decree № 501/2015 of August 25, 2015 "On Approval of the National Human Rights Strategy" and an Action Plan for its implementation;

• The Annual National Program, sponsored by the NATO-Ukraine Commission, approved by Presidential Decree № 89/2018 of March 28, 2018 (section "Gender Equality");

• State Social Program for Equal Rights and Opportunities for Women and Men for the Period up to 2021, approved by the Cabinet of Ministers of Ukraine Resolution of April 11, 2018 № 273;

• National Action Plan for the Implementation of UN Security Council Resolution 1325 "Women, Peace, Security" for the period up to 2020, approved by the Cabinet of Ministers of Ukraine Decree of February 24, 2016 № 113;

• Strategy for reforming the public finance management system for 2017–2020, approved by the Decree of the Cabinet of Ministers of Ukraine of February 08, 2017 № 142-p (hereinafter — Strategy № 142);

• Law of Ukraine of December 07, 2017 № 2229-VIII "On Prevention and Countering Domestic Violence";

• Law of Ukraine of September 8, 2005 № 2866-IV "On Ensuring Equal Rights and Opportunities for Women and Men" (hereinafter — Law № 2866-IV);

• Law № 3739-VI of September 20, 2011 "On Combating Trafficking in Human Beings";

• Law of September 6, 2012 № 5207-VI "On the Principles of Pre-

venting and Combating Discrimination in Ukraine";

• Guidelines for the implementation and application of a gender-oriented approach to the budget process, approved by the Order of the Ministry of Finance of Ukraine dated January 2, 2019 № 1 [11] and others.

The Budget Code of Ukraine (BCU) defines the budget as a plan for the formation and use of the financial resources to provide tasks and functions, respectively, carried out by the public authorities, local governments during the budget period (from January 1 to December 31) [2]. For this reason, the activities of the local authorities must be linked to the provision of the vital services and the equitable distribution of resources for the benefit of women and men (girls and boys).

From this point of view, one of the effective strategies is the implementation of the GOB. The implementation of the GOB is possible at different levels — from the state budget to the budget of a small community. In this context, the GOB may have a different focus — it concerns the budget analysis as a whole or focuses on a specific sector (e.g. healthcare), may be implemented at different stages of the budget cycle (e.g., the planning or budgeting stage) [7].

The GOB reform, which is directly related to the implementation of the program-targeted budgeting method (hereinafter referred to as the PTM), is headed by the Ministry of Finance of Ukraine. It should be noted that according to Article 20 of the BCU, the PTM is based on the planning and allocation of the budgetary resources, as well as the analysis of the cost comparisons and results achieved. PTM budgeting is a grouping of different budget expenditures into separate programs so that each cost item is assigned to a specific type of program. The gender budgeting seeks to meet human needs through the budget processes [2].

As noted above, on January 2, 2019, the Ministry of Finance of Ukraine approved Guidelines for the implementation and application of a gender-oriented approach in the budget process [11]. This means that from 2019 all the ministries and services in Ukraine are advised to include gender indicators for the budget programs.

In addition to state and local governments, individual states, European structures and NGOs of Ukraine are actively involved in the implementation of the GOB. So, in particular, in our country since November 2013 till now the "Gender Budgeting Project in Ukraine" (GOB Project) has been running. Its aim is to increase the cost-effectiveness and transparency of the budget allocations to meet the different needs of women and men through the implementation of gender-oriented budgeting (GOB) in Ukraine. The ultimate goal of the GOB is to strengthen the fiscal policy outcomes by introducing a gender and social dimension as an analytical category that directly contributes to the reform of the public finance management. That is, the GOB is one of the powerful reforms of Ukraine's financial system. It is funded by the Swedish International Development Agency (SIDA) project [10].

In 2018 a free course called "Gender-Oriented Budgeting for Community Development" was launched on the Prometheus platform. The course

was commissioned by the Association of Ukrainian Cities (AUC) in the framework of the USAID Project "Development of a course for strengthening the local self-government in Ukraine" (PULSE), implemented by the AUC, in collaboration with the "Gender Budgeting in Ukraine" (GOB) funded project as it has already been said — by Sweden. The course is enriched by the hands-on experience and materials of "UN Women" and the National Democratic Institute for International Relations (NDI) working within the USAID "Decentralization Delivers Better Results and Effectiveness" (DOBRE) program.

The main components of the gender-oriented budgeting process are: 1) gender budget analysis; 2) changes in the programs and budgets; 3) systematic integration of the GOB into the budget process. A key component in the process of implementing gender-oriented budgeting is gender budgeting analysis.

The GOB's mission is to reduce the so-called "gender gaps" — the difference in any sphere between women and men (girls and boys) in terms of their participation, access, rights, rewards and benefits. It is based on gender justice, which envisages equality and equity in the distribution of gender and responsibility between women and men, and attention to the needs of the persons who may be different to achieve a gender balance [7].

N. Zhovnytska, in particular, cites an example of reducing the "gender gaps". According to statistics, 40 % of girls and 60 % of boys study at the Children's and Youth Sports School. Girls are engaged in cheaper sports (rhythmic gymnastics and rowing) and boys in more expensive (football and hockey). So, more money is spent on training boys. However, the girls in the competition win more medals. We are dealing with "gender bias". This is neither good nor bad, it is a fact. Gender biases should be identified and eliminated in the initial stages. In our case - in schools. A physical culture lesson is the first section where children see what physical education and sports are all about. The head teacher or teacher who conducts the lesson should motivate the girls first, because boys love going to physical education, and girls treat this subject differently. It may be necessary to revise or change the programs of the physical education classes and sports sections, since not always girls want to play sports games, but aerobics or gymnastics would be more convenient to them [7].

Therefore, it is important not only to address the needs of women and men (girls and boys) in all their diversity, but also to find ways to address them through programs and budgets. That is why the society has a wide range of initiatives in gender budgeting, the so-called gender budgeting initiatives (GBI). These are specific measures/campaigns related to the possibility of changing the budgets and policies of the state towards greater gender equality. Their implementation can take many forms, depending on the political level, the extent of coverage and the budgetary stage at which they take place.

The most popular GOB activities include:

- research;
- advocacy;
- monitoring;
- teaching;

• raising awareness;

• analysis and development of the relevant plans, programs, etc.

The Ukrainian GOB methodology consists of three main components:

• conducting gender budget analysis;

• making changes to the programs and budgets;

• systematic integration of the GOB into the planning and budgeting processes [7].

It is clear that working within the GOB requires, first and foremost, a wide range of legislative and budgetary activities. These are the so-called "entry points", the main of which are:

• developing gender statistics that provide the necessary information to better situate and correct the gender asymmetries and imbalances;

• carrying out information and education work on gender issues, which, above all, provides an explanation of the national gender equality policy;

• creating opportunities for the participation of men and women in the gender budgeting [7].

N. Zhovnytska defines the main tasks of the GOB. Including:

• ensuring a fair budgetary policy and contributing to reducing the inequalities between women and men in all spheres of the public life;

• encouraging more efficient use of the public funds (and local budget funds — *author*) in accordance with predefined goals for the allocation of resources and services for men and women;

• improving the quality and efficiency of the public (and communal — *author*) services to meet the different needs of men and women;

• ensuring greater transparency of the public policy implemented by the national, regional and local authorities [7].

In addition, according to N. Zhovnytska, the implementation of the GOB:

• enhances both accountability and transparency of the budget process;

• provides greater targeting of the services and, accordingly, the rational use of the budgetary funds;

• contributes to the improvement of the quality of services for the population by establishing clear guidelines for the specific consumer;

• enhances the citizen participation in the budget process, especially women [7].

These tasks are particularly important in situations where additional efforts are needed to ensure that limited resources and funding are used effectively to meet the needs of, for example, vulnerable populations or women and men in conflict and post-conflict situations.

Conclusions from this research. Therefore, when allocating funds to the healthcare, education, sports, social policy institutions, one should consider the gender dimension and keep in mind that the needs of women and men, girls and boys are different. That is, the essence of the GOB — this new tool for Ukraine — is to plan the revenue and expenditure part of the state and local budgets in terms of who will be the end consumer of the services financed by the respective budget. That is, the overall goal of the gender-oriented budgeting is to increase economic efficiency and transparency of the budget expenditures, taking into account

the needs of women and men, girls and boys.

Further studies of the problems that we raised in the article concern the coverage of problems of gender-oriented budgeting in the field of education at the level of the united territorial community (UTC).

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PUBLIC REQUEST FOR INFORMATION SECURITY

Abstract. The article states that the introduction of the modern information technologies in the sphere of life (cultural, social, economic, political) has significantly increased the dependence of the society and each individual on the reliability of the functioning of the information infrastructure, the reliability of the information used, its protection from the unauthorized modification, as well as illegal access to it.

The following definition of the concept of information security is formulated — it is a state of the information environment that provides satisfaction of the information needs of the subjects of the information relations, security of information and protection of the subjects from negative information influence. In this definition, the subjects of the information relations can be: the state, the so-

ciety, organizations, people. The following types of information security are characterized: information security of the state, information security of the society and information security of the individual.

It is stated that the information security, based on the twofold essence of information, should be aimed at protecting both its objective and subjective component. In the first case it acts in the form of security of the information, in the second — in the form of information and mental security.

Thus, the protection of information involves a system of measures aimed at preventing the unauthorized access to information, unauthorized modification, loss, destruction, violation of integrity, etc. However, the problem of protecting the citizens from negative information is much more complicated than the problem of protecting information in general, because information risks are extremely diverse and their impact is not always obvious.

In the conditions of turbulence the solution of the problem of protection of the society in the information sphere must be complex-systemic in nature and implemented at different levels: normative, institutional, personal.

Keywords: information, informatization, information security, information society, threats and risks.

СУСПІЛЬНИЙ ЗАПИТ НА ІНФОРМАЦІЙНУ БЕЗПЕКУ

Анотація. Зазначено, що впровадження сучасних інформаційних технологій у сфери життєдіяльності (культурну, соціальну, економічну, політичну) істотно підвищило залежність суспільства і кожної конкретної людини від надійності функціонування інформаційної інфраструктури, достовірності використовуваної інформації, її захищеності від несанкціонованої модифікації, а також протиправного доступу до неї.

Сформульоване наступне визначення поняття інформаційна безпека — це стан інформаційного середовища, що забезпечує задоволення інформаційних потреб суб'єктів інформаційних відносин, безпеку інформації та захист суб'єктів від негативного інформаційного впливу. В даному визначенні суб'єктами інформаційних відносин можуть бути: держава, суспільство, організації, людина. Охарактеризовані наступні види інформаційної безпеки: інформаційна безпека держави, інформаційна безпека суспільства та інформаційна безпека особистості.

Зазначено, що інформаційна безпека, виходячи з двоєдиної сутності інформації повинна бути спрямована як на захист об'єктивної, так і суб'єктивної її складової. У першому випадку вона виступає у вигляді безпеки інформації, у другому — у вигляді інформаційно-психічної безпеки.

Таким чином, захист інформації передбачає систему заходів, спрямованих на недопущення несанкціонованого доступу до інформації, несанкціонованої її модифікації, втрати, знищення, порушення цілісності тощо. Однак, проблема захисту громадян від негативної інформації значно складніша, ніж проблема захисту інформації загалом через те, що інформаційні ризики надзвичайно різноманітні, а їх вплив не завжди очевидний.

В умовах турбулентності вирішення проблеми захисту суспільства в інформаційній сфері повинно носити комплексний системний характер та здійснюватися на різних рівнях: нормативному, інституційному, та особистісному.

Ключові слова: інформація, інформатизація, інформаційна безпека, інформаційне суспільство, загрози та ризики.

ОБЩЕСТВЕННЫЙ ЗАПРОС НА ИНФОРМАЦИОННУЮ БЕЗОПАСНОСТЬ

Аннотация. Указано, что внедрение современных информационных технологий в сферы жизнедеятельности (культурную, социальную, экономическую, политическую) существенно повысило зависимость общества и каждого конкретного человека от надежности функционирования информационной инфраструктуры, достоверности используемой информации, ее защищенности от несанкционированной модификации, а также противоправного доступа к ней.

Сформулировано следующее определение понятия информационная безопасность — это состояние информационной среды, обеспечивающей удовлетворение информационных потребностей субъектов информационных отношений, безопасность информации и защиту субъектов от негативного информационного воздействия. В данном определении субъектами информационных отношений могут быть: государство, общество, организации, человек. Охарактеризованы следующие виды информационной безопасности: информационная безопасность государства, информационная безопасность общества и информационная безопасность личности.

Отмечено, что информационная безопасность, исходя из двуединой сущности информации должна быть направлена как на защиту объективной, так и субъективной ее составляющей. В первом случае она выступает в виде безопасности информации, во втором — в виде информационно-психологической безопасности.

Таким образом, защита информации предусматривает систему мероприятий, направленных на недопущение несанкционированного доступа к информации, несанкционированной ее модификации, потери, уничтожения, нарушения целостности и тому подобное. Однако, проблема защиты граждан от негативной информации значительно сложнее, чем проблема защиты информации в целом из-за того, что информационные риски чрезвычайно разнообразны, а их влияние не всегда очевидны.

В условиях турбулентности решение проблемы защиты общества в информационной сфере должно носить комплексный системный характер и осуществляться на разных уровнях: нормативном, институциональном и личностном.

Ключевые слова: информация, информатизация, информационная безопасность, информационное общество, угрозы и риски.

Formulation of the problem. The most important role in the development of the modern society belongs to informatization, the peculiarity of which is that one of the main activities of the members of the society is the processes associated with information. The information society to which humanity is eagerly seeking is radically changing the status of information, expanding its potential as a positive resource and revealing its sharply negative potential. Information has always surrounded people, so any society can be considered informative.

However, the introduction of the modern information technologies in the sphere of life (cultural, social, economic, political) has significantly increased the dependence of the society and each individual on the reliability of the functioning of the information infrastructure, the reliability of the information used, its protection from the unauthorized modification, as well as illegal access to it.

The modern man, his daily life has proven to be addicted to mass communication. The proliferation of the networked computer technologies, mobile communications and the Internet, information resources of the modern society can carry not only good but also be exposed to increasing number of threats, which can harm the interests of the individual, the society, the state, lead to economic losses and threaten the security of the national information security. In this connection, the issue of the public request for information security becomes extremely important.

The chosen topic of the research is intended to help solve the problem of information security of the society and the individual in the conditions of turbulence.

Analysis of the recent publications on the subject. The information security, problems of protection of the national information space have been researched by many scientists. In particular, the problem is reflected in the works of U. Ilnytska, V. Pocheptsov, Yu. Lisovska, O. Oleynik, T. Perun, V. Hurkovsky, K. Zakharenko, V. Zhogov, H. Foros, V. Trinyak, Yu. Muravska, A. Marushchak and other specialists. However, the problem of protecting the citizens from negative information is much more complicated than the problem of protecting the information in general, because information risks are extremely diverse and their impact is not always obvious. Therefore, the prevention of negative information influences and their neutralization require additional research of the problems of information security of the society and the individual in the conditions of turbulence, development of theoretical and methodological bases of the public administration in the field of the national information security. Thus, the study of the negative information impacts, the search for mechanisms to protect the citizens from them is a pressing issue for the science and practice of the public administration, namely information security as an integral component of the Ukraine's national security

Formulation of the purposes (goal) of the article. Expand the concept of information security, characterize the types of information security, investigate the public request for information security in a turbulent environment.

Outline of the main research material. In the general sense security is a state of protection against anything and can be applied both to the individual in particular and to the society and the state as a whole. At the same time, security as a concept differs depending on its scope: political science, sociology, economics, etc. In the theory of national security the following formulations are widely used: "national security", "personal security", "state security", "international security", "information security", "political security", "social security", "military security", etc. [1–3].

Today, with the concept of "information security", in particular, with its terminological definition, a paradoxical situation has arisen. On the one hand, the term "information security" is widely used in the scientific publications, educational literature and legislative documents of different levels, on the other hand, this concept is still ambiguous, and its content in different sources has fundamental differences [4–6].

In our opinion, security is a state task, not only in the absence of threats that are subjectively perceived by the individuals and groups, but also in the assessment and preparation of the individuals and government structures for information threats. From the point of view of social relations, security can be called a state in which a person has a sense of confidence and security, a sense of trust in another person or the legal system. The opposite of security is risk [7].

Information security is: 1) a state of protection of the vital interests of the individual, the society and the state, which minimizes the damage caused by incompleteness, untimely and unreliable information; its destructive influence; misuse and dissemination of the personal data; 2) the state of protection of the national information space, which ensures the formation, use and development of the latter in the interests of the citizens, organizations, the state [4; 8].

The concept of "information security" is defined by the following components [9]:

First — meeting the information needs of the subjects in the information environment. It is obvious that without the subject's necessary information, information security cannot be ensured. The information needs of different entities are not the same, but in any case the lack of necessary information can have negative consequences.

Second — the security of information. The requirements of completeness, authenticity and timeliness of information must be respected throughout the circulation of information, as violations of them may lead to incorrect decisions or, in general, to inability to make decisions, as well as breaches of confidentiality status may devalue the information. Therefore, information should be protected from influences that violate its status.

Third — protection of the subjects of the information relations from negative information influence. Making the wrong decisions can be caused not only by the lack of necessary information, but also by the presence of harmful, dangerous information for the subject, which is often purposefully imposed.

With this approach, the following definition can be formulated: *Information security is a state of the information environment that provides satisfaction*

of the information needs of the subjects of the information relations, security of information and protection of the subjects from negative information influence. In this definition, the subjects of the information relations can be: the state, society, organizations, people.

In the context of national security the more complete definition of information security is the following: "*information security is a state of protection of the vital interests of the individual, the society and the state, which minimizes the damage caused by incomplete, untimely and unreliable information, negative information impact, negative consequences of the functioning of the information technologies, as well as through the unauthorized dissemination of information*" [10; 11].

According to the analysis of the scientific literature on the issue of information security, most scholars agree that information security is an integral part of the national security. Information security is an integral part of overall security, whether national, regional or international.

There are the following types of information security (Figure).

Information security of the state — the state of preservation of the information resources of the state and protection of the legal rights of the individual and society in the information sphere. In other words, the information security of the state is a state of the state where its information environment cannot be harmed through the use of information resources and systems.

Information security of the state is an integral part of the national security of the country, which is ensured through the comprehensive organization of all resources and systems.

Information security of the society is a state of the society in which it cannot be harmed significantly by influencing its information sphere. Information security of the society can be achieved both as a result of measures aimed at maintaining the most informative environment in a secure state of the object, protecting the object from destructive influence, and by strengthening the immunity and developing the ability of the society and its members to evade the destructive information exposure.

Security is one of the basic human needs, that is, very important to the society. A sense of security must be linked to a state of peace, a lack of fear. Information security in its research focuses on identifying the state of threats to devices, systems, traffic segments

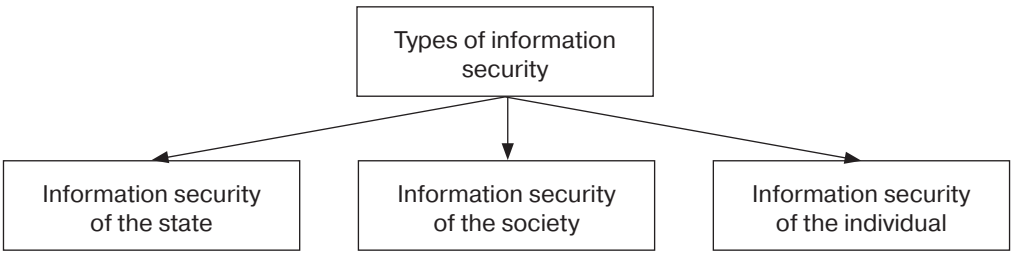

Fig. 1. **Types of information security**

and information security measures, as well as the likelihood of risks for them. For every society the issue of security is one of the main dimensions of its way of thinking about the social reality [7].

Information security of the individual — a state of protection of the individual, various social groups and associations of people from influences, capable against their will and desire to change the mental states and psychological characteristics of the individual, to modify his behavior and limit the freedom of his choice.

The risks to the information security of the individual may include interference with privacy, use of the intellectual property objects, restriction of access to information, unlawful use of the social media that act on the subconscious, misinformation, misrepresentation [12].

Information protection is a guarantee of security, a task of the state. The protection of information provides a system of measures aimed at preventing the unauthorized access to the information, unauthorized modification, loss, destruction, breach of integrity, etc.

The solution to the problem of ensuring the information security of the society and the individual should be complex-systemic in nature and implemented at different levels.

The first level is normative. A consistent regulatory framework must be created that takes into account all aspects of the information security problem.

The second level is institutional, which implies the concerted activities of different social institutions related to education and socialization.

The third level is individual, that is connected, above all, with self-teaching, self-education, formation of a high level of information culture of the personality as part of the general culture of the person. At this level the formation of the necessary personal qualities take place for ensuring the information self-protection of the individual.

Conclusions and prospects for further research. Information systems in today's economic space, given the widespread use of the digital tools, are, on the one hand, an invaluable source of knowledge about the state of the business entities and, on the other, a target for the unauthorized collection and receipt of such information and competition. Information security, based on the twofold essence of information, should be aimed at protecting both its objective and subjective component. In the first case it acts in the form of security of the information, in the second — in the form of information and mental security.

In the conditions of turbulence the solution to the problem of ensuring information security must be of a complex-systemic nature and be implemented at different levels (normative, institutional, personal).

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CONCEPTUAL PRINCIPLES FORMING ANTI-CORRUPTION INSTITUTIONS IN THE SYSTEM OF BODIES OF THE GOVERNMENT AUTHORITIES: UKRAINIAN AND WORLD EXPERIENCE

Abstract. The system of anti-corruption and anti-corruption bodies in Ukraine is currently undergoing formation and development, but this process is slow. The National Agency for the Prevention of Corruption, the National Anti-Corruption Bureau of Ukraine, the Specialized Anti-Corruption Prosecutor's Office, the National Agency of Ukraine for Detection, Investigation and Management of Assets Obtained from Corruption and Other Crimes, as well as the former staff court. However, these state institutions do not benefit the state, and cases of prevention and fight against corruption are solitary rather than systemic.

In addition, there is a problem with the politicization of the formation and development of anti-corruption institutions.

Therefore, today there is a need to study the foreign experience of anti-corruption institutions in order to implement such experience in Ukrainian realities.

The article analyzed the experience of organizing anti-corruption institutions in Finland, France, the Netherlands, Singapore, Japan, South Korea and China. The existence of different models of formation of anti-corruption institutions abroad is substantiated, while the effectiveness depends not only on the presence or absence of such institutions, but also on the quality of staff, political support for the activities of such bodies and the development of anti-corruption institutions.

In Ukraine, anti-corruption institutions are beginning to emerge and develop. These include: Specialized anti-corruption prosecutors; National Anti-Corruption Bureau of Ukraine; The National Anti-Corruption Agency; The State Bureau of Investigation; National Agency of Ukraine for Detection, Investigation and Management of Assets Received from Corruption and Other Crimes; High Anticorruption Court.

Keywords: corruption, anti-corruption policy, public authorities, anti-corruption institutions, conflict of interests.

КОНЦЕПТУАЛЬНІ ПРИНЦИПИ ФОРМУВАННЯ АНТИКОРУПЦІЙНИХ ІНСТИТУЦІЙ ОРГАНІВ ДЕРЖАВНОЇ ВЛАДИ: УКРАЇНСЬКИЙ І СВІТОВИЙ ДОСВІД

Анотація. Система органів запобігання та боротьби з корупцією в Україні на даний час переживає становлення та розвиток, разом з тим цей процес відбувається повільно. В Україні створено та діє Національне агентство з питань запобігання корупції, Національне антикорупційне бюро України, Спеціалізована антикорупційна прокуратура, Національне агентство України з питань виявлення, розшуку та управління активам, одержаними від корупційних та інших злочинів та ін., а також сформований кадровий склад Вищого антикорупційного суду. Однак, зазначені державні інституції не приносять користі державі, а випадки запобігання та боротьби з корупцією носять поодинокий, а не системний характер.

Крім того, існує проблема за політизованості формування та розвитку антикорупційних інституцій.

Тому, на сьогодні виникла потреба у вивченні закордонного досвіду антикорупційних інституцій, з метою імплементації такого досвіду в українські реалії.

У статті проаналізовано досвід організації антикорупційних інституцій у Фінляндії, Франції, Нідерландах, Сінгапурі, Японії, Південній Кореї та Китаї. Обґрунтовано існування різних моделей формування антикорупційних інституцій за кордоном, тоді як ефективність залежить не лише від наявності чи відсутності таких установ, а й від якості персоналу, політичної підтримки діяльності таких органів та розвиток антикорупційних інститутів.

В Україні антикорупційні інститути починають формуватися та розвиватися. До них належать: Спеціалізовані антикорупційні прокурори; Національне антикорупційне бюро України; Національне агентство з питань запобігання корупції; Державне бюро розслідувань; Національне агентство України з питань виявлення, розслідування та управління активами, отриманими від корупції та інших злочинів; Вищий антикорупційний суд.

Ключові слова: корупція, антикорупційна політика, органи державної влади, антикорупційні інститути, конфлікт інтересів.

КОНЦЕПТУАЛЬНЫЕ ПРИНЦИПЫ ФОРМИРОВАНИЯ АНТИКОРРУПЦИОННЫХ ИНСТИТУТОВ ОРГАНОВ ГОСУДАРСТВЕННОЙ ВЛАСТИ: УКРАИНСКИЙ И МИРОВОЙ ОПЫТ

Аннотация. Система органов предотвращению и борьбе с коррупцией в Украине в настоящее время переживает становление и развитие, вместе с тем этот процесс происходит медленно. В Украине создан и действует Национальное агентство по предупреждению коррупции, Национальное антикоррупционное бюро Украины, Специализированная антикоррупционная прокуратура, Национальное агентство Украины по вопросам выявления, розыска и управления активам, полученным от коррупционных и других преступлений и др., А также сформирован кадровый состав Высшего антикоррупционного суда. Однако, указанные государственные учреждения не приносят пользы государству, а случаи предотвращению и борьбе с коррупцией носят единичный, а не системный характер.

Кроме того, существует проблема с политизированности формирования и развития антикоррупционных институтов. Поэтому сегодня возникла потребность в изучении зарубежного опыта антикоррупционных институтов, с целью имплементации такого опыта в украинских реалиях.

В статье проанализирован опыт организации антикоррупционных институтов в Финляндии, Франции, Нидерландах, Сингапуре, Японии, Южной Корее и Китае. Обосновано существование различных моделей формирования антикоррупционных институтов за рубежом, тогда как эффективность зависит не только от наличия или отсутствия таких учреждений, но и от качества персонала, политической поддержки деятельности таких органов и развитие антикоррупционных институтов.

В Украине антикоррупционные институты начинают формироваться и развиваться. К ним относятся: Специализированные антикоррупционные прокуроры; Национальное антикоррупционное бюро Украины; Национальное агентство по предупреждению коррупции; Государственное бюро расследований Национальное агентство Украины по вопросам выявления, расследования и управления активами, полученными от коррупции и других преступлений; Высший антикоррупционный суд.

Ключевые слова: коррупция, антикоррупционная политика, органы государственной власти, Антикоррупционный институты, конфликт интересов.

Formulation of the problem. To form a positive international image of Ukraine, the rapid development of corruption hinders the implementation of important reforms of the modern Ukrainian society, as well as the economic development of our state.

It should be noted that the most corrupt Ukrainians highlight those institutions which are called to fight corruption — courts (66 %), law enforcement agencies (64 %), civil service (56 %), and also health (54 %), Parliament (53 %), political parties (45 %), media (22 %), public organizations (20 %) [1].

Today the problem arose to systematically analyses the development of anti-corruption institutions abroad in order to identify best practices and implement them in the Ukrainian society. It should be noted that there are either special institutions preventing corruption abroad or special courts and police are in charge of these issues.

An analysis of recent research and publications, which launched the solution to this problem.

The problem of preventing and overcoming corruption, including the creation of anticorruption authorities, is analyzed by scientists in various fields of science, including lawyers, political scientists, sociologists, psychologists, public officials, and others. In particular, the problems of the conceptually categorical apparatus "corruption", the responsibility for corruption offences, and the systematisation of corruption are analysed by: O. Busol, O. Guskov, L. Bagrie-Shahmatov, O. Dudorov, A. Zakalyuk, O. Kalman, M. Kamlik, O. Kostenko, O. Kuznetsov, M. Melnyk, E. Nevmerzhitsky, A. Radyk, S. Seryogin, M. Khavronyuk and others.

Formulating the goals of the article (statement of the task). The purpose article is to carry out systematic analysis of the formation and development of anti-corruption bodies of state power abroad and in Ukraine.

Presenting main material. Analyzing the experience of forming anticorruption institutions in Europe and Asia.

Finland is considered to be the least corrupt country in Europe, but in the country has never issued any special laws on corruption or the creation of special bodies for its control. Corruption is seen as a part of criminal crime and is regulated at all levels of the law by the legal standards on the fight against bribes [2].

The control of the implementation of anti-corruption norms and the adoption of measures in case of their violation is carried out by traditional judicial and law enforcement agencies. A personal role is played by the Chancellor of Justice and the Ombudsman of the Parliament, who are appointed by the President of the Republic, and they are completely independent of all state structures, including each other. They are guided only by law in their activities. Their instructions include all the right instruments that are necessary for conducting investigations and taking appropriate measures.

To investigate allegations against senior officials of a special category (members of the government, the Chancellor of Justice, the Ombudsman of Parliament, members of the Supreme Administrative Court) there is a special institution — the State Court, convened as necessary, but acts on the basis of the

country's constitution. This court may also consider allegations against the president of the country [3, p. 179].

The State Court is headed by the president of the Supreme Court, and consists of the chairman of the Administrative Court, Extra Court and five deputies of the parliament elected by the parliament. In fact, this is a "court of impeachment", which may decide to remove from the position of persons of the specified category. In the postwar period, the State Court convened only once. Thus, neither high positions, nor deputy mandates, nor public activities are saved from accusations of corruption and punishment in Finland. In the fight against corruption, Finland actively uses international legal instruments, cooperates with other countries in this field, practices its legislation according to international norms and laws. She signed and ratified the main documents, including the 1997 Convention on Corruption, the Convention on the Organization of Economic Cooperation and Development 1998 on the fight against bribes, the United Nations Convention against Corruption, 2003. [3, p. 179].

The main functions of the Central Anti-Corruption Service In France are: centralization of information necessary to prevent (detect) facts of active and passive corruption, abuse of office from both civil servants and individuals, as well as Assist the judicial authorities in the event of their request for information, indicating the facts of the offences. The Central Service informs the Prosecutor of the republic for conducting an investigation [4, p. 282]. Thus, this service serves as a prevention of corruption and overcoming it.

The main anti-corruption measures in the Netherlands are that: firstly, created strict public control over the activities of officials; secondly, mass media that announce cases of corruption and often carry out independent investigations play an important role in combating corruption; thirdly, materials related to corruption actions, if they are not related to the system of national security, necessarily become known to the general public; fourthly, a special type of the special police has been created that has wide powers in disclosing corruption crimes [5, p. 196; 6, p. 180–181]

The Singapore Corruption Investigation Bureau (BROC) was founded in 1952 as an independent body that functions as a preventive and anti-corruption institution. The Bureau was created on the basis of another body — a division of the Singaporean Police, known as the Anticorruption Division. By 1952, all cases of corruption were investigated by the efforts of this small subdivision. The main reason for the creation of the BRKD was the fact that in the 1940s – early 1950s, corruption became part of the everyday life of Singaporeans. To investigate all cases of corruption, the Singapore Government has created an independent body that was not part of the police structure and was given investigative powers. At the beginning of its activity, BRDD faced a number of problems. Gathering evidence in cases of corruption was complicated, due to the imperfection of anti-corruption legislation. The lack of trust in the work of the Bureau on the part of the public has been considered as another problem. Citizens refused to cooperate with the ARDS, did not

believe in the effectiveness of his work and were afraid of revenge. Today, the Bureau's work is based on four core principles of the fight against corruption, which include: effective law enforcement, anti-corruption legislation, the administration of justice and administration. [2].

In Japan (the Corruption Perceptions Index — 76, ranked 15th among 175 states), personnel policy is one of the most important directions of struggle against corruption. It is based on the principle of meritocracy, the creation of initial conditions for objectively gifted and hard-working people, so that they in the future could have a high social status in conditions of free competition. Thus, the leading positions in the state should be the most capable persons, regardless of their social or economic background [7, p. 176]. A decent level of material support is part of the prestige of public service in Japan. An important step in Japan's anti-corruption activities is the adoption in 2001 of the Law "On Disclosure of Information". The provisions of this document guarantee the citizens of the state access to official information stored in the authorities. The requirement for disclosure of information addressed to the Council for the control of disclosure of information is foreseen in the event of restrictions on access to certain types of information [7].

In South Korea, in accordance with the Republic of Korea Law on Combating Corruption of 2002, any adult citizen of the country has the right to start to investigate the fact of corruption. The South Korean Special Correctional Authority is the Committee on Audit and Inspection, which is obliged to initiate an investigation of corruption charges on any application by citizens [7, p. 176].

The root of the anticorruption policy of the People's Republic of China is the vertical model of countering corruption. The problem of corruption is connected with the existence of the millennial history of the privileged bureaucracy, which is considered an integral part of the functioning of the entire Chinese mechanism [7, p. 42]. The counteraction to this unlawful phenomenon is coordinated by a specialized body — the National Bureau for the Prevention of Corruption.

In China, repressive methods prevail under the rigid anti-corruption criminal legislation. Sanctions for the commission of corruption offences include the highest degree of punishment: since 2000, about 10 thousand officials were executed for corruption [9, p. 82]. According to the Corruption Perceptions Index, China has an index of 36, ranked 100th among 175 countries. This proves that the most severe measures of criminal law can not be recognized as an absolute measure to eradicate corruption.

Effective anti-corruption measures in the People's Republic of China are recognized:

1) improving procedures for interaction with citizens and organizations to avoid bureaucratic interferences;

2) ensuring the transparency of departmental control in various areas;

3) carrying out the rotation of officials to prevent

4) forming stable corrupt oversights;

5) prohibiting children and relatives from doing business in the field where the person holds a leading position;

6) operational response on calls coming to the hotline for anonymous notification of the facts of receiving (giving) a bribe or abuse of office [2, p. 313–314].

Therefore, there are different models for the formation of anti-corruption institutions abroad. While efficiency depends not only on the presence or absence of such institutions, but also on the quality of staffing, political support for the activities of such bodies, and the development of anti-corruption institutions.

Now, we will analyses the current model of the formation of anti-corruption bodies in Ukraine.

Thus, according to the current legislation one can distinguish the following anti-corruption authorities of the state:

1) the public prosecutor's offices, including the Specialized Anti-Corruption Prosecutor;

2) the National Anti-Corruption Bureau of Ukraine;

3) National Agency for the Prevention of Corruption;

4) State Investigation Bureau;

5) National Agency of Ukraine for the Detection, Investigation and Management of Assets Received from Corruption and Other Crimes;

6) The Highest Anticorruption Court.

We shall analyse in detail the basic functions and role of the said bodies in the system of anti-corruption policy implementation.

In accordance with the Law of Ukraine "On the Prosecutor's Office" [6], the Prosecutor's Office of Ukraine includes, in particular, the Specialised Anti-Corruption Prosecutor's Office.

The following specialised functions are assigned to the Specialised Anti-Corruption Prosecutor's Office:

1) Supervision over observance of laws during conducting of operational and investigative activities, pre-trial investigation by the National Anticorruption bureau of Ukraine;

2) maintenance of state prosecution in relevant proceedings;

3) representation of the interests of a citizen or state in court in cases provided for by this Law that also relates to corruption or corruption-related offences [11].

The authority of anti-corruption prosecutors also includes granting permission to initiate an investigation by NABU detectives and a decision to transfer the case to court. Thus, the normative and legal documents provide for a close Cooperation Specialised Anti-Corruption Prosecutor's Office with the National Anti-Corruption Bureau of Ukraine. The National Anti-Corruption Bureau of Ukraine is a state law enforcement agency, which is responsible for warning, manifestation the termination, investigation, and disclosure of corruption offences attributed to its jurisdiction, as well as the prevention of the commission of new ones. The task of the National Bureau is to counteract a criminal corruption offence committed by senior officials authorised to perform state or local government functions and poses a threat to national security [12].

The cooperation of the National Anti-Corruption Bureau of Ukraine with other anti-corruption bodies has been established in Ukraine's current legislation. Thus, the National Anti-Corruption Bureau of Ukraine interacts

with the National Bank of Ukraine, the State Property Fund of Ukraine, the Antimonopoly Committee of Ukraine, the National Agency for the Prevention of Corruption, the State Border Guard Service, the bodies of the State Tax and Customs Service, the central executive authority, which implements the state policy in the sphere of prevention and counteraction to the legalisation (laundering) of the proceeds from crime, financing of terrorism and the proliferation of weapons of mass destruction, and other government agencies. At the same time, mechanisms and concrete actions in the part of cooperation that create problems in ensuring the implementation of anti-corruption mechanisms are not defined.

It is important that the structure of the National Anti-Corruption Bureau of Ukraine provides for the introduction of territorial departments' activities, which will allow systematically to resolve issues of prevention, detection, termination, investigation and disclosure of corruption offences in the regions. For example, territorial units have already been established and operate, which have already detected corruption offences on the ground.

The National Agency for the Prevention of Corruption is a central executive body with a special status that ensures the formation and implementation of state anti-corruption policy [11]. One of the important functions for society and the public is checking the declarations of persons authorised on the functions of the state or local self-government. However, today this function is almost not implemented, because of the slow process of checking declarations.

The Law of Ukraine "On the State Bureau of Investigations" [15] introduced the activities of the State Bureau of Investigations, which is a central body of executive power, which carries out law enforcement activities in order to prevent, detect, terminate, disclose and investigate crimes pertaining to its competence.

The State Bureau of Investigations decides tasks for preventing, detecting, terminating, disclosing and investigating:

• crimes committed by civil servants and who hold a particularly responsible position in accordance with part one of Article 9 of the Law of Ukraine "On Civil Service", persons whose positions are classified in the first–third categories of civil service positions, judges and employees of law enforcement agencies, except when these crimes are attributed to the investigation detectives of the National Anti-Corruption Bureau of Ukraine

• crimes committed by officials of the National Anti-Corruption Bureau of Ukraine, Deputy Prosecutor General Head of the Specialized Anti-Corruption Office or other prosecutors of the Specialized Anti-Corruption Prosecutor's Office, except when the pre-trial investigation of these crimes is attributed to the investigation of detectives of the internal control unit of the National Anti-Corruption Bureau of Ukraine,

• crimes against the established order of military service (war crimes), except for the crimes provided for in Article 422 of the Criminal Code of Ukraine [15].

Moreover, the Law of Ukraine "On the Supreme Anti-Corruption Court of

Ukraine", which provides for the introduction of the High Anti-Corruption Court of Ukraine. The task of the Supreme Anticorruption Court is to administer justice in accordance with the principles and procedures established by law in order to protect individuals, society and the state from corruption and related crimes and judicial control over the pre-trial investigation of these crimes, observance of the rights, freedoms and interests of persons in the criminal the proceedings [16]. Today it is only planned to introduce the activities of these bodies of state power. There are problems in the absence of the relevant specialists in this field, the lack of experience in forming such a court, the absence of a systematic vision of the work of the Supreme Anticorruption Court.

The National Agency of Ukraine on the Detection, Detection and Management of Assets Received from Corruption and Other Crimes is the central executive body from a special status that ensures the formation and implementation of state policy in the field of detection and prosecution of assets that may be subject to seizure in criminal proceedings, and asset management, which are seized or confiscated in criminal proceedings [8]. In order to detect and seek assets, the National Agency: interacts with these authorities in order to arrest and confiscate such assets, in accordance with the appeals of the pretrial investigation agencies, the prosecutor's office, the courts of measures for the detection and tracing of assets; carries out international cooperation with relevant bodies of foreign states in the exchange of experience and information on issues related to the detection, investigation and asset management; provides cooperation with international, intergovernmental organizations, networks whose activities are aimed at providing international cooperation in the field of detection, tracing and asset management, including the Camden Interagency Asset Recovery Network (SARIN), and represents Ukraine in this organization [8] At the same time, it should be noted that in Ukraine, although established anti-corruption authorities, however, the activities of these bodies are ineffective, the lack of real results of activities, coordinated actions in the realization of anti-corruption events, which, in turn, forms the negative attitude of the public towards such newly created institutions. This is due to many factors, in particular, firstly, the absence of specially trained specialists who will implement anticorruption policy, are aware of the issues of preventing and overcoming corruption, have appropriate qualifications and experience. Secondly, the lack of experience of the activity and institutional capacity of the said bodies, as these are newly created bodies, they form their activities, taking into account the experience of European and world practices, which does not always work. After all, in Ukraine, the nature of corruption is different from corruption in other countries, so we should take into account the national peculiarities of the manifestation of corruption in our country. Thirdly, these bodies slowly started their activities, since the staffing of such bodies was formed for a very long time. In particular, the National Agency for the Prevention of Corruption for more than a year did not work in full (4 members of the National Agency

from 5 were appointed); at present, the personnel of the National Agency of Ukraine for Detection, Investigation and Asset Management, Obtained from Corruption and other crimes, as well as the State Bureau of Investigations. Fourth, there is no interaction between the said bodies, which should be regulated in the current normative legal documents, however, anti-corruption institutions overlap each other's activities, it concerns the drawing up of administrative protocols, the supervision of compliance with legislation in terms of filling the declarations, as well as conflict interests, etc.

In order to form a common framework for the prevention and counteraction of corruption, it is envisaged to exchange information bases within the competence of the bodies of the National Anti-Corruption Bureau, the National Agency for the Prevention of Corruption, the National Agency of Ukraine for the Detection, Investigation and Management of Assets Received from Corruption and Other Crimes. In addition, increased cooperation between the Specialised Anti-Corruption Prosecutor's Office and other anti-corruption bodies for the creation of databases of persons who committed corruption or corruption-related offences.

Conclusions. This article analyses the experience of organizing anti-corruption institutions in Finland, France, the Netherlands, Singapore, Japan, South Korea and China. It is substantiated that there are different models for the formation of anti-corruption institutions abroad, while efficiency depends not only on the availability or absence of such institutions, but also on the quality of staffing, political support for the activities of such bodies, and the development of anti-corruption institutions.

In Ukraine, anti-corruption institutions start to establish and develop. These include: Specialized Anti-Corruption Prosecutors; National Anti-Corruption Bureau of Ukraine; National Agency for the Prevention of Corruption; State Bureau of Investigations; National Agency of Ukraine on Detection, Investigation and Management of Assets Received from Corruption and Other Crimes; The Supreme Anticorruption Court.

In the context of further investigations, it is envisaged to analyse contemporary anti-corruption institutions in the United States and Great Britain as the basis for the formation of a high-quality anti-corruption policy.

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THEORETICAL AND METHODOLOGICAL PRINCIPLES OF STATE REGULATION OF ACTIVITIES OF URBAN PASSENGER TRANSPORT

Abstract. The article considers generalizations of the theoretical and methodological foundations of a state regulation of an urban passenger transport. It is determined that the market mechanism is not able to fully address the existing and emerging economic problems and provision of socially significant services that include urban passenger transport services.

It is proved that the problem of the organization of an efficient regulation of an urban passenger transport remains one of the most difficult, since public passenger transport services are socially significant, and in this regard, state regulation of this industry is necessary, which has administrative-legal and economic forms, and is carried out by state and local governments. Moreover, in the process

of decentralization of the Ukrainian economy, the role of local authorities in the general system of state regulation has increased.

The transition to a market economy has created new and strengthened existing problems in the field of transportation, the main of which are the deterioration of the basic production assets of the transport, a decrease of investments in the transport industry, the absence of a clear state policy aimed at promoting the formation and development of a competitive market for transport services, accelerating of processes of transition of transport enterprises to a higher organizational, managerial and technological level and to a higher level of quality of transport services provided.

To overcome the crisis, state participation in all spheres of economic and production activity of transport enterprises is required: regulatory, tax, licensing, financial and tariff. In the field of transport, the tendency of state protectionism, which requires a clear prioritization, as well as a concrete definition of the budget funds to be allocated for subsidizing the maintenance and development of transport infrastructure, should prevail.

In order to resolve the contradictions in the urban passenger transport system, an external controlling force, acting in the person of society and the state, is required. It is proved that the state regulation of urban passenger transport is a creation of a set of conditions to form adequate social and economic relations to provide purposeful development of a system that has high social importance.

Keywords: state regulation, market mechanism, urban passenger transport, transport infrastructure, transport system.

ТЕОРЕТИКО-МЕТОДОЛОГІЧНІ ЗАСАДИ ДЕРЖАВНОГО РЕГУЛЮВАННЯ ДІЯЛЬНОСТІ МІСЬКОГО ПАСАЖИРСЬКОГО ТРАНСПОРТУ

Анотація. Розглянуто узагальнення теоретико-методологічних засад державного регулювання діяльності міського пасажирського транспорту. Визначено, що ринковий механізм не здатний вирішити в повному обсязі існуючі та виникаючі економічні проблеми та надання соціально значущих послуг, до яких відносяться послуги міського пасажирського транспорту.

Доведено, що проблема організації ефективного регулювання міського пасажирського транспорту залишається однією з найскладніших, оскільки послуги міського пасажирського транспорту є соціально значущими, і в зв'язку з цим необхідне державне регулювання цією галуззю, яке має адміністративно-правову і економічну форми, і здійснюється органами державного і місцевого управління. При цьому в процесі децентралізації економіки України зросла роль місцевих органів влади в загальній системі державного регулювання.

Перехід на ринкову економіку створив нові й посилив вже існуючі проблеми у сфері перевезень, основними з яких є погіршення стану основних виробничих фондів транспорту, зниження інвестицій в транспортну галузь, відсутність чіткої державної політики, спрямованої на сприяння формуван-

ню і розвитку конкурентного ринку транспортних послуг, на прискорення процесів переходу транспортних підприємств на більш високий організаційно-управлінський і технологічний рівень і на більш високий рівень якості наданих транспортних послуг.

Для подолання кризового стану необхідно державна участь у всіх сферах господарсько-виробничої діяльності транспортних підприємств: нормативно-правової, податкової, ліцензійної, фінансової та тарифної. У сфері транспорту повинна превалювати тенденція протекціонізму з боку держави, що вимагає чіткої розстановки пріоритетів, а також конкретного визначення в бюджеті розмірів коштів, які передбачається виділяти на субсидування утримання й розвиток транспортної інфраструктури

Для вирішення протиріч у системі міського пасажирського транспорту необхідна зовнішня контролююча сила, яка виступає в особі суспільства та держави. Доведено, державне регулювання міського пасажирського транспорту є створення комплексу умов формування адекватних соціально-економічних відносин для забезпечення цілеспрямованого розвитку системи, яка має високу соціальну значущість.

Ключові слова: державне регулювання, ринковий механізм, міський пасажирський транспорт, транспортна інфраструктура, транспортна система.

ТЕОРЕТИКО-МЕТОДОЛОГИЧЕСКИЕ ОСНОВЫ ГОСУДАРСТВЕННОГО РЕГУЛИРОВАНИЯ ДЕЯТЕЛЬНОСТИ ГОРОДСКОГО ПАССАЖИРСКОГО ТРАНСПОРТА

Аннотация. Рассмотрены обобщения теоретико-методологических основ государственного регулирования деятельности городского пассажирского транспорта. Определено, что рыночный механизм не способен решить в полном объеме существующие и возникающие экономические проблемы и предоставления социально значимых услуг, к которым относятся услуги городского пассажирского транспорта.

Доказано, что проблема организации эффективного регулирования городского пассажирского транспорта остается одной из самых сложных, поскольку услуги городского пассажирского транспорта являются социально значимыми, и в связи с этим необходимо государственное регулирование этой отраслью, которое имеет административно-правовую и экономическую формы, и осуществляется органами государственного и местного управления. При этом в процессе децентрализации экономики Украины возросла роль местных органов власти в общей системе государственного регулирования.

Переход на рыночную экономику создал новые и усилил уже существующие проблемы в сфере перевозок, основными из которых являются ухудшение состояния основных производственных фондов транспорта, снижение инвестиций в транспортную отрасль, отсутствие четкой государственной политики, направленной на содействие формированию и развитию конкурентного рынка транспортных услуг, на ускорение процессов перехода

транспортных предприятий на более высокий организационно-управленческий и технологический уровень и на более высокий уровень качества предоставляемых транспортных услуг.

Для преодоления кризисного состояния необходимо государственное участие во всех сферах хозяйственно-производственной деятельности транспортных предприятий: нормативно-правовой, налоговой, лицензионной, финансовой и тарифной. В сфере транспорта должна превалировать тенденция протекционизма со стороны государства, требует четкой расстановки приоритетов, а также конкретного определения в бюджете размеров средств, которые предполагается выделять на субсидирование содержание и развитие транспортной инфраструктуры.

Для разрешения противоречий в системе городского пассажирского транспорта необходима внешняя контролирующая сила, которая выступает в лице общества и государства. Доказано, государственное регулирование городского пассажирского транспорта является создание комплекса условий формирования адекватных социально-экономических отношений для обеспечения целенаправленного развития системы, которая имеет высокую социальную значимость.

Ключевые слова: государственное регулирование, рыночный механизм, городской пассажирский транспорт, транспортная инфраструктура, транспортная система.

Problem statement. An urban passenger transport is one of the most important social economic systems of the transport complex of Ukraine. The urban passenger transport accounts for about 80 % of the total volume of passenger traffic by all modes of transport of Ukraine and about 25 % of passenger turnover, so in order to perform the function of the main carrier, a level of development of the urban passenger transport in our country should be quite high.

However, presence of a large number of carriers of different forms of ownership is a specificity of an urban passenger transport market. Transport services include enterprises in both municipal and private sectors. On the one hand, it stimulates an attraction of entrepreneurial capital, reduces the cost of transport at the expense of competition, on the other hand it complicates the management of urban passenger transport activities.

Analysis of recent research and publications. Theoretical and methodological bases of state regulation of an urban passenger transport are illuminated in writings of both foreign and domestic scientists. A big contribution to the research of features of influence of the state on the transport system was made by scientists such as M. N. Bidniak[1], V. V. Bilichenko [1], V. V. Volik [2], V. P. Ilchuk [3], F. Kotler [4], D. K. Dzhajn [4], S. Me'jsinsi [4], H. Iu. Kucheruk [5], S. A. Lehkyi [6], S. A. Matiiko [7], P. A. Ovchar [8], S. O. Tulchynska [9], etc. However, de-

spite of numerous studies, insufficient level of participation of state authorities and local self-government bodies in solving problems of the urban passenger transport, lack of necessary motivation of performers from the customer's side to qualitative fulfillment of contractual obligations, underinvestment of operational activities of urban passenger transport from budgets of different levels, etc remain not enough illuminated.

Formulation of the purposes of the article. The purpose of this article is to summarize theoretical and methodological principles of public regulation of an urban passenger transport and provide proposals for its improvement.

Presentation of basic material of the research. Human needs are a starting point for development and a moving force for scientific and technological progress as a whole. The society creates an appropriate multi-sectoral economic mechanism, and forms orderly relations between structural elements through regulation of the activities of economic entities with the main purpose — to satisfy human needs. As F. Kotler notes, transport, and in particular passenger, is an integrating link in the system of distribution of public goods, which mediates the consumption itself according to the personality of the individual, his cultural level [4, p. 67].

As a rule, the urban passenger transport is divided into a public passenger transport (tram, trolleybus, bus, taxi, underground) and an individual transport (cars, motorollers, motorcycles), depending on the capacity. As the public urban passenger transport performs most passenger traffic than individual transport, this article will consider only a public transport, and the concept of "public urban passenger transport" and "urban passenger transport" will be used as synonym.

Scientists refer the urban passenger transport to a category of complex social and economic systems, because it has all necessary properties for this purpose [5]. The basis of organization of any economic system is areas of activity such as production, distribution, exchange, consumption. S. A. Lehkyi identifies the most important elements of the economic system, under which he understands the unity of producers and consumers, who are in mutual connection and interaction [6, p. 125]:

- social and economic relations that arise in the process of production and appropriation of tangible and intangible benefits;
- a type of economic mechanism or a form of regulation of economic activity;
- ways of establishing communication between participants in economic relations;
- motivational settings for performers that are created in the process of implementing a certain social and economic strategy.

Functioning of the economic systems that make up the economic space should be subordinate to a single purpose — creation of guaranteed living conditions for an individual and the society. By the level of satisfaction of requests, interests, human needs, which make up the quality of life, it is possible to judge successes in development of the economy.

The system of the urban passenger transport is rightly attributed to the social sphere. The social orientation of the urban passenger transport is concentrated in the following basic provisions:

1) providing services for transportation of the population to targeted facilities, with the social effect of time saving;

2) a need of social protection of population. This implies the development of a set of economic, social and legal measures that provide equal opportunities for all citizens to maintain a necessary standard of living, as well as support of individual social groups. In public transport, social protection is implemented through a subsidy mechanism;

3) environmental concern, including the development and observance of environmental standards, as well as the formation of regional environmental programmes where one of the central places is assigned to transport;

4) ensuring a necessary level of road traffic safety that involves creation of optimal control regimes and operation of safe transport means [1, p. 38].

Characteristic features of regulation of urban passenger transport as a social and economic system at the present stage of market transformation are:

• the complexity of emerging issues, i.e. the need to take into account the impact of a combination of environmental, social, psychological, technical, managerial and other factors;

• strengthening the role of the human factor in economic processes;

• lack of material and financial resources;

• complicating decision-making due to high degree of uncertainty of parameters of external and internal environment.

The market mechanism, through stiff competition, bankruptcy and unemployment, ensures self-adjustment of economic facilities and processes, the economy as a whole to a rational effective economic regime [8, p. 159]. Self-regulation is evident in the fact that the market mechanism is able to coordinate the economic interests of entrepreneurs in maximizing profits with the benefit of consumers in the purchase of goods and services without the intervention of the state. Self-regulation is ensured through economic rather than administrative and regulatory methods of influence.

A market regulator of the urban passenger transport is competition of carriers to achieve optimal matching of demand and supply for transport services, based on price and non-price factors [7]. A volume of demand is determined, first of all, by an income of the population, a level of provision of citizens by individual cars, parameters of settlement. The offer is expressed by the number of services provided or working rolling stock of various modifications on urban routes at different periods of time, a ratio of commercial and preferential forms of service.

However, the market mechanism cannot fully resolve existing and emerging economic problems. There are a number of issues outside market competences. It applies to the provision of socially significant services that include urban passenger transport services. Overall, the market economy has the following limitations.

First, the market economy is internally volatile. It is characterized by unstable development, accompanied by economic downturns, rises and unemployment.

Second, not all goods and services can be represented by the market, but

they are essential for the existence and development of the state (defense, basic scientific research, law enforcement, infrastructure industries, which include passenger transport).

Third, market action is not effective when it comes to the external effects of air and water basin pollution, as well as the rational use of other natural resources.

Fourth, the market system is indifferent to the social effect. There is no a principle of social justice in the market economy.

To take into account these factors and smooth contradictions in the system of the urban passenger transport, an external controlling force is necessary that acts in the face of the society and the state.

Thus, state regulation of the urban passenger transport is to create a set of complex of conditions to form adequate social and economic relations to provide a targeted development of a system that has high social importance.

In order to define a functional area of state regulation of the urban passenger transport it is possible to use an approach outlined by V. V. Volik, in which this area can be displayed by means of the set theory, with an interaction of three subsystems:

• transport (economic branch of the city providing transportation services)

• population (potential carriers of movement)

• city authorities (mandatory strategic unit of city development) [2, p. 68].

The trend of decentralization in the economy of Ukraine is linked to a growing role of local authorities in a general system of state regulation.

As a result, the municipal management system of the urban passenger transport is one of the most difficult and unsettled areas. This is largely due to the fact that the municipal administration in Ukraine is undergoing a period of formation. Methods, criteria, approaches to the regulation of social and economic subsystems of cities and other municipalities are being developed in the context of the protracted economic crisis in the country.

At the municipal level, however, the regulatory structure is different and there is no similar scheme.

The most common and tested version of the organization of municipal regulation of transport activities can be considered joint-stock companies, which are founded by most transport enterprises. Local self-government bodies transfer to these joint-stock companies their powers to manage transport activities. These organizations are given the authority of general customers to carry out transport services to the population. Regulators, usually established on the basis of former territorial production associations, ensure their quality through the availability of qualified staff [9].

There is a known variant of organization and management of the sphere of service of the population by public passenger transport through inclusion in the executive bodies.

This body is legally warranted and appropriate, independent from influence of commercial entities, but uncertainty of a financing mechanism creates obstacles in implementation of its functional powers. In most cases, its influence is formal and its expression is advisory.

Public administration bodies. Determination of an urban passenger transport development policy, creation of a legal and regulatory framework for urban passenger transport operation, financing of state projects, determination of priorities in passenger transport development.

Local governments. Determination of goals and objectives of urban passenger transport development, formation of economic and social programs, creation of regulatory framework for regulation, financing of projects, determination of priorities in the development of certain types of passenger transport. Determination of strategy of development of the urban passenger transport and tactics of its realization, marketing, financial management (mechanism of regulation of tariffs and subsidizing of enterprises of passenger transport).

Transport enterprises. Production and personnel management, fulfilment of municipal orders for urban transport services, operational planning.

To summarize the analysis we highlight the main point: the problem of organizing of effective regulation of the urban passenger transport remains one of the most difficult because of social significance of services of the urban passenger transport. Therefore, there is a need of public regulation of this industry that has administrative, legal and economic forms, and is carried out by state and local authorities. At the same time, in the process of decentralization of the economy of Ukraine, the role of local authorities in the general system of state regulation has increased.

The transition to a market economy has created new and exacerbated existing problems in the field of transportation. The main ones are deterioration of the main production assets of transport, reduced investment in the transport industry, absence of a clear state policy that is aimed at promoting of formation and development of a competitive market for transport services, acceleration of transition of transport enterprises to a higher organizational, management and technological level and to a higher level of quality of provided transport services.

To overcome the crisis, it is necessary state participation in all spheres of economic and production activities of transport enterprises: regulatory, tax, licensing, financial and charge. In the field of transport, should prevail the trend of protectionism on the part of the state, that requires a clear prioritization, as well as a specific definition in the budget of the amount of funds to be allocated for subsidies for the maintenance and development of transport infrastructure.

Conclusions of this study and directions for future research. State regulation is a necessary element of the transport system because of its socio-economic importance.

The absence of a clear state policy in the transition of the transport industry to market relations has led to the emergence of new and sharpening of old problems in the transport sector, the main ones being the deterioration of the condition of the main production funds of transport, the decline of investments in the transport industry.

Analysis of the organization and management of passenger transport during the period of economic reform shows a steady decline in the quantity and quality of passenger transport.

The gradual development of the state system of regulation of urban passenger transport faces a number of challenges, the main are:

1) imperfections of the legal foundation of urban passenger transport activity;

2) lack of mechanisms of creation of the necessary funds for reimbursement of expenses to enterprises of urban passenger transport, sources of financing and their distribution by types of budgets in the current legislation.

The existence of the problems that are mentioned above at the state level and absence of an effective policy to correct the current situation in the urban passenger transport force local self-government bodies to find ways to solve them by themselves.

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PROVIDING SOCIAL (PUBLIC) SECURITY IN THE AMERICAN CONTINENT

Abstract. The article uses the general methods of empirical cognition to study the peculiarities of implementing the public policy in the field of social (public) security in the countries of the American continent. The peculiarities of providing the social (public) security, which are caused by the political, institutional, geographical, historical factors, the conceptual foundations of ensuring social (public) security, the actual trends and the specific practical measures aimed at maintaining the public order are revealed. The current state of providing social (public) security in the countries of the American continent is investigated, which is based on establishing partnerships between the public authorities, local self-government bodies with public and non-governmental organizations, academia, and individual citizens. The levels and institutions at which the public security in the American continent is implemented and the priorities of the public policy are identified, namely the prophylaxis and prevention of events that may present a real danger to the general public. Institutional, organizational and special measures are designed to unite the efforts of all stakeholders and to optimize the logistical expenditures for the public security in the American continent. It has been proven that the experience of the American continent in providing social (public) security is a set of measures to ensure adequate protection. To this end, a series of

institutional and organizational measures are being taken to unite the efforts of all stakeholders. The proposals for the implementation of the public policy in the field of social (public) security in the American continent are substantiated.

Keywords: Social (public) security, USA, Canada, public order, public policy, local government, public authorities.

ЗАБЕЗПЕЧЕННЯ ГРОМАДСЬКОЇ (ПУБЛІЧНОЇ) БЕЗПЕКИ НА АМЕРИКАНСЬКОМУ КОНТИНЕНТІ

Анотація. З використанням загальнонаукових методів емпіричного пізнання досліджено особливості здійснення державної політики у сфері забезпечення громадської (публічної) безпеки у країнах Американського континенту. Розкрито особливості забезпечення громадської (публічної) безпеки, які обумовлені політичними, інституційними, географічними, історичними факторами, окреслено концептуальні засади забезпечення громадської (публічної) безпеки, виявлені актуальні тенденції та виокремлено конкретні практичні заходи, спрямовані на підтримку громадського порядку.

Досліджено сучасний стан забезпечення громадської (публічної) безпеки у країнах Американського континенту, який базується на налагодженні партнерських зв'язків державних органів публічної влади, органів місцевого самоврядування із громадськими та неурядовими організаціями, науковими колами, окремими громадянами. Визначено рівні та інституції, на яких здійснюється забезпечення громадської безпеки в країнах Американського континенту та пріоритетні напрями державної політики, а саме профілактика та запобігання подій, що можуть становити реальну небезпеку для широкої громадськості. Проаналізовано заходи інституційного, організаційного та спеціального характеру, які покликані об'єднати зусилля усіх зацікавлених сторін і оптимізувати матеріально-технічні витратами на забезпечення громадської безпеки країн Американського континенту.

Доведено, що досвід країн Американського континенту у забезпеченні громадської (публічної) безпеки являє собою комплекс заходів щодо забезпечення належного захисту Для цього вживаються низка інституційно-організаційних заходів, які покликані об'єднати зусилля усіх зацікавлених сторін. Обґрунтовано пропозиції щодо здійснення державної політики у сфері громадської (публічної) безпеки у країнах Американського континенту.

Ключові слова: громадська (публічна) безпека, США, Канада, громадський порядок, державна політика, місцеве самоврядування, органи державної влади.

ОБЕСПЕЧЕНИЕ ОБЩЕСТВЕННОЙ (ПУБЛИЧНОЙ) БЕЗОПАСНОСТИ НА АМЕРИКАНСКОМ КОНТИНЕНТЕ

Аннотация. С использованием общенаучных методов эмпирического познания исследованы особенности реализации государственной политики в сфере обеспечения общественной (публичной) безопасности в странах Американского континента. Раскрыты особенности обеспечения общественной

(публичной) безопасности, которые обусловлены политическими, институциональными, географическими, историческими факторами, очерчены концептуальные основы обеспечения общественной (публичной) безопасности, выявлены актуальные тенденции и выделены конкретные практические меры, направленные на поддержание общественного порядка.

Исследовано современное состояние обеспечения общественной (публичной) безопасности в странах Американского континента, которое базируется на налаживании партнерских связей государственных органов публичной власти, органов местного самоуправления с общественными и неправительственными организациями, научными кругами, отдельными гражданами. Определены уровни и институты, на которых осуществляется обеспечение общественной безопасности в странах Американского континента и приоритетные направления государственной политики, а именно профилактика и предупреждение событий, которые могут представлять реальную опасность для широкой общественности. Проанализированы меры институционального, организационного и специального характера, которые призваны объединить усилия всех заинтересованных сторон и оптимизировать материально-технические затратами на обеспечение общественной безопасности стран Американского континента.

Доказано, что опыт стран Американского континента в обеспечении общественной (публичной) безопасности представляет собой комплекс мер по обеспечению надлежащей защиты Для этого употребляются ряд институционально-организационных мероприятий, которые призваны объединить усилия всех заинтересованных сторон. Обоснованы предложения по реализации государственной политики в сфере общественной (публичной) безопасности в странах Американского континента.

Ключевые слова: общественная (публичная) безопасность, США, Канада, общественный порядок, государственная политика, местное самоуправление, органы государственной власти.

Formulation of the problem. In the context of deepening globalization and integration of the political, economic, social and other processes in the world, issues related to ensuring social (public) security of the countries are of particular interest. Studying the experience of the countries of the American continent in providing social (public) security is important not only for theory but also above all for its practical implementation in Ukraine. The uniqueness of approaches to the social (public) security of the USA and Canada is linked to both the recent institutional variability and the historical peculiarities of the countries' development, which raises the importance and the need for research through causation. The current approach of the countries of the American continent to providing social (public) security is based on the establishment of partnerships between the public authorities, local self-gov-

ernment bodies, public and non-governmental organizations, academia, and individual citizens.

Analysis of the recent research and publications. The research of various aspects of the problem of ensuring social (public) security is devoted to the work of domestic and foreign scientists: O. Bandurko, V. Vasylevych, J. Jokel, V. Dryomin, O. Kostenko, V. Manjola, K. Nossal, G. Perepelytsia, N. Hillmer, O. Shostko and others. However, in Ukraine there is a relatively small number of the above issues, which necessitates its further study.

Formulation of the problem. Working out the presented problems of providing social (public) security of the countries of the American continent requires the setting of a number of scientific tasks that require careful research, namely to investigate the organizational and legal aspects of the public security at the international level. The purpose of the study is to analyze the experience of the American continents in the field of social (public) security.

Presentation of the main material. An analysis of the recent years of increasing the social (public) security in the USA gives us grounds to argue for the effective implementation of the public policy in this direction. These trends are the result of interaction between the state authorities, local self-government and the public.

Public security in the USA is provided at the following levels: national (United States Customs and Border Protection (CBP); The Federal Emergency Management Agency (FEMA); The Federal Bureau of Investigation (FBI, etc.); regional (city police; county police; sheriff's department; state or provincial police, etc.); local (fire brigade; local police body or department; city hall; municipal public affairs department, etc.) [1–9].

Providing public security in the USA involves professional work at the following institutions: law enforcement agencies (national or federal police, regional or local police); intellectual activity and exchange of information (intelligence, investigative activities, covert operations); emergency management (ambulance, fire, police, search and rescue); justice (courts, legal administrations, penitentiary system); domestic security (border and port structures, coast guard, administrative services) [5].

In the USA the social (public) security is viewed first and foremost as a function of the government to provide adequate protection for the citizens, residents of a particular region, local organizations and institutions from threats to their well-being and prosperity. To this end, appropriate institutional, organizational and special measures are taken to unite the efforts of all stakeholders and to optimize the logistical costs of providing public security. The organization of the public security provides for the provision of law enforcement, fire and emergency medical services to the citizens. Priority is prophylaxis and prevention of events that can pose a real danger to the general public.

Given the above, let us analyze the current state of the social (public) security in the USA public policy in this country.

Significant contribution to the social (public) security in the USA and policy implementation in this area.

The current state of the social (public) security in the USA has been shaped by the following factors: adoption of the law "The Violent Crime Control and Law Enforcement Act" and implementation of appropriate measures [1]; demographic characteristics (aging of the population), which naturally led to a decrease in criminal activity; intensification of the public influence on raising the level of the social (public) security in the country, effective interaction of the public authorities, local self-government and the public. According to the UN, only 25 % of crime rates in the USA can be attributed to the punitive practices of the authorities, the rest to the protection of public order by the community forces, crime prevention and changes in the employment system [2].

A priority direction for implementing public policy on the social (public) security of the USA is the implementation of the government prevention programs that are adopted at both the federal and local levels. In general, such programs include the organization of preventive measures and the development of sociological research, the fight against terrorism. The special bodies of interaction in the field of providing social (public) security of the USA, in which the public is one of the main actors, include: Advisory Correctional Board; Committee on Combating Youth and Juvenile Crime under the President of the United States; Interagency Council on Coordination of the National Programs for Combating Youth Crime; National Advisory Council on the Prevention of Alcohol Abuse; National Center for School Safety, etc. [9]. Currently, there are more than one hundred such programs in the USA. The USA Government, with the support of the Congress, has developed international and national counter-terrorism programs both in the USA and in the world. The concept of these programs is based on strengthening the role of the state in providing social (public) security, even at the expense of objective limitation of the rights and freedoms of the citizens in the interests of both national and personal security. As part of the implementation of these programs, local initiatives have been stepped up by the USA citizens on proposals to improve the security system in the country. The USA public has understandably addressed these restrictions in implementing the USA Government's counter-terrorism policy. A striking example of the effective interaction of the government, local government and community institutions in the fight against terrorism is the "Neighbourhood Watch" program, initiated by the USA National Sheriffs Association. The program is aimed at supporting the citizens who inform the police about suspicious actions of their work colleagues, neighbours, and other cases. Civic activists, together with the law enforcement, conducted campaigning on emergency rules, professional trainings and presentations.

Another example of effective and mutually beneficial interaction of the public authorities, local governments and public institutions with a view to providing social (public) security of the USA is the "Justice Award" program, implemented on the initiative of the USA Department of the State. Under the program the conscious citizens who aim to live in a secure state are inform-

ing in good time of the preparation of a terrorist act or the location of a terrorist. For the manifestation of the civic position and consciousness they are paid a monetary reward. The program immediately showed its effectiveness: during the first year a large number of organizations and individuals suspected of assisting terrorists were discontinued.

There are a number of public security institutions in the USA, including: International Association of Anti-Terrorism Officers, whose purpose is to directly engage and support active citizens in the fight against terrorism in order to address this internationally. The Association contributes to the formation in the society of a common understanding of terrorism, the nature of measures taken by the state to combat it. The International Association of Anti-Terrorism Officers is comprised of experts from various security services in different countries. Within the framework of the Association's work the direction of anti-terrorist education of the schoolchildren was initiated, in which the younger generation learned the rules of behaviour in extreme situations; a non-governmental organization of the "Crime Stoppers" voluntary police assistants. Its branches in addition to the USA operate in Australia, Great Britain, Poland, Canada, Latin America; the "Big Brothers, Big Sisters" public mentoring program is intended to attract volunteers, i.e. mentors to work with underprivileged minors. The program brings together around 400 agencies across the country.

Considering and analyzing the experience of the social (public) security in Canada, it is advisable to pay attention to the development of the American-Canadian international relations. The common history and geography have for many years brought these countries together, which has had a significant impact on the implementation of their national policies, including in the field of security. In analyzing security issues, D. Barry and D. Bratt point out that "the Canadian-American security is characterized by interdependence. As a consequence, Canada can not only ignore the USA security requirements, but also separate itself from the consequences of the USA decisions in this area" [4]. The official position of these countries on security is based on the interaction and cooperation formally enshrined in the Ogdensburg Agreement. During the years of such close alliances between the USA and Canada a number of bilateral cooperation mechanisms have been established: more than 80 agreements in the field of security have been concluded, more than 250 memoranda of understanding, about 145 bilateral forums have been created that discuss current issues in the field of security and defense [4]. The high level of strategic importance of American-Canadian security cooperation greatly strengthens Canada's position in the North American security system, gives it the right to vote and influence decision-making, as well as access to relevant information and technology. USA and Canada's membership of NATO is an important factor in providing security in the American continent. Analyzing the American-Canadian security and defense relations, D. Layton-Brown outlines a unique feature: "Canada is more inclined to "public diplomacy" in the event of disagreement

with the United States on security and defense issues related to the Alliance as a whole, at a multilateral level, than at a bilateral level" [6]. "Ottawa is more prone to so-called "quiet diplomacy" [4]. Thus, in the context of geopolitical space the Canadian-American security relations can be described as friendly, level-headed and mutually beneficial. However, for the sake of objectivity, it is advisable to draw attention to the significant advantage of the level of influence of the United States on NATO Alliance decision-making and geopolitical influence in general.

Conclusions. Summarizing the above, it should be noted that the experience of the American continent in providing social (public) security is a set of measures to ensure adequate protection. To this end, a series of institutional and organizational measures are being taken to unite the efforts of all stakeholders.

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COOPERATION OF INTERNATIONAL FINANCIAL ORGANIZATIONS WITH CANDIDATES FOR THE EUROPEAN UNION MEMBERSHIP

Abstract. This paper investigates the developing of mechanisms and instruments of public policy in the field of cooperation between countries where developed market relations with international financial institutions are emerging, the development and implementation of external borrowing programs and financial assistance at the stages for accession to the EU.

The article shows the ways and methods for public administration of the formation of the development and implementation of programs of external borrowing and financial assistance to Ukraine in context of globalization.

It has been proved that public administration and its component which is state regulation towards external borrowing and financial assistance to Ukraine

are one of the most important aspects for public administration and management of the national economic system.

Owing to systematization of external factors of formation and implementation of public policy towards borrowing, it is determined that globalization is a complex process that may have impact on both the state and a number of economic and administrative processes in the economic system. In general, this phenomenon has a lot of positive aspects, in particular, it is a factor of successful economic development. It also increases the level of intellectual and political freedom of the person. Plus, it creates the basis for technological innovations, widens the scale of public awareness and gives new opportunities for development in the international environment. However, in such conditions a new world order emerges which envisages the formation of new regimes, norms and permanent international obligations, domination of world interests over national. Thus, the role of state sovereignty diminishes, moreover, its existence is threatened.

It has been determined that the importance of studying of the formation of mechanisms and instruments for public administration towards cooperation of countries where market relations with international financial institutions are developing is owing to the fact that it is one of the key elements of sustainable development of the national economy and an efficient approach for state formation in Ukraine. In general, insufficient scientific and theoretical development of managerial aspects of state policy making, mechanisms, tools (methods) in the sphere and implementation of external borrowing programs and financial assistance to Ukraine have led to the selection of the topic of the article and formed the directions for further research of this issue under conditions of globalization.

It has been discovered that the science of public administration has a lack of scientific knowledge and studies of the management system in the field of formation and realization of external borrowings and financial assistance to Ukraine. A few scientific and theoretical developments of this issue could be found in the researches of specialists who changed their area of study from economics into the science of state administration.

Keywords: public administration, public regulation, external debt and borrowings, financial assistance, globalization.

СПІВПРАЦЯ МІЖНАРОДНИХ ФІНАНСОВИХ ОРГАНІЗАЦІЙ З ДЕРЖАВАМИ-КАНДИДАТИМИ НА ЧЛЕНСТВО В ЄВРОПЕЙСЬКОМУ СОЮЗІ

Анотація. Досліджуються питання формування механізмів і інструментів державної політики в сфері співпраці країн де формуються розвинені ринкові відносини з міжнародними фінансовими інституціями, розробки та реалізації програм зовнішніх запозичень і фінансової допомоги на етапах приєднання до ЄС.

Розкриті шляхи та методи державного управління формування сфери розробки та реалізації програм зовнішніх запозичень і фінансової допомоги Україні в умовах глобалізації.

Доведено, що державне управління та його складова державне регулювання в сфері формування зовнішніх запозичень і фінансової допомоги Україні — одна з найважливіших проблем публічного управління та адміністрування в національній господарській системі.

На основі систематизування зовнішніх факторів формування та реалізації публічної політики в сфері запозичень визначено, що глобалізація є складним процесом, який має різні аспекти впливу як на державу, так і на різні економіко-управлінські процеси в системі господарювання. Дане явище звичайно має багато й позитивних аспектів, зокрема, являться фактором успішного господарського розвитку, також підвищує рівень інтелектуальної та політичної свободи людини, створює підґрунтя для технологічних інновацій, розширює масштаби інформованості суспільства та дає нові можливості для розвитку в міжнародному середовищі. Проте в таких умовах розвитку виникає новий світовий порядок, який передбачає формування нових режимів, норм і постійних міжнародних зобов'язань, домінування світових інтересів над національними. Таким чином, відбувається зменшення ролі державного суверенітету, більше того — його існування стоїть під загрозою.

Визначено, що необхідність дослідження формування механізмів і інструментів державної політики в сфері співпраці країн де формуються розвинені ринкові відносини з міжнародними фінансовими інституціями викликана комплексною важливістю як одного з провідних напрямів сталого розвитку національної економіки та ефективного шляху державотворення в Україні. В цілому, недостатня науково-теоретична розробка управлінських аспектів формування державної політики, механізмів, інструментів (методів) в сфері та реалізації формування державних кроків у сфері співпраці країн де формуються розвинені ринкові відносини з міжнародними фінансовими інституціями обумовили вибір теми статті та сформували напрями подальших досліджень цієї проблематики за умов глобалізації.

Проаналізовано та визначено, що конкретними дослідженнями системи управління в сфері формування та реалізації зовнішніх запозичень і фінансової допомоги Україні наука державне управління майже не займалась. Деякі науково-теоретичні розробки цієї проблеми можливо знайти в дослідженнях фахівців які прийшли до державного управління з економіки..

Ключові слова: публічне управління та адміністрування, державне управління та регулювання, зовнішній борг і запозичення, фінансова допомога, глобалізація.

СОТРУДНИЧЕСТВО МЕЖДУНАРОДНЫХ ФИНАНСОВЫХ ОРГАНИЗАЦИЙ С ГОСУДАРСТВАМИ-КАНДИДАТАМИ НА ЧЛЕНСТВО В ЕВРОПЕЙСКОМ СОЮЗЕ

Аннотация. Исследуются вопросы формирования механизмов и инструментов государственной политики в сфере сотрудничества стран где формируются развитые рыночные отношения с международными финансовыми

институтами, вопросы разработки и реализации программ внешних заимствований и финансовой помощи на этапах присоединения к ЕС.

Раскрыты пути и методы государственного управления формированием сферы разработки и реализации программ внешних заимствований и финансовой помощи Украине в условиях глобализации.

Доказано, что государственное управление и его составляющая государственное регулирование в сфере формирования внешних заимствований и финансовой помощи Украине — одна из важнейших проблем общественного управления и администрирования в национальной хозяйственной системе.

На основе систематизации внешних факторов формирования и реализации публичной политики в сфере заимствований определено, что глобализация является сложным процессом, который имеет различные аспекты влияния как на государство, так и на различные экономико-управленческие процессы в системе хозяйствования. Данное явление обычно имеет много и положительных аспектов, в частности, есть фактором успешного хозяйственного развития, повышает уровень интеллектуальной и политической свободы человека, создает основу для технологических инноваций, расширяет масштабы информированности общества и дает новые возможности для развития в международной среде. Однако в таких условиях развития возникает новый мировой порядок, который предусматривает формирование новых режимов, норм и постоянных международных обязательств, доминирование мировых интересов над национальными. Таким образом, происходит уменьшение роли государственного суверенитета, более того — под угрозой стоит его существование.

Определено, что необходимость исследования формирования механизмов и инструментов государственной политики в сфере сотрудничества стран где формируются развитые рыночные отношения с международными финансовыми институтами вызвана комплексной важностью как одного из ведущих направлений устойчивого развития национальной экономики и эффективного пути государства в Украине. В целом, недостаточная научно-теоретическая разработка управленческих аспектов формирования государственной политики, механизмов, инструментов (методов) в сфере и реализации формирования государственных шагов в сфере сотрудничества стран где формируются развитые рыночные отношения с международными финансовыми институтами обусловили выбор темы статьи и сформировали направления дальнейших исследований этой проблематики в условиях глобализации.

Проанализировано и определено, что конкретными исследованиями системы управления в сфере формирования и реализации внешних заимствований и финансовой помощи Украине наука государственного управления почти не занималась. Некоторые научно-теоретические разработки этой проблемы можно найти в исследованиях специалистов пришедших к государственному управлению по экономике.

Ключевые слова: публичное управление и администрирование, государственное управление и регулирование, внешний долг и заимствования, финансовая помощь, глобализация.

Problem statement. From the beginning of 20th century and to date, globalization of the world economy and integration processes have raised a number of issues for the the economic and debt (financial) system of Ukraine.

Global financial markets are entities that have a complex structure, progressive type of development, and are characterized by rapid international financial transactions. The main elements of the structure include:

- transnational banks, international insurance and hedge funds;
- world financial centers;
- world clubs, such as Paris and London Clubs;
- regional monetary unions;
- offshore financial centers;
- international financial organizations (hereinafter the IFO).

The main real sources of attraction of foreign funds by Ukraine include: obtaining scholarships, grants and subsidies by scientific and technical assistance from IFOs; offering of securities both on the domestic market when purchased by non-residents and foreign markets in the form of government bonds; loans from groups (such as EU) and foreign countries; International Monetary Fund (hereinafter the IMF), IFO, World Bank, International Bank for Reconstruction and Development, European Bank for Reconstruction and Development credits; loans from energy supplying countries. It should be noted that the majority of credits to Ukraine come from IFOs.

In the current international relations system, IFO's funds are crucial. Moreover, their effective use makes it possible to implement priority social and economic projects and are an important tool for further international integration and systemic market transformations. Due to rising external debt and fragile economic development, the country's co-operation with IFOs is rather ambiguous.

There is no doubt that international borrowings have a mixed effect on the economic development of a country. Talking about its drawbacks, a country may have a gradual loss of financial independence as a result of increasing the amount of external public debt.

Analysis of recent research and publications. The review of recent studies has shown that the following foreign researches investigated the issue of cooperation with international financial institutions and problems of external public debt: F. Emerenini, W. Easterly, P. Krugman, A. Siddique, E. Soldatova, A. Rifaqat, A. Warner and others. In domestic literature, these issues have been studied by the following researches: I. Dyakonava, M. Makarenko, F. Guravka, P. Krush, V. Klymenko, V. Kuibida, T. Govorushko, V. Ospishcheva, M. Plotnyckii, S. Yurii, V. Fedosov, I. Plec, Y. Matveeva, S. Mochernii and others.

At the same time, issue related to the optimal definition of this category remain unresolved in the economic and managerial scientific area.

Thus, as a result of the systematization of scientific, methodological and managerial approaches to understanding cooperation and governance in the sphere of external public debt, this term was defined as a complex of financial liabilities on loans to foreign banks, states, citizens, and IFOs to repay borrowed funds and interest on them in currencies other than UAH and in due

time. The existence of such loan carries the risk of losing part of the national product and the decline of the reputation of the state.

The purpose of the article. In the current conditions of changing approaches and methods of management, the purpose of the paper is to clarify the interpretation of the concepts of "management of external borrowing", "public management in the field of financial assistance", "management mechanisms" and "public management in the field of external and internal borrowing" as economic and managerial categories, the definition of which is related to the use of modern methods for public administration in the country.

Statement of basis materials. Each country actively uses all possible options for obtaining additional financial resources for financing of budget expenditures and further development of market relations, which further may lead to the increase of debt, both internal and external.

The interconnection and interdependence of external and internal public debt is characterized by the aggregate of loans made by the state. It should be added that the experience of the countries with developed market relations proves that in recent years the separation of the national debt into domestic and foreign is irrelevant. This is due to the convergence of the underlying conditions in the domestic debt markets, the stable convertibility of the national currency, and the trends of the world financial markets. All this is a prerequisite for forming a common approach to debt management, both external and internal [1].

Some countries take different approaches to regulate the relationship between these debts. The government, which has abandoned external borrowing, becomes the largest borrower in the domestic financial market. It is believed that this increases the liquidity of government bonds and reduces the cost of debt servicing.

It should be noted that the relationship between external and internal public debt for the country's economy is that capital inflows due to increasing external debt, contribute to the effect of crowding out private investment.

Recently, transformational processes (market transformations) in Ukraine are accompanied by constant economic threats, which are connected with the issue of finding sources of financing of development. For that reason, external borrowings is a common practice not only in Ukraine. In addition, it is highly important to take a look at a more detailed analysis of external borrowing.

According to the official definition, international financial organizations are subjects of public international law (created by a certain number of states) whose main task is to provide the financial resources for countries that are members of the IFO on the terms set out in the constituent documents.

When obtaining and using IFOs' credit resources, Ukraine should, taking into account the interests of creditors, maximize the national interests as a borrower, as well as upholding state-building interests by the formation of effective strategies and tactics of government and business units of the state. In the process of attracting external resources, Ukraine should take into account all aspects, such as general eco-

nomic efficiency and commercial issues of income generation.

The principles and purpose of Ukraine's cooperation with IFO are based on the main principles and goals of the activities of these organizations, which are enshrined in their constitutions. These are the bases of cooperation of Ukraine (as a candidate for EU membership) with IFO [2]:

• ensuring sustainable economic development, structural changes, building an efficient internal market by attracting financial resources (not to finance current costs);

• creating conditions for attracting foreign investment in the country;

• promoting the integration of Ukraine into the EU, stabilization of all economic processes;

• maintaining of indicators of the country's external debt within the generally recognized international solvency criteria within reasonable limits;

• granting IFO's credit resources on terms that such cooperation does not contradict the socioal and economic development priorities of the country.

Note that the IFO that Ukraine works with could be divided into four groups. Firstly, these are organizations whose activities have a profound impact on the development of the world economy as a whole, and all its social and economic subsystems. For instance, such international monetary and monetary organizations as the IMF and the World Bank Group; International Labor Organization, United Nations Development Program, World Intellectual Property Organization, etc. Secondly, it is an inter-state sectoral organization outside the immediate UN framework. Among them, the most significant and high priority for Ukraine is the World Trade Organization and the EBRD. Thirdly, there are about 70 associations of European entrepreneurs, mainly in industry and energy, in the transport and communications sectors. For Ukraine, communication with existing associations makes it possible to establish entrepreneurial ties with European business and to obtain financial resources, including organizational and technical assistance. Finally, there are international cooperative organizations, with the International Cooperative Alliance being the main one [3].

Nowadays, there is a large number of international organization existing. By using certain criteria, the IFO could be establish among them.

The data shown in Table indicate that IFO are in this classification in different parameters. Thus, for example, IFO competences relate to organizations with special competence, but there are some specific features of IFO that are specific to both general competence organizations and other (non-financial) entities. Among all IFO, the IMF has the widest range of powers.

It is important that an international intergovernmental organization is an association of certain states, which is created by concluding a treaty to achieve specific common goals, characterized by the membership of the states, the presence of permanent bodies, the constituent treaty, activities carried out in the interests of the Member States and respecting their sovereignty.

A non-governmental international organization is an organization whose activity is aimed at satisfying the interests and achievement of the specific goals of its members, which is formed

Classification of international organizations which Ukraine works with

Measure	Types
By nature of membership and legal nature	• international intergovernmental organizations participants; • non-governmental international organizations
By subject of main activity	• political; • economic; • culture; • military and political; • Credit – Health – Commerce, etc.
The competence of the organization	• general; • special competence
By the nature of the authority	• interstate; • supranational (supranational)
Under the terms of participation	• open; • closed
By purpose and principles of activity	• legitimate; • unlawful
By organizational principles	• non-UN international organizations; • UN international organizations; • regional economic organizations
By the number of participants	• regional; • universal; • open to the participation of all States

Created by the author.

by uniting both individuals and legal entities in the form of associations and federations.

The main feature of supranational IFO is the creation of mandatory rules and regulations, as well as control mechanisms for member states of the organization. One of the most important roles among IFO is played by the Bretton Woods Organizations, which today occupy the most important link in international monetary relations. In addition, the list of powerful and efficient organizations should also include the Bank for International Settlements, Monetary and Credit Organizations, as well as regional banks in Southeast Asia (Asian Development Bank), North America (Inter-American Development Bank), the European Union (European Monetary Cooperation Fund, EIB, EBRD) and others.

The above financial institutions are created to provide countries with credit resources, they also develop the basic principles of functioning of the international monetary system, and aim to conduct effective interstate regulation of monetary and credit relations and financial relations.

The IMF is an intergovernmental organization whose purpose is to provide financial assistance to countries through short- and medium-term foreign currency lending, and provides for regulation of monetary relations between Member States.

The IMF is the world's leading financial institution that has the status of a UN specialized agency. The orga-

nization was founded in 1944 at the international Bretton Woods Conference in the United States, but started operating only in 1947. The main objectives are to create favorable conditions for the development of cooperation in the sphere of crediting to the Member States, as well as to promote international trade and currency regulation in order to balance the balance of payments of these countries.

Ukraine joined the IMF in September 1992 with the adoption on June 3, 1992, of the Law of Ukraine "On Ukraine's Accession to the International Monetary Fund, International Bank for Reconstruction and Development, International Finance Corporation, International Development Association and Multilateral Investment Guarantee Agency".

Each IMF member country has its own quota in special borrowing rights, and also determines the quota amount, that is, the state's contribution as an IMF member. At the same time, it should be noted that the size of the quota is determined by the Board of Directors of the IMF and is set depending on the economic development of the country. This quota has certain functions: it sets limits on access to financial resources for the member country of the organization, shares in the distribution of SDRs and determines the number of votes in the IMF.

Credit operations are carried out with Treasuries, central banks and stabilization funds, which means with the official bodies of the country. For the first time, the portion of credit received by the borrower is called a reserve share and is approximately equal to 25 % of the state quota. The credit provided to the borrowing country in excess of the reserve share is equal to the quota and divided into 4 tranches (approximately 25 % each). Also, resources may be provided by the IMF in the form of a stand-by loan, the essence of which is to provide foreign currency to certain parts of the country in accordance with the agreement and at certain intervals.

These loans are usually aimed at the implementation of programs to stabilize macroeconomic indicators and are intended to meet the borrower's economic and political conditions, that is, lending is carried out on the principle of conditionality. Practice shows that the conditions are tough and include tax increases, government spending cuts, changes in exchange rates and interest rates. Such programs usually affect foreign trade, price mechanisms, fiscal policy, international monetary and credit relations, and monetary policy.

This institution is faced with the important task of developing a system of financial and credit policy performance indicators, such criteria that would structure the economic policy of the state and guarantee the return of foreign exchange resources, as well as demonstrate the effectiveness of such policies at every stage of relations (for example, through a system of indicators characterizing the state of the financial system of the borrowing country).

Functional structure of the IMF:

• the issue of Special Drawing Rights (hereinafter the SDR) is one of the most important functions of the IMF and is carried out to replenish international currency reserves;

• the supervisory function of the monetary policies of the Member States

is to monitor the exchange rates of the borrowing countries.

For the IMF, relevant data is provided in a defined format: information on the country's structural policies, such as on the environment, employment and privatization; information on the state of the external sector and budgetary policy. Such oversight helps to identify possible imbalances and on the basis of which some recommendations can be made.

In general, credit and financial activity is the main function of the IMF, which is to use the financial resources of the organization by borrowing countries and to provide lending through the provision of borrowed resources. IMF resources have a defined structure and consist of the following blocks: borrowed funds (credit lines from member governments and central banks), as well as contributions from borrowing countries to the authorized capital of a given financial institution in accordance with the established quota.

There are three modifications that provide resources (special, concession, and regular funding). The essence of special financing lies in the provision of resources due to emergencies (the unexpected rise in prices for imported goods or their fall on export products, social unrest, and natural disasters). This funding may also be used to address transition difficulties in the emerging economies of the emerging market.

The IMF develops its own recommendations and requires the borrower country to: stabilize domestic demand by reducing government spending; maintaining an active balance of payments; formation of non-deficit State budget; structural restructuring of the use of loans to finance the industrial sphere, repayment of the major part of the debt and interest at the expense of the profit received from the industrial sphere; pursuing such a tax policy that would ensure that all public expenditures are covered; using existing market mechanisms to support the country's competitiveness.

Therefore, the IMF is an important link in international financial cooperation. It should be noted that a significant role and a positive tendency for the development of the IMF was to build close links with the World Bank.

The World Bank Group comprises four major organizations: the International Finance Corporation, the International Bank for Reconstruction and Development, the Multilateral Investment Guarantee Agency, and the International Development Association. The International Center for Settlement of Investment Disputes is also organizationally linked to this group [5].

The main difference between the World Bank and the IMF is that the last focuses more on short-term financial stability in countries, while the World Bank focuses on medium- and long-term sectoral and structural transformation projects. The goals of the members of the World Bank Group are to increase economic development, living standards and reduce poverty by facilitating the mobilization of resources to developing countries.

Looking at the divergence of functions of all World Bank organizations, they are quite closely linked by the unity of purpose, and almost all structures are subordinate to a single body, the President. However, functionally they have differences. At the same time, the

functions of the World Bank have some differences, which will be analyzed in further researches.

Conclusions and suggestions for future research. In condition of significant increase in public debt (external public debt, in particular), the formation of a science-based debt strategy and its relationship with other areas of economic policy at the present stage is a priority task of strategic management of public finances and macroeconomic policy of the state.

Implementation of an effective external debt management mechanism, which envisages coordinated work of all institutions in the field of public debt management (in particular when working with the IMF) and functional links between its constituent elements is a determining factor in ensuring the growth of investment and credit attractiveness, financial stabilization, formation of a sovereign image of economically capable country — Ukraine.

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PECULIARITIES OF COOPERATION OF THE EUROPEAN UNION IN THE FRAMEWORK OF PARTNERSHIP CIVIL SOCIETY DEVELOPMENT PROGRAMS

Abstract. Some directions of development of the Eastern Partnership have been analyzed, which have given a powerful impetus for the expansion of the European Union's interaction with civil society, with the participation of public organizations in political dialogue. The areas of cooperation of the European Union were identified in the framework of partnership programs for the development of interaction between the state and society and it was proved that civil society has become almost the only mechanism that enables citizens to maintain control over the public sphere and at the same time to protect the autonomous sphere which the state cannot and should not influence. The features of modern European scholarship grant programs, which are aimed at raising the level of various aspects of society, realizing their interests, in general and individual groups of citizens in cooperation with the state and business, are identified. Social economy, non-profit sector, non-governmental and non-profit organizations are the main areas of this activity. The features of modern European scholarship grant programs for the formation and development of civil society are explored. It is determined that the implementation of the program of the National Museum of Berlin promotes values of respect for freedom, democracy, human rights, the rule of law, and brings the public dialogue closer to the pan-European political, economic and cultural goals of sustainable development. The Falling Walls program has been proven to be based on the principles of bottom-up self-organization, inclusivity, transparency, publicity and subsidiarity. The article also looks at the prospects for Ukraine in expanding its engagement with the European Union to

develop our country's cooperation with EU countries to Europeanize the nation and strengthen civil society.

Keywords: public administration, civil society, partnership programs for civil society development, development of the Eastern Partnership, European dimension of implementation of European scholarship grant programs.

ОСОБЛИВОСТІ СПІВРОБІТНИЦТВА ЄВРОПЕЙСЬКОГО СОЮЗУ В РАМКАХ ПАРТНЕРСЬКИХ ПРОГРАМ РОЗВИТКУ ГРОМАДЯНСЬКОГО СУСПІЛЬСТВА

Анотація. Проаналізовано окремі напрями розвитку східного партнерства, які дали імпульс для розширення взаємодії Євросоюзу з громадянським суспільством, за участю громадських організацій в політичному діалозі. Визначено області співробітництва Європейського Союзу в рамках партнерських програм розвитку взаємодії держави та суспільства і доведено, що громадянське суспільство стало майже єдиним механізмом, яке дає громадянам можливість зберегти контроль за публічною сферою та водночас захистити ту автономну сферу, на яку держава не може і не повинна впливати. Визначено особливості сучасних європейських стипендіальних грантових програм, які спрямовані на підвищення рівня різносторонніх аспектів життя суспільства, реалізацію їх інтересів, в цілому та окремих груп громадян у співпраці з державою та бізнесом. Соціальна економіка, некомерційний сектор, неурядові та неприбуткові організації є основними сферами цієї діяльності. Досліджено особливості сучасних європейських стипендіальних грантових програм для формування та розвитку громадянського суспільства. Визначено, що у рамках реалізації програми Національного музею Берліна пропагуються цінності щодо дотримання свободи, демократії, прав людини, верховенства права і здійснюється наближення суспільного діалогу до загальноєвропейських політичних, економічних і культурних цілей сталого розвитку. Доведено, що робота програми "Falling Walls" ґрунтується на принципах самоорганізації "знизу", інклюзивності (включеності), прозорості, публічності та субсидіарності. Також, у статті розглядаються перспективи для України у напрямі розширення взаємодії із Євросоюзом для розвитку співпраці нашої держави із країнами ЄС для європеїзації нації і зміцнення громадянського суспільства.

Ключові слова: державне управління, громадянське суспільство, партнерські програми розвитку громадянського суспільства, розвиток східного партнерства, європейський вимір реалізації європейських стипендіальних грантових програм.

ОСОБЕННОСТИ СОТРУДНИЧЕСТВА ЕВРОПЕЙСКОГО СОЮЗА В РАМКАХ ПАРТНЕРСКОЙ ПРОГРАММЫ РАЗВИТИЯ ГРАЖДАНСКОГО ОБЩЕСТВА

Аннотация. Проанализированы отдельные направления развития восточного партнерства, которые дали импульс для расширения взаимодействия Евросоюза с гражданским обществом, с участием общественных организаций

в политическом диалоге. Определены области сотрудничества Европейского Союза в рамках партнерских программ развития взаимодействия государства и общества и доказано, что гражданское общество стало почти единственным механизмом, который дает гражданам возможность сохранить контроль за публичной сферой и одновременно защитить ту автономную сферу, на которую государство не может и не должно влиять. Определены особенности современных европейских стипендиальных грантовых программ, направленных на повышение уровня разносторонних аспектов жизни общества, реализацию его интересов, в целом, и отдельных групп граждан в сотрудничестве с государством и бизнесом. Социальная экономика, некоммерческий сектор, неправительственные и некоммерческие организации являются основными сферами этой деятельности. Исследованы особенности современных европейских стипендиальных грантовых программ для формирования и развития гражданского общества. Определено, что в рамках реализации программы Национального музея Берлина пропагандируются ценности по соблюдению свободы, демократии, прав человека, верховенства права и осуществляется приближение общественного диалога к общеевропейским политическим, экономическим и культурным целям устойчивого развития. Доказано, что работа программы "Falling Walls" основывается на принципах самоорганизации "снизу", инклюзивности (включенности), прозрачности, публичности и субсидиарности. Также, в статье рассматриваются перспективы для Украины в направлении расширения взаимодействия с Евросоюзом для развития сотрудничества нашего государства со странами ЕС для европеизации нации и укрепления гражданского общества.

Ключевые слова: государственное управление, гражданское общество, партнерские программы развития гражданского общества, развитие восточного партнерства, европейское измерение реализации европейских стипендиальных грантовых программ.

Problem statement. The civil society plays a key role in promoting democracy, human rights and the rule of law, as well as sustainable socio-economic development. The European Union provides active support to the civil society in the Eastern Partnership countries in all the sectors of cooperation and identifies targeted assistance to strengthen the role of the civil society in the political dialogue, strengthen its ability to monitor the implementation of agreed commitments by the governments, and build the capacity for networking at the local and regional levels [1]. Therefore, studying the European experience of the partner civil society development programs is one of the topical scientific issues, since in today's conditions support for the public sector is an integral part of any form of the social relations, and in particular the establishment of a partnership between the state, the local authorities and the public. n the process of development of human civilization, civil so-

ciety at all stages of its formation was an integral part of a complex mechanism of relations between people and the state. After all, the state and civil society, as social systems, have much in common. The modern state and civil society in the institutional sense are two indivisible elements of social self-regulation, which in a democracy can not exist without one. Therefore, in today's conditions, the formation of a democratic legal state in Ukraine requires effective interaction of state structures of all levels and institutions of civil society.

At the same time, in Ukraine, the process of public policy development is not yet sufficiently transparent, and the activity of the authorities is not always clear to the public. In addition, the secrecy of power from the public, especially when making state-management decisions is a significant inhibitory factor in the path of democratic transformation. Although modern Ukrainian legislation already provides certain opportunities for effective interaction of public authorities with the public, the forms and means of this interaction need to be constantly updated and further refined. In particular, as the President of Ukraine said: "Becoming a European country means fully embracing the European spirit of political freedoms, fair competition and equality of opportunity, something that is called the open access system, and the European countries went to it for centuries. We have to go through this path for a maximum of ten years".

Analysis of recent researches and publications. The activation of the research on the implementation of the European integration path of Ukraine is a reflection of the globalization processes that take place in the area of establishing the partnership programs for the civil society development. The trends in the development of interaction between the state and the public sectors in the context of globalization are highlighted in the publications of individual authors, namely: O. Babinova, V. Bakumenko, I. Bidzyura, M. Holovaty, N. Dragomiretska, J. Kalnish, A. Kolodiy, A. Krutiy, N. Nyzhnyk, O. Semyorkina, O. Radchenko, E. Romanenko, V. Rebkalo, Yu. Surmin, V. Tertychka, I. Chaplay and others. These developments are a definite manifestation of the impact of the globalization transformations on the integration processes of the interaction of various elements of the public administration on the use of accumulated knowledge and experience around the world.

The aim of the article. Is to investigate the peculiarities of cooperation of the European Union within the framework of the partnership programs of the civil society development.

Presentation of the main research material. The Eastern Partnership is a joint initiative of the EU, the member states and partner countries aimed at building and strengthening the relations with each individual country of the partnership, an individual approach to the development of relations. The Eastern Partnership is developing in four areas called Multilateral Platforms, which reflect the four main areas of cooperation between the partner countries and the EU: "Democracy, good governance and stability", "Economic integration and alignment with EU policy", "Energy Security", "Contacts between the people" [2].

The Eastern Partnership has been a powerful impetus for expanding EU engagement with the civil society in the region, with the involvement of the civil society organizations in the political dialogue and support for the civil society in all the sectors of their activities. At the same time, the EU has increased its financial support to the civil society organizations through the European Neighborhood Program Civil Society Fund, in order to strengthen the role of the civil society in the reforms and democratic transformations. The European Neighborhood Civil Society Fund was the first program aimed directly at supporting the civil society in the European neighborhood. The main objective of the Fund, which was established in 2011, is to strengthen the capacity of the civil society organizations, to enable them to contribute to transformation and become a real player in the democratization process. This is achieved by increasing their contribution to the development of the strategies, as well as further development of their human rights, monitoring capabilities and contact capacity.

The Fund provides financial support to the Secretariat of the Civil Society Forum, as well as its working groups. It also funded the project "Civil Society. Dialogue for progress", that aims to strengthen the capacity of the civil society organizations in partner countries. In addition, the Fund supports projects at the regional and bilateral levels. These projects relate to different areas of cooperation. The results of the grant projects implemented by the civic organizations range from improving the living conditions of the vulnerable groups to raising the potential of the civil society for the budget analysis and public expenditure tracking to check their transparency and compliance with the needs of the citizens.

n our opinion, the key aspects of the Fund's activities are:

1. Advancement of the principles of transparency and accountability — Self-regulatory initiatives are usually aimed at promoting transparency and accountability as well as improving internal management, administration and effectiveness of the organization of interaction between public authorities and self-government bodies;

2. Increasing trust from donors and the general public — adherence to standards of transparent and accountable activity creates a positive image of organizations in the eyes of grantors and the general public;

3. Participation of stakeholders / creation of coalitions — Given the fact that the norms of self-regulation are being developed jointly, the process of their adoption stimulates the development of cooperation between the institutes of civil society organizations and the authorities that take part in this. It allows participants to define general principles and values, as well as solve problem issues;

4. Effective management — the use of a system of standards and transparent management processes can help achieve previously defined goals. A detailed assessment of the activities of self-governing institutions in accordance with certain parameters helps to identify shortcomings and improve the quality of management in general.

At the same time, the potential of the analytical and expert environment of public organizations, trade unions,

employers' organizations in shaping the content of state policy remains insufficiently realized. In our opinion, such cooperation should provide for a regular public assessment of compliance with the declared standards and principles for the assessment of public-management activities. However, it is important that the mechanism for such an assessment is not timed and does not complicate the access of the general public.

In most of the country, the creation and formation of civil society has a number of problems that are important both for society and for the state. These tendencies are development: to the lack of transparency, secrecy and bureaucracy in the activity of executive authorities and local self-government bodies, instead of establishing an effective dialogue with society; the imperfection of the current legislation creates artificial barriers for the establishment and operation of civil society institutions; the mechanisms of public participation in the formation and implementation of public policy are not properly implemented; the tax burden does not stimulate the activity and development of civil society institutions and their support by domestic charitable organizations; most civil society institutions do not have access to state financial support and domestic charity support; the capacity of civil society institutions to provide social services to the population is not used.

In 2011–2013 the Civil Society Fund supported more than 100 organizations in all 6 Eastern Partnership countries with projects earmarking nearly 40 million euros from the EU [3].

Areas of cooperation of the European Union within the framework of the partnership programs of the civil society development:

1. Public information and dialogue:
- civil society;
- gender issues;
- freedom of the mass media and the information society.

2. Economic development and market opportunities:
- economy and trade;
- employment and entrepreneurship;
- agriculture and rural development;
- institutional development and good governance;
- governance, rule of law and human rights;
- security, cross-border cooperation and border administration.

3. Transport message, energy efficiency and resource saving:
- transport;
- energy and energy efficiency;
- environment and climate change.

4. Mobility and people-to-people contacts:
- migration and mobility;
- youth, educational and vocational training;
- culture;
- research and innovation;
- health care;
- national minorities [4].

Particular attention deserves a wide range of modern European scholarship grant programs [5]:

1. "DAAD". Within the framework of this program there is the possibility of receiving scholarships by the representatives of the creative (music, design, architecture, fine arts, cinematography,

acting, directing, choreography), other specialties that have received a diploma of specialists and masters (bachelors) no more than 6 years ago. They are given the opportunity to take an internship in one of the universities in Germany. The scholarship is about 750 euros a month [6].

2. Under the program Countess Marion Denhoff envisages a scholarship for young journalists who are fluent in German at the most advanced level. Such participants are provided with the opportunity to complete a two-month internship program in the editorial office of one of the mass media in Germany. The scholarship is 3 800 euros.

3. As part of the program of the National Museum of Berlin projects supported by the collections and activities of the scientific centers of the National Museum of Berlin are supported. This opportunity is given to young scientists and museum workers, namely to spend from one to three months in a research residence on the territory of the museum. The scholarship is 900–1200 euros.

4. "Falling Walls". The program provides scholarship to journalists and bloggers who are interested in science, write about it. Another requirement is the availability of 3 years of experience in this area. The candidates are given the opportunity to roll over to all the events organized by the Falling Walls Fund in Germany, including at a conference in Berlin [7].

5. "Fabrica" program. The Research Center and the Fabrica studio in Italy invite the representatives of creative professions — architects, graphic designers, musicians, writers, directors, photographers, journalists, animators and others. [8].

6. "Gaude Polonia" program. Scholarship for cultural and artistic workers (artists, writers, translators of Polish literature, musicians, cinematographers, art critics, museum workers), which provides for a six-month internship in the cultural institutions of the Republic of Poland.

7. "International Visegrad Fund" — a program that provides scholarships for students and researchers. They can represent countries such as Belarus, Armenia, Azerbaijan, Georgia, Moldova, Ukraine, and have the opportunity to study or conduct research on any specialty in universities of the Visegrad countries (Czech Republic, Hungary, Poland, Slovakia) for a period of 5 to 20 months.

8. Program of the Finnish Center for International Mobility. Within the framework of the program scholarships are allocated to young scientists, researchers of all specialties. The candidates are offered to undergo an internship at the universities in Finland. The duration of the program — from 3 to 12 months. The size of the monthly scholarship is 1 500 euros [9].

9. "Estofilus" program at the Institute of Estonia. Scholarships are foreseen for the researchers interested in learning the Estonian language and culture. The program lasts 5–10 months, which are held by the participants in one of the research institutions in Estonia.

10. "Ford Foundation: JustFilms" — deals with social justice projects.

11. "Nextpix/Firstpix Crowdfunding Grant". Provided for novice directors who have already begun to raise

funds for the film through any crowdfunding platform.

12. "Horizon 2020". The program that is the largest in the history of the European Union. It concerns research and innovation, with a budget of around 80 billion euros, which is designed for 7 years (2014–2020). It supports a wide range of activities — from research to demonstration projects and innovations that are already ready to enter the market.

13. "Seeing through photographs". Free six-week online photo education course from the Museum of Contemporary Art (MOMA). The Museum of Contemporary Art (MoMA) launches the "Seeing Through Photographs" program, its first massive online course for the general public, available on the Coursera platform. Using works from a large collection of the museum as a starting point, the course teaches the participants the critical view of photography through the various ideas, approaches and technologies used in their creation [10].

14. The new "Erasmus+" program aims to support activities in the field of education, training, youth and sport for the 2014–2020 period.

15. European cultural foundation (ECF). Within the limits of this program it is planned to allocate travel-grant that covers transportation costs (250–700 dollars). The program aims to support all the types of visual and expressive arts: music, theater, dance, film, documentary, photography, design, fashion, and more.

16. Applications for two research residency programs (Italy). "UNIDEE" — The University of Ideas has launched an experimental educational program that combines theory and practice in harmony with the aim of exploring the interactions between the culture and arts and society. From 2016 the focus of the program came in three main themes: research, ability and change. The applicants who meet all of the following requirements can apply: professional activity in the field of creativity (artists, researchers, writers, curators, etc.) in any sector, in any country of the world; fluency in English; submission of all the necessary documents together with the application, in the correct form and in due time [11; 12].

17. The Visegrad Fund Program accepts applications for small grants [13]. The International Visegrad Fund is an international organization founded by the governments of the Visegrad countries (V4) (Czech Republic, Hungary, Republic of Poland, Slovak Republic). The Fund provides several grant programs, as well as individual scholarships, postgraduate scholarships and artistic residences. The grant is intended to support original projects in the field of culture, science and research, youth exchanges, international cooperation and promotion of tourism, as well as in other priority areas specified in the applications and placed on the site of the fund.

Conclusion. Therefore, the mechanism of interaction between civil society and the state in different countries of the world is very diverse. But the obligatory components of it can be considered the presence of: democratic legislation, separation of powers, the activities of the legal opposition, public-political pluralism. As an example of European practice, we can conclude

that the best opportunities for the formation of interaction between the state and civil society are present in democratic regimes. Furthermore, we can state that the EU countries attract extremely many development efforts and the further formation of the civilian potential not only within their borders.

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CONTEMPORARY FOREIGN PRACTICE OF COMMUNICATIVE ACTIVITIES IN HEALTHCARE

Abstract. The article analyzes the foreign sources and outlines, the approaches to communication activities and communication policy development in the public healthcare administration.

A review of the literature reveals that the issues of communicative activity of the public administration are now widely considered, as a form of interaction

between the subjects and the objects of the government, which is the cornerstone of a democratic society. The same tendency is observed in the healthcare, but healthcare communications are related to a wider range of problems, as they serve as social communications that affect all the areas of the society.

The article deals with the communication activities between the healthcare administrative bodies, subjects and objects, public associations, media, and more. However, it is also noted that in many countries, for many years, there has been a lack of a standardized policy on the communication activities.

Communication approaches are characterized, which differ significantly in the developed countries with high affluence from the countries with low economic performance. It is well established that a large number of organizations in the United States are involved in the development of the policies and guidelines for communication activities, while in low-income countries such activities are often developed with the international assistance of the NGOs and foreign donors. However, it is determined that in the health sector there is no perfect scheme of interaction between all the actors of the communication process in healthcare, so each country builds its own paths in the light of the socio-cultural traditions.

Keywords: public administration, health care, public health, communication activities, communication technologies, health care communications, public health communications.

СУЧАСНА ЗАРУБІЖНА ПРАКТИКА КОМУНІКАТИВНОЇ ДІЯЛЬНОСТІ В СФЕРІ ОХОРОНИ ЗДОРОВ'Я

Анотація. Наведено аналіз зарубіжних джерел та на основі отриманих даних виділені підходи до комунікативної діяльності та розробки комунікативної політики в публічному адмініструванні охорони здоров'я.

При огляді літератури виявлено, що в сьогоденні дуже широко розглядаються питання щодо комунікативної діяльності публічного управління, як форми взаємодії суб'єктів і об'єктів управління, що виступає наріжним каменем демократичного суспільства. Така сама тенденція відмічається і в охороні здоров'я, але комунікації в охороні здоров'я відносятся до ширшого спектру проблем, адже виступає у якості соціальних комунікацій, які впливають на усі області суспільства.

В статті розглянута комунікативна діяльність між адміністративними органами охорони здоров'я, суб'єктами та об'єктами управління, громадськими асоціаціями, засоами масової інформації тощо. Однак також зазначено, що в багатьох країнах впродовж вже багатьох років зберігається відсутність єдиної унормованої політики щодо комунікативної діяльності.

Охарактеризовано підходи в комунікативній діяльності, які значною мірою відрізняються в розвинених країнах з високим достатком від країн які мають низькі економічні показники. Так визначено, що в Сполучених штатах Америки велика кількість організацій займається розробкою політики та настанов комунікаційної діяльності, в той час як в країнах з низьким статком така діяльність часто розроблена за допомогою міжнародної допо-

моги Недержавних громадських організацій та зарубіжних донорів. Однак визначено, що в сфері охорони здоров'я відсутня ідеальна схема взаємодії всіх акторів комунікативного процесу в охороні здоров'я, тому кожна країна вибудовує власні шляхи з огляду на соціокультурні традиції.

Ключові слова: публічне адміністрування, охорона здоров'я, громадське здоров'я, комунікативна діяльність, комунікативні технології, комунікації в охороні здоров'я, комунікації в громадському здоров'ї.

СОВРЕМЕННАЯ ЗАРУБЕЖНАЯ ПРАКТИКА КОММУНИКАТИВНОЙ ДЕЯТЕЛЬНОСТИ В СФЕРЕ ЗДРАВООХРАНЕНИЯ

Аннотация. Представлен анализ зарубежных источников и на основании полученных данных выделены подходы к коммуникативной деятельности и разработке коммуникативной деятельности публичного управления, как формы взаимодействия субъектов и объектов управления, что выступает краеугольным камнем демократического общества. Такая же тенденция отмечается и в здравоохранении, однако коммуникации в здравоохранении выступают социальными коммуникациями, а следовательно влияют на все области общества.

В статье рассмотрена коммуникативная деятельность между административными органами здравоохранения, субъектами и объектами управления, общественных организаций, средств массовой информации. Однако также выявлено, что во многих странах в течении длительного времени отсутствует нормирование политики коммуникативной деятельности.

Охарактеризованы подходы к коммуникативной деятельности, которые в значительной степени отличаются в развитых странах с высоким достатком от стран с низкими экономическими показателями. Так отмечается, что в Соединенных Штатах Америки достаточно большое число организаций занимается разработкой политики и рекомендаций коммуникативной деятельности, в то время как в странах с низким достатком коммуникативная деятельность часто разрабатывается с участием международных негосударственных общественных организаций и зарубежных доноров. Тем не менее, отмечено, что в сфере здравоохранения отсутствует идеальная схема взаимодействия всех акторов коммуникативного процесса в сфере здравоохранения, поэтому каждая страна развивает собственные пути с учетом социокультурных традиций.

Ключевые слова: публичное администрирование, здравоохранение, общественное здоровье, комуникативная деятельность, коммуникативные технологии, коммуникации в здравоохранении, коммуникации в общественном здоровье.

Formulation of the problem. Nowadays, it is logical that the communication activities occupy one of the decisive places in public management and

public administration. It is through communication activities that you can reach agreement, build strengths, neutralize risks, keep in touch, and understand the public opinion. In many cases the success of the public management and successful administration will depend on the quality of the communication with all the parties involved. And in all the spheres the healthcare sector first and foremost requires a wide exchange of information between all the actors in the process. Because in the field of health the communication activities are aimed at discussing and interacting with the public on changes and reforms in the field of healthcare, the introduction of a healthy lifestyle, the elimination of the medical illiteracy, which has a direct impact on all the social policy.

The Ukrainian state will have to establish a clear and balanced policy on the communicative healthcare activities. When creating a communication activity, it is necessary to take into account the scientific and practical experience of the other countries that have already developed or are on the way to developing the communication activities.

Analysis of the recent publications on the subject. According to Yu. V. Zbyranyk [1; 2], nowadays dictates to us the need to combine the communication and the public administration as a form of interaction between the subjects and the objects of the governance, since the basis of democracy is to take into account the needs and positions of the object of the government. However, as N. M. Drahomyretska and co-authors should consider the communication activity as a dynamic system in which the communication can be separated and predictions made, as well as indicating the importance for many EU countries of a communication plan that can lead to the development of the social dialogue [3]. According to M. A. Znamenska, most of the works dedicated to the communication activity deals exclusively with the development of the information and communication technologies, telemedicine, Internet information and more. Their place and role in providing information and communication to the public [4], however, this approach does not fully address the issue of communication as a systemic phenomenon.

Many authors point to the need for communication between the health care administrative authorities and the media, demonstrating openness and facilitating changes in healthcare management and administration and public involvement in the elimination of the medical illiteracy [1; 3; 5].

However, not all the countries consider communication as a system, which leads to the fact that 85 % of Japanese, 63 % of English and 73 % of American leaders see the poor level of communication as the main problem in achieving the effectiveness of the organization [6].

N. M. Drahomyretska notes that today many governments are considering communicative activity of the public administration entities, which makes it possible to solve the important problems of building relationships between many actors: the state and the society, the public administration bodies, the public authorities and the public, the objects of the administration with the state and among themselves [3].

E. A. Afonin believes that the communicative activity in the public administration as a whole is undergoing a radical rethinking and significant changes, in accordance with the challenges of the time [5].

This leads to the development of new methods, practices and approaches at the level of the public communication.

However, M. A. Znamenska and co-authors argue that in the modern world there is no "ideal" scheme of interaction between the healthcare system, the population and individual groups of communication influence, so each country seeks its own scheme of the communication activities in accordance with experience, social and cultural diversity [7].

However, given the financial and quality imperatives facing healthcare, it is not surprising that the providers are at the forefront of developing new programs and tools to enhance the communication. According to J. Gordon and co-authors, the innovative providers have borrowed best practices from communication activities in other industries, such as aviation, which are also critically dependent on the effective communication [8]. It is important to note that not always the communicative activities produce the expected results. For example, J. Lecouturier and co-authors point out that the education program for stroke screening programs has the significant disadvantage of targeting a small number of people from a specific group, only those who have already suffered from a stroke, while being ignorant of directing the programs to broader demographic groups [9].

Formulation of the purposes (goal) of the article. Based on the analysis of the foreign sources to study and analyze the modern understanding of the communication activity and development of the communication policy in the public management and public administration of the healthcare of different countries of the world.

Outline of the main research material. The most widely publicized healthcare activities are in the United States, as many governmental and non-governmental organizations are involved in communication, both within the management and administration of the health sector and with the public on health issues. These include the Office of Disease Prevention and Healthpromotion, the Centers for Disease Control and Prevention of the USA, the Food and Drug Administration, the American Heart Association, the Federal Communications Commission of the USA, the International Association of National Public Health Institutes, and others.

The Government Office for Disease Prevention and Healthpromotion has developed the "Healthy People 2020" strategy [10], which also includes a communication strategy and awareness-raising on health issues. This communication activity is designed to take into account that approximately 11 million people in the United States have very low education and some are not even able to read. This communication strategy seeks to clarify for the residents and workers the most important issues related to the public health administration: covering their insurance plan, what are the requirements and cost sharing mechanisms, complaint

procedures and appeals decisions, the composition of the network of healthcare providers, referral to specialists, the use of emergency services, the price, quality and safety of the funded services provided by the funded plans by the employer. Many communication activity developments are focused on the interaction between the clinic and the patient [11], but there are almost no national or local concepts, usually internal standard operating protocols of the respective medical institution.

In the European countries good communication has been shown by health communication and media involvement, so programs for increasing the use of safety belts [12; 13] and reducing tobacco use [14; 15] have been very successful.

For example, in Sweden [16] the development of new concepts of the communicative activity has made it possible to study the management work in the health sector and its implications, putting the debate into a wider context of the institutional reform. Mostly the communicative activities are aimed at analyzing the critical incidents. Conflict resolution: "Convenience is a bad argument compared to medical safety".

In Bosnia and Herzegovina the communication activity has focused on the widespread use of modern PR in healthcare settings [17]. The healthcare providers should be proactive in communicating with their consumer. The proactive communication should be symmetrical in order to satisfy the interests of all the patients and the society. The communication activity is therefore based on identifying the internal and external consumers in all the healthcare settings. It were created the position of a PR specialist, speaker and communicator who meets the patient first. The hospitals are constantly looking for and recruiting communication specialists and training already available ones in the stuff. The key objectives, communication channels, technologies and methods of the communication are constantly evaluated and defined.

In the United Kingdom and the United States a large layer of communication in the healthcare is focused on the risk communication. According to this concept, the risk communication can be defined as an open bilateral exchange of information and thoughts on harms and benefits, with the aim of improving the understanding of the risks and improving the decisions on the use of medicines [18; 19]. Therefore, the risk message should cover: the probability of risk occurrence, the importance of the described negative phenomenon, the impact of the event on the patient [20].

Good results in England have been shown by the media involvement in the national stroke strategy. The government communication activity through the media was aimed at raising the public awareness of the symptoms and the need for immediate action [21].

In Germany similar communication activities were expanded to include not only the media, but also billboards and posters, with short slogans, a simplified guide to stroke that was distributed at mass events, and through family medicine clinics among the patients. A compilation of interesting stories about strokes, slogans and interviews were spread in the local newspapers, television and radio.

Public health communication in Europe is responsible for a large proportion of the public health communication activities.

In Europe all the communication channels are widely used for the public health in communication activities: television, radio, newsletters, and proactive communication. In addition, today the largest sector of communication is the Internet. According to C. Turcu's statement, the Internet of things in the health sector can create real economic value and improve the patient experience. Thus, gaining maximum value requires an understanding of both the paradigm of the Internet of things and the technologies that make it possible to use the Internet of things in the healthcare. There are some benefits to collecting and processing patients' data, as well as monitoring the daily health of the people [22].

It is important to note the development of the vaccination communication activity as an important component of the healthcare sector. Today, one of the strong trends is the openness and transparency of the "bad news", which improves vaccination coverage by attracting old and new media [23].

An important trend in Europe is globalization, which also touches on the issue of the communicative healthcare activity at both individual and country level. It should be noted here that NGOs are involved in the communicative activities at the level of states, communities, clinics, doctors and patients. For example, the "Angels Initiative" NGO, through training and communication, raises awareness of the signs of stroke, increasing the number of patients receiving treatment at the stroke centers. The communication activities aimed at the doctors form an international network of stroke centers and medical institutions ready to assist with stroke [24].

Australia has developed a digital health strategy that incorporates communication activity as a cornerstone of a high quality healthcare system. According to this strategy, support is being provided for the clinics, more comprehensive management of the chronic diseases, development of new digital services to support the health of the young and young children, access to telemedicine services, especially in the rural and remote areas, every healthcare professional is able to communicate with other professionals and their patients through secure digital channels [25].

In his study, D. E. Detmer studied the transformation of the communicative activity into the Internet age. She points out that in Europe the discovery of the biological and communication technologies has the potential to improve the health of the people and populations. Improving access to health and illness information is characteristic of today. However, over time, care in hospitals will shift towards palliative care and end-of-life care, and the treatment and prevention will mostly be done on an outpatient basis, at home or in the workplace. Thus, today it is necessary to form communication activities in view of these changes [26].

It should be noted that the developing countries today also recognize the need and importance of the communication activities. Thus, Afghanistan, Zimbabwe, Ghana, Kenya, Malawi and other countries have developed a

national communication strategy that defines the communication activities of these countries on the critical health and public health issues. It should be noted that these documents have been developed with the assistance of NGOs and the donor assistance of organizations such as the World Health Organization (WHO), the World Bank (WB), the United Nations Children's Fund (UNICEF), the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), [27–31].

In most cases, the communication activities are aimed at engaging and consulting with the public on HIV/AIDS, vaccination and treatment.

For example, in Kenya the communication activity deals with tuberculosis, reproductive health, HIV/AIDS treatment, vaccination and more [28]. The communication activities aim to provide a clear and informed roadmap for the communication planning, implementation and monitoring of the coordinated programming, a mechanism for coordinating communication activities to approach community health strategies, raising awareness of the strategic community approach at all the levels, government and partner resources to provide the community health resources, strengthen the capacity for communication practitioners at all the levels, identifying, implementing, monitoring, evaluating, and managing the program, increasing access to healthcare for all the groups, and facilitating the transfer of knowledge and skills at the household and community levels [28].

Five communication strategies were used to achieve the above goals: Media Policy, Program and Public Consultation, Enhancing the Communication Opportunities, Enhancing the Communication and Social Mobilization at All the Levels, Communicating Behaviour Change at the Community Level as Critical Levels of Medical Assistance, Mobilizing and Coordinating the Partners and Stakeholders, Knowledge Management and Documentation [28].

Conclusions and prospects for further research. The current foreign health practice demonstrates the use of a wide range of forms of communication activities, including: PR; informing; openness and transparency to the "bad news"; use of the social media; electronic communications and use of ICT; talks; communication (including business, face-to-face, social, etc.); networking and data processing; entering a checklist; transaction and message creation; risk communication management.

New types of communication are distinguished for our domestic practice, such as "proactive communication" and "fair communication culture". It is also about creating temporary structures that facilitate communication with the community, which is also absent in the national culture of the communication in the healthcare sector.

The analysis of the publications made it possible to distinguish the positions of the professional communicators in the field of healthcare, for example: PR specialist of a health institution; health managers; HR specialist; public health workers; medical communicator with the relatives of the patients.

It is possible to speak about difference of cultures of the communications of the foreign countries of the world and the domestic healthcare system.

It should also be noted that there is a great demand for communication and information in the society today, and if it is not satisfied with the state, the residents will receive information from alternative channels that is not always correct. In the end, in order to foster health-related communication, it is necessary to simultaneously understand the basic measures that need to be considered and implemented first at the state level, and then to improve the communication between the government agencies, the scientific community, the medical staff and the public. In addition, it is necessary to increase the social trust so that the citizens smoothly follow the recommendations of the public authorities and medical personnel aimed at both treating the diseases and preventing them.

In the healthcare sector there is no perfect synergy of interaction between the state, the healthcare facility, the population as a whole and the individual communication groups, so each country builds its own paths in the light of the socio-cultural traditions.

Further exploration will address the identification and prerequisites for the implementation of the foreign experience in organizing the communication activities in the field of healthcare in the domestic practice.

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THE PRINCIPLE OF SUBSIDIARITY AS A FOUNDATION FOR SEPARATION OF POWER AND DISTRIBUTION OF AUTHORITY BETWEEN GOVERNMENT AND LOCAL SELF-GOVERNMENT

Abstract. The paper considers issues related to the essential features of subsidiarity as an important principle for separation of power and distribution of authority. Emphasis is placed on the fact that subsidiarity ensures the effective functioning of the government and makes it possible to maximize the democratization and decentralization of public administration through the most effective activity of local self-government. The interaction between the state and local self-governments is proved to depend on many principles that divide power and authority and, at the same time, ensure the integrity and unity of the state power. The paper explains provisions related to the legalization of authority distributed between the state power and local self-government. The fact that central power practices different ways of vesting local self-government with authority (the principle of positive regulation and the principle of negative regulation) is

emphasized. The features of two ways of building a relationship between centre and regions: a) delegation of authority and b) assignment of authority with an explanation of their specifics and features are revealed. Emphasis is placed on the fact that central bodies of state power delegate locally those powers that are more optimally resolved by local self-governments and structures and which also are irrational to decide in the centre. The nature and peculiarities of the mechanisms of interaction between public authorities and local self-governments are explained. Such interaction makes it possible to involve the maximum number of citizens in the issues and processes of public administration and, thus, increases the role of civil society in managing the affairs of the state and society.

Keywords: subsidiarity, separation of power and distribution of authority, principles of interaction between public authorities and local self-governments, methods the centre vests local self-governments with authority.

ПРИНЦИП СУБСИДІАРНОСТІ ЯК БАЗОВА ЗАСАДА ПОДІЛУ ВЛАДИ ТА РОЗПОДІЛУ ПОВНОВАЖЕНЬ МІЖ ДЕРЖАВНОЮ ВЛАДОЮ І МІСЦЕВИМ САМОВРЯДУВАННЯМ

Анотація. Розглядаються питання, пов'язані із сутнісними особливостями субсидіарності як важливішого принципу поділу влади і розподілу владних повноважень. Робиться акцент на тому, що субсидіарність забезпечує ефективне функціонування влади, дає можливість максимально демократизувати, децентралізувати державне управління за рахунок якомога дієвішої діяльності місцевого самоврядування. Доводиться, що взаємодія між державними органами влади і органами місцевого самоврядування базується на ряді принципів, які, поділяють владу і розділяють владні повноваження і, одночасно, забезпечують цілісність, єдність державної влади. Обґрунтовуються положення, пов'язані із правовим закріпленням розмежованих повноважень державної влади і місцевого самоврядування. Підкреслюється, що існує різна практика надання центром повноважень органам місцевого самоврядування: принцип позитивного регулювання, принцип негативного регулювання. Розкриваються особливості двох способів ви будови взаємин центру і регіонів: а) делегування повноважень; б) передача повноважень з поясненням їх специфіки та особливостей. Робиться акцент на тому, що центральні органи державної влади передають на місця ті державні повноваження, які оптимальніше вирішуються саме місцевими самоврядними органами і структурами і, які, до того ж, нераціонально вирішувати в центрі. Пояснюється характер і особливості механізмів взаємодії органів державної влади і органів місцевого самоврядування, завдяки якому є можливість залучати до питань і процесів державного управління максимальну кількість громадян, а, відтак, підвищувати роль громадянського суспільства в управлінні справами держави і суспільства.

Ключові слова: субсидіарність, поділ влади і розподіл владних повноважень, принципи взаємодії органів влади і органів місцевого самоврядування, способи надання центром повноважень місцевому самоврядуванню.

ПРИНЦИП СУБСИДИАРНОСТИ КАК БАЗОВАЯ ЗАСАДА РАЗДЕЛЕНИЯ ВЛАСТЕЙ И РАСПРЕДЕЛЕНИЯ ПОЛНОМОЧИЙ МЕЖДУ ГОСУДАРСТВЕННОЙ ВЛАСТЬЮ И МЕСТНЫМ САМОУПРАВЛЕНИЕМ

Аннотация. Рассматриваются вопросы, связанные с сущностными особенностями субсидиарности как важного принципа разделения властей и распределения властных полномочий. Делается акцент на том, что субсидиарность обеспечивает эффективное функционирование власти, дает возможность максимально демократизировать, децентрализовать государственное управление за счет как можно более действенной деятельности местного самоуправления. Доказывается, что взаимодействие между государственными органами власти и органами местного самоуправления базируется на ряде принципов, которые, разделяют власть и властные полномочия и, одновременно, обеспечивают целостность, единство государственной власти. Обосновываются положения, связанные с правовым закреплением разграниченных полномочий государственной власти и местного самоуправления. Подчеркивается, что существует разная практика предоставления центром полномочий органам местного самоуправления: принцип позитивного регулирования, принцип негативного регулирования. Раскрываются особенности двух способов выстроения отношений центра и регионов: а) делегирование полномочий; б) передача полномочий с объяснением их специфики и особенностей. Делается акцент на том, что центральные органы государственной власти передают на места те государственные полномочия, которые оптимально решаются именно местными самоуправляющимися органами и структурами и, которые, к тому же, нерационально решать в центре. Объясняется характер и особенности механизмов взаимодействия органов государственной власти и органов местного самоуправления, благодаря которому есть возможность привлекать к вопросам и процессам государственного управления максимальное количество граждан, а следовательно, повышать роль гражданского общества в управлении делами государства и общества.

Ключевые слова: субсидиарность, разделение властей и распределение властных полномочий, принципы взаимодействия органов власти и органов местного самоуправления, способы предоставления центром полномочий местному самоуправлению.

Problem Statement. Today, a specific practical mechanism for cooperation between the state and local self-governments exists. Apart from direct contacts, it is about cooperation through the activity of various unions and associations of municipalities. It is through such structures that the state power can reach out to the maximum number of citizens; after all, it is a mechanism for linking the state with the civil society. In addition, the practice of creating various coordinating, consultative, advisory (temporary and

permanent) working parties, councils, commissions, and the like, has become widespread in recent years. Such public policy is gaining more publicity and openness, which, in turn, requires more detailed scientific research.

Analysis of Recent Research and Publications. The principle of subsidiarity as a socio-political phenomenon is sufficiently studied by such contemporary foreign and domestic scholars as N. Anisimova, A. Aroyan, Weimer, David L., Weining R., N. Gaydaenko, O. Gufe, E. Karakulian, V. Kuibida, V. Malinovsky, N. Nizhnyuk, T. Panchenko, O. Radchenko, V. Tertichka and V. Halipov. A bigger number of works is dedicated to the organization of local self-government, among which are the works of O. Batanov, P. Bileychuk, M. Borislavskaya, M. Golovaty, A. Kostenko, O. Lazar, V. Malynovsky, A. Nekryach, I. Pogorelova, V. Utvenko, and others.

Purpose of the Article. The purpose of this article is to systematize views on the principle of subsidiarity as an effective means of strengthening state power through power separation and authority distribution. The article attempts at justifying through which components the separation of power between centre and regions can be the most fruitful and effective in the interests of an individual, the state and society at the same time.

Main Material. The historical genesis of modern countries and societies undoubtedly proves that power separation and authority distribution, first and foremost between the state and local self-governments, is an essential condition for progressive social development. In scientific terms, this principle (process) has become known as "subsidiarity".

The objective right of the principle of subsidiarity to life is in the fact that government and the powers of its bodies cannot be objectively concentrated only in one place, and, above all, extend to all governmental decisions and processes. In the conditions of democratization of social life, decentralization of public administration, the increasing role of civil society in the functioning of large societies, subsidiarity becomes the principle (mechanism) of the optimal ordering of relations between different levels of social hierarchy in the state. Secondly, the constituent elements of any social system cannot live "absolutely" without the centre because, without it, its help and support, they will not be able to survive and fruitfully exist. Thirdly, there is a need to assign authority from the centre to regions if they are most effectively implemented in the regions. Fourthly, there is a need for mutual responsibility of the centre and regions for the successful implementation of state policy when the interests of the centre and regions are mutually consistent. Lastly, the effectiveness of the subsidiarity principle is paramount when the competencies between the centre and the regions compete [1].

Terminologically, it is important to bear in mind that the separation of power is its division between the main branches of power in the state, and the distribution of authority is the distribution of powers (authority) between the centre and regions. Both processes form public administration, which is based on the development of horizontal (rather than vertical) links between the state and civil society.

The principle of subsidiarity requires an obligatory distribution of authority between local self-governments and state bodies, although there has always been and always will be an interaction between them. It means, first of all, the existence of a set of legal norms and methods, which, in the aggregate, are aimed at joint resolution of both state and local tasks. In both cases, the rights and interests of an individual and the citizen are in the centre of such distribution and interaction.

In theory and practice, the interaction between state bodies and local self-governments is based on the following fundamental principles:

• common goals and objectives aimed at ensuring the rights and freedoms of an individual and the citizen and, consequently, the realization of national interests;

• comprehensive state support for the implementation and development of local self-governments (financial, political, organizational-managerial, etc.);

• distribution (simultaneously) of subjects and powers between state bodies and local self-governments;

• maximum autonomy (self-governance) of local self-governments, its bodies, and its officials to exercise its powers;

• non-interference of state authorities in the competence and practice of local self-governments (however, the control functions of the state power over local self-governments still remain and are clearly defined by law);

• subsidiarity when local self-governments implement minimum state standards and individual state powers delegated to them;

• publicity and awareness;

• mutual control over activities;

• resolution of existing conflicts through agreed procedures or judicial appeals;

• purposefulness and adherence to national interests;

• availability of local self-government resources.

State support for local self-governments is enshrined in law and implemented in the following generally accepted forms:

• development and adoption of relevant legal acts on the functioning of local self-governments;

• control over the compliance of local self-government with the relevant constitutional norms related to its activities;

• proper information support for local self-governments;

• methodological assistance to local self-governments;

• participation in the formation of local self-governments in cases provided for by law;

• training for municipal authorities;

• financial assistance to local self-governments.

By law, local self-governments receive separate state powers by excluding such powers from the competences of state bodies. In the meantime, it is important to bear in mind that the world practice of vesting local self-governments with authority of the centre is carried out mainly in two ways. The first method is inherent in the countries of the Anglo-Saxon system and is referred to as the principle of intra vires — the principle of positive regulation. It is about the assignment of those powers, which are precisely defined by relevant law. If local self-government

does not act under the law, such actions are regarded as illegal. Another principle, which is referred to as "negative regulation" — ultra vires — is continental and occurs when local self-governments do everything that is not prohibited by law and that does not fall within the competence of other bodies.

If the above approaches are compared, the principle of the continental system seems to give local self-governments more freedom in their functioning since authorities of such a government can determine the extent of their competence on their own. However, some specialists [2; 3; 4–6] indicate that, in such a case, local self-governments are less protected from an arbitrary reduction of their powers since the state, in its own right, can expand their competence in one way or another. Quite often, the highest agency of state power unilaterally does so in a statutory way. As for the Anglo-Saxon system of authority distribution, it is difficult to make such a distribution of authority unilaterally since the rules governing the competence of municipalities are enshrined primarily in their statutes, which have the relevant legal force. Even if national law changes in any way, the statutes of local authorities are not subject to change. Such a practice exists in many, first of all, European countries.

It is also worth noting that the theory and practice of implementing local self-governments involve two forms of granting separate state powers to such governments — delegation and assignment — which are different procedures. Delegation of authority is the procedure when a specific state body grants a proper right to resolve issues to local self-government. Such granting is one-time, with specified time intervals (terms) or indefinitely. As for assignment of authority, it means that certain powers are excluded from the competence of the centre and transferred to local self-governments, with inclusion into their competence. As a rule, the term of the transfer of such powers is not specified.

Given these features, "delegation of authority" and "assignment of authority" should be defined as sufficiently different political and administrative procedures. Thus, in addition to the constitutional vesting of local self-government in modern Ukraine, the Law on Local Self-Government in Ukraine states that the competence of local self-governments may include some state powers delegated to them by the state [4]. However, it also notes that granting such certain state powers to local self-governments is carried out only by law.

Significant importance is which state powers by nature and features are most often assigned from state authorities to local self-governments for rational necessity. International and national practices show that such powers are primarily:

- state registration of civil status;
- licensing (sale of alcoholic beverages; activities for the procurement, processing and practical sale of non-ferrous and ferrous metals scrap; educational activities of institutions located on the territory of municipalities);
- compensation services of different nature;
- medical and social examinations;
- implementing state urban planning cadastre and monitoring objects of urban planning activity;

• setting values of individual adjusting coefficients when calculating a single income tax for certain activities;

• procedure for the use of individual natural resources;

• activities of various administrative commissions, and the like.

Under these conditions, as it was mentioned before, local self-governments are deprived of their powers assigned to them, which is also regulated by law.

Finally, it is worth noting that, in the theory of municipal governance, three basic models of interaction between the municipal government and public authorities have been formed. The first model is the partnership model (J. St. Mill – 19th century), which is an idealistic model of "equal" partnership, to some extent. The second model — the agency model (as opposed to partnership) — refers to the dominant role of higher state authorities in the state administration, while local self-governments (managements) serve only as a specific administrative means to exercise managerial functions locally. The last of three models, which is a "balanced" model of interaction between the centre and local communities, is the "model of interdependence". Most likely, such a model is by far the most appropriate and rational if taking into account the noticeable development and proliferation of such basic types of communication between the state power and local self-government as subordination (ordered from top to bottom), coordination (mostly, horizontal nature), and re-ordination (mostly similar to subordination).

It should be emphasized that the foundations of interaction between state authorities and local self-government in Ukraine are reflected in the Constitution of Ukraine [5] through a system of guarantees, support and protection of the functioning of local self-government.

Conclusions and Prospects for Further Scientific Intelligence. Therefore, the principle of subsidiarity is now increasingly being researched as one of the most critical factors in maintaining the integrity of state power precisely through the separation of power and the distribution of authority. Another great scientific interest is the question of how and to which extent the democratization of public relations, the decentralization of public administration and the increase of influence on civil society processes will influence the process of subsidiarity. Political, sociological, marketing and other peculiarities of the above processes, which permeate the range of issues, require even more in-depth and substantive analysis. Undoubtedly, the process of radical transformation, including through the practical implementation of the principle of subsidiarity, modern models of government, both abroad and in modern Ukraine, is taking place now.

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CHARACTERISTIC FEATURES OF THE CONTENT OF THE CONCEPT OF PUBLIC ADMINISTRATION MECHANISMS IN THE FIELD OF CIVIL PROTECTION

Abstract. It is determined that the public administration in the field of civil protection can be called a separate type of activity in the organization of processes to ensure the protection and security of the population, the optimal functioning and sustainable development of the system of public administration of national security, which is conducted by public and private entities. It is determined that before *civil protection of entities* belong to state authorities that implement the development and implementation of public policy in the field of civil protection; *object control* accumulates various aspects of the field of civil protection as a system of ensuring the protection and safety of life of society (in a broad sense it is a management activity); *management processes* are responsible for ensuring public relations and organize direct and feedback relations between subjects and objects of management.

Analysing the doctrinal and regulatory sources that define the notion '*emergency*', the lack of a unified approach to this issue is noted, which can also be observed in the study of the classification of emergencies.

There are seven criteria, according to which a specific event can be attributed to an emergency:

- Organizational and managerial;
- Socio-political;
- Socio-psychological;
- Social and environmental;
- Economic;
- Animated; and
- Hourly.

Each of these criteria meets certain qualitative characteristics. Any unexpected extreme event should be considered as an emergency only if it meets all seven criteria. The defined criteria of an emergency, in their totality, make it possible to qualify processes, phenomena and events as an emergency, while separating them from other crisis phenomena.

Keywords: public administration in the field of civil protection, the safety of life of society, emergency situation, processes of ensuring the protection of the population.

ХАРАКТЕРНІ ОСОБЛИВОСТІ ЗМІСТУ ПОНЯТТЯ МЕХАНІЗМІВ ДЕРЖАВНОГО УПРАВЛІННЯ У СФЕРІ ЦИВІЛЬНОГО ЗАХИСТУ

Анотація. Визначено, що державне управління у сфері цивільного захисту можна назвати окремим видом діяльності з організації процесів забезпечення захисту та безпеки населення, оптимального функціонування та сталого розвитку системи державного управління національною безпекою, яка проводиться публічними і приватними суб'єктами. Визначено, що до *суб'єктів управління у сфері цивільного захисту* належать державні органи влади, які реалізують розробку та виконання державної політики у сфері цивільного захисту; *об'єкт управління* — акумулює різні аспекти сфери цивільного захисту в якості системи забезпечення захисту та безпеки життєдіяльності суспільства (в широкому сенсі представляє собою управлінську діяльність); *процеси управління* — відповідають за забезпечення суспільних відносин та організовують прямий та зворотній зв'язки між суб'єктами та об'єктами управління.

Проаналізувавши доктринальні та нормативні джерела, в яких наводиться визначення терміну "надзвичайна ситуація", відмічена відсутність уніфікованого підходу до цього питання, що, також, можна спостерігати під час дослідження питання класифікації надзвичайних ситуацій.

Систематизовано сім критеріїв, відповідно до яких конкретну подію можна віднести до надзвичайної ситуації:

- організаційно-управлінський;
- соціально-політичний;

• соціально-психологічний;
• соціально-екологічний;
• економічний;
• мультиплікаційний;
• часовий.

Кожен із зазначених критеріїв відповідає певним якісним характеристикам. Будь-яку неочікувану екстремальну подію варто відносити до надзвичайної ситуації лише у випадку її відповідності усім семи критеріям. Визначені критерії надзвичайної ситуації, у своїй сукупності, дають можливість кваліфікувати процеси, явища та події як надзвичайну ситуацію, водночас, відокремлюючи їх від інших кризових явищ.

Ключові слова: державне управління у сфері цивільного захисту, безпека життєдіяльності суспільства, надзвичайна ситуація, процеси забезпечення захисту населення.

ХАРАКТЕРНЫЕ ОСОБЕННОСТИ СОДЕРЖАНИЯ ПОНЯТИЯ МЕХАНИЗМОВ ГОСУДАРСТВЕННОГО УПРАВЛЕНИЯ В СФЕРЕ ГРАЖДАНСКОЙ ЗАЩИТЫ

Аннотация. Определено, что государственное управление в сфере гражданской защиты можно назвать отдельным видом деятельности по организации процессов обеспечения защиты и безопасности населения, оптимального функционирования и устойчивого развития системы государственного управления национальной безопасностью, которая проводится публичными и частными субъектами. Определено, что к *субъектам управления в сфере гражданской защиты* относятся государственные органы власти, которые реализуют разработку и выполнение государственной политики в сфере гражданской защиты; *объект управления* — аккумулирует различные аспекты сферы гражданской защиты в качестве системы обеспечения защиты и безопасности жизнедеятельности общества (в широком смысле, представляет собой управленческую деятельность); *процессы управления* — отвечают за обеспечение общественных отношений и организуют прямую и обратную связи между субъектами и объектами управления.

Проанализировав доктринальные и нормативные источники, в которых приводится определение термина “чрезвычайная ситуация”, замечено отсутствие унифицированного подхода к этому вопросу, что, также, можно наблюдать во время исследования вопроса классификации чрезвычайных ситуаций.

Систематизированы семь критериев, по которым конкретное событие можно отнести к чрезвычайной ситуации:
• организационно-управленческий;
• социально-политический;
• социально-психологический;
• социально-экологический;
• экономический;

• мультипликационный;
• временной.

Каждый из указанных критериев соответствует определенным качественным характеристикам. Любую неожиданную экстремальную событие следует относить к чрезвычайной ситуации только в случае ее соответствия всем семи критериям. Определены критерии чрезвычайной ситуации, которые, в своей совокупности, дают возможность квалифицировать процессы, явления и события как чрезвычайную ситуацию, одновременно, отделяя их от других кризисных явлений.

Ключевые слова: государственное управление в сфере гражданской защиты, безопасность жизнедеятельности общества, чрезвычайная ситуация, процессы обеспечения защиты населения.

Problem Statement. Public administration mechanisms in the field of civil protection have some distinctive features due to the many variants of emergency development. Each of the emergencies is unique, has specific causes, scenarios, features of impact on society, the environment, its scale and consequences [1, p. 69]. Therefore, I think it is necessary to analyse the scientific research regarding the definition of the concept of public administration mechanisms in the field of civil protection.

Recent Research & Publications Analysis. The issues of the peculiarities of the mechanisms of public administration in the field of civil protection, in various aspects, were investigated by following scientists: O. H. Barylo [4], A. V. Basov [9], Yu. B. Zaika [11], O. O. Zolotko [8], T. M. Kyshtal [2], K. M. Pasynchuk [2], S. P. Poteryayko [1], V. V. Fedorchak [10] and others. At the same time, the aforementioned issues, taking into account the urgency of the issue, require a long and thorough scientific research in order to increase the efficiency of the activity of the state institutions and their legal regulation of the sphere of civil protection.

Formulating the Goals of the Article. The purpose of the article is to identify characteristic features of public administration mechanisms in the field of civil protection.

Presentation of the Main Material. O. Trush considers the issues of mechanisms of realization of the State Policy of Ukraine in the Sphere of Civil Protection in a narrow and broad sense. In a narrow sense, the implementation of public policy is carried out through a comprehensive mechanism of public administration, which includes separate mechanisms: economic, organizational and legal, etc. This approach makes it possible to realize the determined direction of the state policy in each individual sphere of public activity.

In a broad sense, state policy is implemented through a state mechanism consisting of a group of mechanisms of public administration, local self-government, as well as mechanisms of functioning of the private and public sectors. [2, p. 162]. It is determined that the state management in the field of

civil protection can be called a separate type of activity in the organization of processes to ensure the protection and security of the population, the optimal functioning and sustainable development of the system of public administration of national security, which is conducted by public and private entities.

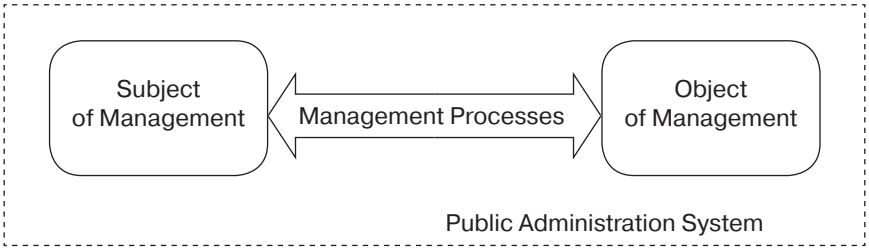
I agree with T. Krystal that the mechanism of public administration in the field of civil protection is a complex mechanism. It contains a set of elements that interact with each other and which include state authorities, which, with a view to expeditiously detecting, timely preventing and eliminating threats to the sustainable development of the state and society, and, in accordance with national interests, carry out the development and implementation of controlling, coordinating, regulating and normative state-administrative influences, within the framework of the current legislation of Ukraine, and with the involvement, existing at the disposal of the state and potential.

Investigating opinion of S. Andrieieva, I will note that he also considered in detail the organizational and legal mechanism of public administration in the field of civil protection and identified it as a system of organizational and legal instruments, levers and means by which the mechanism of public administration in the field of civil defense is implemented. In the structure of the mechanism under consideration, the author distinguished the legal and organizational components [3, p. 60]. On the whole, I agree with the author's opinion, but I will add that, in my opinion, it is necessary to distinguish the structural and functional components of the mechanism of public administration in the field of civil protection.

L. Zhukova, in the system of public administration in the field of civil protection, distinguishes the following elements [3]: the subject of management, the object of management and the processes of management (See Fig.).

I will add that *civil protection of entities* belongs to state authorities that implement the development and implementation of State Policy in the Field of Civil Protection; *object of management* accumulates various aspects of the field of civil protection as a system of ensuring the protection and safety of life of society (in a broad sense it is a management activity), and *management processes* are responsible for ensuring public relations and organize direct and feedback relations between subjects and objects of management.

So, in part, I agree with L. Zhukova's opinion. In my opinion, the System of



Elements of Public Administration Systems in the Field of Civil Protection

Public Administration in the field of Civil Protection also includes management activities, which provide direct and inverse links between the entities and objects of management.

A. Semenchenko examines the specifics of the functioning of public administration mechanisms in the field of national security. The scientist proposes a procedure for modeling a complex mechanism of strategic anti-crisis public administration in the field of national security, designed to improve the level of effectiveness of public administration in the field of national security in crisis emergencies, which contains a set of procedures and determines the sequence of their application.

It is worth paying attention to the components of the complex mechanism, the implementation of which involves the implementation of a number of processes, namely [3, p. 60]:

- Creation of a database of passports of threats and crisis situations;
- Timely updating of the database;
- Creation of a database of template anti-crisis and '*rational*' mechanisms of strategic public administration in the field of national security;
- Entering the results of the strategic analysis into the database;
- Event documentation;
- Coverage of events in the media;
- Providing expert advice to the Cabinet of Ministers of Ukraine;
- Use of such a tool as the Hotline of President of Ukraine;
- Building interstate relations; and
- Introduction of inter-parliamentary interaction mechanism and mechanisms based on the use of asymmetric threats, etc.

I like the opinion of L. Prykhodchenko [4, p. 68], who believes that the mechanism of public administration must contain an information component. However, I would point out that one of the components of the civil service mechanism in the field of civil protection is an information-analytical mechanism, which is responsible for the functioning of the system of information and analytical provision of civil protection.

P. Haman defines the mechanism of public administration in the field of civil protection as a special type of government that '*touches*' the political, cultural, economic and social spheres of public life. Subjects of implementation of this mechanism are entrusted with specific powers, functions and responsibilities. First of all, the main idea of management influences is forecasting, timely detection, effective prevention and elimination of real and potential threats. Such state measures should be subject to appropriate, specially formulated, for special situations, means and forces which, at the same time, concern the interests of the state and society. The creation of such a mechanism is a primary management task and its solution is entrusted to the appropriate system of authorities.

The end result of managerial influence is the provision of conditions under which sustainable development of society takes place, and national interests are realized in all spheres of public life. Therefore, the mechanism of public administration in the field of civil protection is characterized by the peculiarities of the cross-sectoral and functional components of public administration. This has a significant impact on the

methods, methods, functions and forms of government in this field [5].

To summarize, we can deduce the author's definition of the mechanism of public administration in the field of civil protection. Therefore, the mechanism of public administration in the field of civil protection is a component of the system of public administration, which, in its composition, contains the tools, methods, levers, means by which the management entity, which has expression in the public administration in the field of civil protection, performs direct influx on the object of management as the system of civil protection while using such management methods that serve to implement the State Policy in the Field of Civil Protection.

In the context of the research, I consider it appropriate to consider the characteristics of the concept of emergency.

Analysing the doctrinal and regulatory sources that define the notion '*emergency*', the lack of a unified approach to this issue is noted, which can also be observed in the study of the classification of emergencies.

V. Akimov, Yu. Korniichuk and H. Fedulov agree that, at present, there are many definitions in the field of civil protection that do not accurately and correctly disclose the content and focus of actions of government bodies of all levels, institutions and enterprises of any form of ownership, non-governmental organizations in solving their tasks [6, p. 111].

Scientists also point out that, until now, there is still no single and precise definition of such a basic concept in the field of research as an '*emergency*' [6].

According to Part 1 of Paragraph 24 of Article 2 of the Civil Protection Code of Ukraine [7], an emergency is a situation in a restricted area or water body that is characterized by a deterioration of the living conditions of the population and caused by a dangerous event: a natural disaster, a fire, accident, catastrophe, epidemic, epizootic, epiphytotic, or targeted use of lesions, etc. that contributed to, or could potentially contribute to, a threat to public health would result in large numbers of casualties and deaths, or to incur considerable material damage, and also to make it impossible for the population to reside in the affected territory or facility, or to continue its management thereon.

It is worth noting the achievement of B. Porfyriev [6], who became the first among domestic scientists who not only provided his own definition of the notion '*emergency*', but also as fully as possible described the parameters and features, through which a qualitative description of the emergency can be obtained, or, taking them as a basis, you can characterize the situation as an emergency.

According to B. Porfyriev, an emergency is an unexpected and unexpected situation that has a sudden nature, uncertainty, acute conflict, which complicates the decision-making process, causes stress in the population from causing him significant economic, social, environmental damage sometimes it leads to numerous human casualties.

The consequence of an emergency may be the need to involve significant material, human and time costs for rescue operations, the elimination of various adverse effects from fires,

destruction, etc. [8, p. 173]. However, the above definition of an emergency is provided was formed even during the Soviet Union. Although it is sufficiently detailed, however, at the present stage of development of economy, industry, society, it cannot fully reflect the complexity of possible emergencies [9, p. 95].

Investigating the signs of an emergency, the author notes that their integral feature is complexity. That is, it is only due to the totality of all the features, at the same time, is it possible to qualify the situation as an emergency, and in the absence of at least one of them this can no longer be done [6].

At the same time, B. Porfyriev draws attention to the fact that having the full set of qualities that determine the criteria for an emergency is not a prerequisite for qualifying a situation as critical. Depending on the particular situation, some of the criteria may be missing.

There are seven criteria, according to which a specific event can be attributed to an emergency:

- Organizational and managerial;
- Socio-political;
- Socio-psychological;
- Social and environmental;
- Economic;
- Animated; and
- Hourly.

Each of these criteria meets certain qualitative characteristics. Any unexpected extreme event should be considered as an emergency only if it meets all seven criteria [8, p. 115]. The defined criteria of an emergency, in their totality, make it possible to qualify processes, phenomena and events as an emergency, while separating them from other crisis phenomena.

In my opinion, the greatest interest is the approach to the scientific definition of the concept of the emergency situation by researcher N. Klymenko [6, p. 115].

The author believes that an emergency can be called a violation of normal conditions of activity, or life, people, in a particular object, or territory that was caused by a natural disaster, catastrophe, accident, use of means of destruction, sabotage, or terrorist acts, by any acts of an unconstitutional nature, or other factors that have caused, or could potentially cause, the death of people, harm their health, cause the death of plants and animals, cause significant material damage and can cause damage to the environment and place in peacetime or during the specific period (e.g. during combat operations). The latter condition is due to the fact that emergencies can occur not only in everyday conditions [6].

I like N. Klymenko's opinion, also, that emergencies can be classified on many grounds, namely:

- Severity of consequences;
- Nature of manifestation;
- Speed of development;
- Causes of occurrence;
- Scale of impact and consequences;
- Rates of formation;
- Speed of distribution; and
- Hazard levels, etc.

This, in part, explains that scientists use different approaches to the classification of emergencies.

I. Shpyliovyi says that an emergency, in the general sense, it is any change in the combination of circumstances and conditions of life of society that can lead to material losses, environmental damage and human casualties [6, p. 115].

I think that this definition is incomplete and I want to supplement it. In my opinion, an emergency is a situation on a specific object or a separate territory that has emerged as a result of dangerous natural, man-made, or social phenomena that have caused, or may become, human casualties, threat to the environment or human health, substantial material loss and deterioration of normal living conditions and life of the object or territory.

I also share the position of A. Datsiuk, V. Lapina and N. Malysheva that an emergency situation is a violation of the usual conditions of life of the population in a separate territory, which can be caused by a natural disaster, catastrophe, accident, fire, epidemic, or the use of any what are the means of mass destruction. The result of such activity may be the deterioration of the environment, the loss of material damage and the loss of life [10, p. 66].

In view of the aforementioned, A. Datsiuk clarifies that an emergency may also be caused by the influence of secondary factors that occur during the war and terrorist period [10]. V. Sadkovyi and S. Dombrovska have carried out the classification of emergency situations [10] as follows:

(1) Firstly, depending on the method of origin, they distinguish between military, natural and man-made emergencies.

(2) Secondly, the nature of the damage caused is detrimental to social, material resources and technology.

(3) Thirdly, because of the level of expression, they distinguish between object, local, regional and state.

Despite the appearance, emergencies have the property of speed of change, so it is important to predict the time of occurrence and variants of events. Hence, the complexity of the implementation of management functions, which increases the number of management risks. A. Bielousov, B. Porfyriev, O. Trush and other scientists rightly agree with this [10].

However, we cannot fully share the opinion of A. Alhin, I. Baryhin and L. Smorhunov that only external influence and unexpected circumstances are decisive for an emergency. The authors add that the mentioned circumstances should be characterized by contradictions, uncertainties, and significant economic, environmental and social losses [10]. In a certain number of cases, emergencies are a highly expected phenomenon.

An emergency directly determines the risk or danger to human life and health, which, in turn, cannot preclude making rapid decisions to mitigate the impact or eliminate the source of the danger. In this sense, the notion of '*emergency*' is derived from the categories '*danger*' and '*risk*' [11, p. 157].

Conclusion. At the present stage, the problem solution of civil protection of territories and the population from natural and man-made emergencies can be called one of the most important functions of a democratic state. It is noted that some of the gaps regarding the definition of the functions of the state, which are ensured by the interaction of the mechanisms of public administration, and especially in the field of civil protection, are still relevant. Research on the functions of the state provided in scientific articles is, by and large, similar, but there are slight differences in definitions.

It is also justified that the effectiveness of public administration reforms in the field of civil protection, increasing the efficiency of public institutions and legal regulation has a direct dependence on the use of standardized science-based terminology.

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