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IN CENTRAL AND EASTERN EUROPE

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DEAR COLLEAGUES!

Please accept my sincere congratulations with the occasion of the release of the 25th anniversary issue of the collection “Public management”. Over the years of its existence, the collection has won a worthy place in the Ukrainian scientific community, becoming an authoritative, highly professional, relevant publication, which always strives to remain in the position of scientific, independence and objectivity.

Over the years, the collection has become a real “tribune”, from which prominent representatives of the public administration, politics and the public consider it a matter of honor to speak. High quality of materials, balance and thoroughness of approaches, reliability of the published information – these are the characteristic features that distinguish the collection.

Creative cooperation is successfully developing between the staff of the publication and the leading institutions in the field of public administration. Also, the authors of the articles of the collection have repeatedly been the heads of government and local self-government. These publications have



invariably caused a wide resonance in the scientific community.

Once again, congratulating on the anniversary, I wish the editorial board fresh ideas and interesting discoveries, new authors and readers.

Health to you, happiness and well-being, dear colleagues, further creative successes!

**Regards,
President of the Interregional Academy
of Personnel Management,
Doctor of Law, Associate Professor,
Honored Worker of Physical Culture
and Sports of Ukraine**

A handwritten signature in black ink, appearing to be 'R. Schokin', written over a light background.

Rostislav Schokin

DEAR COLLEAGUES!



and the ability to present them scientifically.

The Ukrainian Assembly of Doctors of Science in Public Administration and the Interregional Academy of Personnel Management, which founded the publication, should also be congratulated with the release of the anniversary issue. As it turned out, both scientists, scientists and government officials can work in the same style – scientific, balanced, meaningful, open and friendly discussion of current issues in the field of public administration.

The publication of the collection “Public management” in English and Ukrainian has made it one of the most important sources of information for feedback from scientific institutions in many countries. The collection accurately reflects the reaction of the professional community to many innovations in the field of public administration.

I hope that in the future the publication will receive a new dynamic of development, while maintaining its constructive, trusting and respectful basis.

I wish the editorial staff, authors and readers new creative discoveries and further success in all endeavors!

Congratulations to the staff of the professional English-language collection from public administration “Public management” with the publication of the twenty-fifth anniversary issue!

This is a serious milestone for the quarterly publication. During its existence, the collection has published more than seven hundred scientific articles by scientists and leading experts in public administration. I think that one of the secrets of active creative longevity of the collection is a rare combination of analytical depth of materials

Regards,
Editor-in-Chief, Doctor of Science in Public Administration,
Professor, Honored Lawyer of Ukraine

A handwritten signature in dark ink, appearing to read 'E. O. Romanenko'. The signature is fluid and cursive, with a long horizontal stroke at the end.

E. O. Romanenko

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THE STUDY OF THE INFLUENCE OF FORCED MIGRATION PROCESSES ON PARTICULAR SOCIO-DEMOGRAPHIC INDICATORS OF TERRITORY SECURITY BASED ON NEURAL NETWORKS

Annotation. The paper deals with the topical problem of studying the impact of migration processes of internally displaced persons on certain socio-demographic indicators of regional security. This problem became particularly important after the beginning of armed aggression on the territory of Ukraine in 2014, which led to a rapid increase in internal migration processes. In particular, the dynamics of change of the following indicators was analysed: demographic burden, unemployment rate, the volume of remittances and proximity to the line of demarcation.

As a result of the study, the author constructed a neural network of the Kohonen map type. The model divided the training sample from the regions of the country into six clusters according to the level of four indicators of socio-demo-

graphic security. This allowed us to assess the impact of forced internal migration on some aspects of socio-economic security of the regions. Based on the obtained Korhonen map, it is shown that the Donetsk and Luhansk Oblasts, which directly border the Joint Forces Operation (JFO) zone, had a catastrophic increase in the demographic burden and unemployment rate during the study period. The volume of remittances of migrants has also decreased several times. The level of socio-economic security of the regions of the sixth cluster was selected as dangerous according to the selected indicators. The obtained results can be used for the formation of regional socio-economic policy and the corresponding national demographic and migration policy. The cluster analysis process and the proposed system of indicators make it possible to constantly monitor and assess the impact of forced internal migration processes on certain aspects of socio-economic security of regions.

Keywords: socio-demographic security, demographic burden, unemployment rate, demarcation line, Korhonen map, cluster.

ДОСЛІДЖЕННЯ ВПЛИВУ ПРОЦЕСІВ ВИМУШЕНОЇ МІГРАЦІЇ НА ОКРЕМІ СОЦІАЛЬНО-ДЕМОГРАФІЧНІ ПОКАЗНИКИ БЕЗПЕКИ ТЕРИТОРІЙ НА ОСНОВІ НЕЙРОННИХ МЕРЕЖ

Анотація. Роботу присвячено актуальній проблемі дослідження впливу процесів міграції внутрішньо переміщених осіб на окремі соціально-демографічні показники безпеки регіонів. Особливого значення ця проблема набула після початку збройної агресії на території України у 2014 р., що призвело до стрімкого зростання процесів внутрішньої міграції. Зокрема, проаналізовано динаміку зміни наступних показників: демографічне навантаження, рівень безробіття, обсяг грошових переказів, близькість розташування до лінії розмежування.

У результаті проведеного дослідження автором було побудовано нейронну мережу типу карти Кохонена. Модель розподілила навчальну вибірку з регіонів країни на шість кластерів за рівнем чотирьох показників соціально-демографічної безпеки. Це дозволило оцінити вплив процесів вимушеної внутрішньої міграції на деякі аспекти соціально-економічної безпеки регіонів. На основі отриманої карти Кохонена показано, що Донецька та Луганська області, які безпосередньо межують із зоною ООС, мали катастрофічне зростання демографічного навантаження та рівня безробіття протягом досліджуваного періоду. Також у кілька разів скоротились обсяги грошових переказів мігрантів. Рівень соціально-економічної безпеки регіонів шостого кластеру за обраними показниками був визначений як небезпечний. Отримані результати можуть бути використані для формування регіональної соціально-економічної політики і відповідних національної демографічної та міграційної політик. Процес кластерного аналізу та запропонована система показників дозволяють здійснювати постійний моніторинг та оцінку впливу процесів вимушеної внутрішньої міграції на окремі аспекти соціально-економічної безпеки регіонів.

Ключові слова: соціально-демографічна безпека, демографічне навантаження, рівень безробіття, лінія розмежування, карта Кохонена, кластер.

ИССЛЕДОВАНИЕ ВЛИЯНИЯ ПРОЦЕССОВ ВЫНУЖДЕННОЙ МИГРАЦИИ НА ОТДЕЛЬНЫЕ СОЦИАЛЬНО-ДЕМОГРАФИЧЕСКИЕ ПОКАЗАТЕЛИ БЕЗОПАСНОСТИ ТЕРИТОРИЙ НА ОСНОВЕ НЕЙРОННЫХ СЕТЕЙ

Аннотация. Работа посвящена актуальной проблеме исследования влияния процессов миграции внутренне перемещенных лиц на отдельные социально-демографические показатели безопасности регионов. Особое значение эта проблема приобрела после начала вооруженного конфликта на территории Украины в 2014 г., который привел к стремительному росту процессов внутренней миграции. В частности, проанализирована динамика изменения следующих показателей: демографическая нагрузка, уровень безработицы, объем денежных переводов, близость расположения к линии разграничения.

В результате проведенного исследования автором было построено нейронную сеть типа карты Кохонена. Модель распределила обучающую выборку из регионов страны на шесть кластеров по уровню четырех показателей социально-демографической безопасности. Это позволило оценить влияние процессов вынужденной внутренней миграции на некоторые аспекты социально-экономической безопасности регионов. На основе полученной карты Кохонена показано, что Донецкая и Луганская области, которые непосредственно граничат с зоной ООС, имели катастрофический рост демографической нагрузки и уровня безработицы в течение исследуемого периода. Также в несколько раз сократились объемы денежных переводов мигрантов. Уровень социально-экономической безопасности регионов шестого кластера по выбранным показателям был определен как опасный. Полученные результаты могут быть использованы для формирования региональной социально-экономической политики и соответствующих национальной демографической и миграционной политик. Процесс кластерного анализа и предложенная система показателей позволяют осуществлять постоянный мониторинг и оценку влияния процессов вынужденной внутренней миграции на отдельные аспекты социально-экономической безопасности регионов.

Ключевые слова: социально-демографическая безопасность, демографическая нагрузка, уровень безработицы, линия разграничения, карта Кохонена, кластер.

Problem statement. The annexation of the Crimea and the deployment of armed aggression in the East in 2014 caused significant demographic and social changes in the life of the re-

gions: led to a significant destruction of industrial, transport and social infrastructure, increased environmental risks. Particularly large changes have taken place in the oblasts directly bor-

dering the JFO zone (Luhansk and Donetsk). There have been dramatic changes in the state of the economy of these regions, which accounted for about a quarter of industrial production and a large share of Ukraine's exports. These processes have negatively affected the overall and safe life of millions of people. The decline in production and the massive closure of small and medium-sized businesses resulted in large-scale job cuts. In Ukraine, the processes of internal forced migration have begun.

Consequently, the problem of studying the impact of forced migration processes on certain socio-demographic indicators of territorial security remains relevant, but not sufficiently studied.

Analysis of recent researches and publications. The processes of forced migration of Internally Displaced Persons (IDP) have an impact on almost all spheres of society, and most of all on the demographic, social, economic, labour and financial markets. Undoubtedly, these processes affect the level of socio-economic security of the country and regions, in particular its socio-demographic component. But, despite the significant amount of research to study the IDP social or demographic, the issue of quantifying the impact of forced migration on the level of socio-economic security in the regional context remains beyond the attention of scientists.

O. Homra argued that migration is a natural manifestation of human mobility, motivated by the desire to improve the conditions of their existence, fuller and more reliable satisfaction of their needs, is migration [1].

Research of problems of freedom of movement of the person, reproduction of the population, migration processes, legal, political, demographic, social aspects of these processes and methods of management were studied at different times by such domestic scientists as O. Hladun, T. Hnatiuk, T. Dragunova, O. Ivankova-Stetsiuk, O. Piskun, I. Prybytkova, Y. Rymarenko, U. Sadova, and P. Shushpanova. E. Libanova studied human development, primarily its socio-demographic problems.

Among foreign scholars who have made a significant contribution to the study of the theory of regional migration processes should be mentioned: W. Beck W. Sombart, E. Lee, N. Luhmann, P. Pedersen, J. Ravenna, O. Stark and A. Schutz.

Quantitative assessment of the scale of migration flows in the world is carried out by specialized organizations, in particular: The Department of Economic and Social Affairs of the United Nations (New York, USA) [2] and the Institute of Migration Policy (Washington, USA) [3]. In Ukraine, these issues are dealt with by the State Statistics Service [4].

Formulating goals (aim) of the article. The aim of this study is a thorough analysis of the impact of forced migration on certain socio-demographic indicators of security of territories and the subsequent formalization of the results based on the tools of artificial intelligence, including neural networks.

Presentation of the main research material. However, aspects of the impact of forced internal migration processes on the level of socio-economic security of the regions remain insuf-

ficiently studied. First of all, this issue concerns oblasts that share borders with them (Ukraine-controlled parts of Donetsk and Luhansk Oblasts, Kharkiv, Zaporizhzhia Oblasts), and Kyiv, where IDP see greater prospects for employment and social protection. To confirm this thesis, we present the structure of the distribution of IDP between the regions of Ukraine as of April 13, 2020 (Fig. 1).

The level of economic security of the country is characterized by many indicators. Therefore, in practice, integrated assessments are used, which would describe the change in the level of economic security of the country in the dynamics in comparison with the threshold values. It is the comparison of the quantified level of economic security of the country with the threshold values is the main task of the analysis of economic security.

The threshold value is a limit value, non-compliance with the values of which leads to the beginning of destructive actions and unregulated processes in various spheres of life of the country and its territories, to the formation of destabilizing tendencies, or even puts the system in crisis.

To determine the threshold values of indicators usually use the following methods [6–8]:

- Functional dependencies (macroeconomic/microeconomic analytical or statistical equations, Akhiezer-Goltz methods, information theory);
- Macroeconomic models that adequately reflect the effects of destabilizing factors for a particular country in the current period;
- Methods of expert assessments; taking into account the assessments of international organizations (comparison of the main macroeconomic indicators with the threshold values, which are accepted as values not lower than the world average);
- Assessment of the growth of economic growth of the country according to the main macroeconomic indicators and the dynamics of their change;
- Expert assessment methods and heuristic methods ('snowball'; analogue approach; calibration; scoring of the level of economic security and ranking of territories according to the degree of threats based on the analysis of actual indicators of economic security);
- Method of analysis and processing of scenarios;

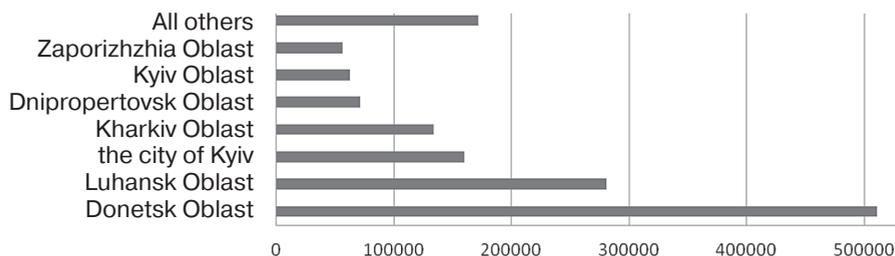


Fig. 1. The IDP distribution by oblasts of Ukraine as of April 13, 2020
 Built by the author according to the data of the Office of the UN High Commissioner in Ukraine [5]

- Nonlinear dynamics (Wavelet analysis);
- Stochastic (Diagnosis: cluster analysis, fuzzy sets; t-criterion; logistic regression, multidimensional statistical analysis);
- Game-theoretical methods;
- Methods of utility theory;
- Image recognition methods;
- Legislative approach (setting thresholds at the legislative level) [9].

Usually, the first two methods are used, the others are used only in case of impossibility of their application.

Today in Ukraine at the legislative level there are methodological recommendations for calculating the level of economic security of the country, which essentially implements an indicative approach to assessing the vulnerability of the national economy and ultimately provide for the calculation of integrated assessment [10]. Compared to the abolished methodology, since 2007, the new development has a number of advantages, namely:

- Determination of the vector of limit values of integrated indicators;
- Setting weights to calculate the contribution of each sub-index to the integrated indicator by the principal components' method;
- Substantiation of the method of rotation of factor axes [6].

This technique has several known methodological and technical problems in determining the integrated indicator of economic security [6].

The classical indicative method is based on a comprehensive analysis of economic security indicators and consists of the following stages:

- Formation of a set of indicators;

- Determination of characteristic (optimal, threshold and limit) values of indicators;
- Normalization of indicators;
- Determination of weighting factors;
- Calculation of the integrated index.

To adequately describe the dynamics and assess the socio-economic security of the region because of the ongoing military conflict in the East, it is necessary to expand the relevant system of basic indicators. Let's define a set of indicators that will allow us to quantify the impact of forced internal migration on the socio-demographic component of security in the region. The author proposes to use the following specific criteria, namely:

- The growth rate of the demographic burden since the JFO beginning;
- The growth rate of unemployment, since the JFO beginning;
- The proximity of the region to the JFO zone;
- The growth rate of remittances from abroad, since the JFO beginning.

Let's analyse separately the impact of selected indicators on the level of socio-economic security of the region and their dynamics under the influence of forced internal migration.

In terms of the impact on the region's economy, the growing burden of the elderly population on the working population leads to a decrease in the natural recovery of labour resources and is a problem for the development of social production. If the share of retirees in the total population is growing, it causes the need for additional care for the elderly, leads to an increase in the economic cost of providing ser-

VICES to support this category of people. To maintain and serve the elderly, it is necessary to increase unproductive costs [11].

According to the Office of the UN High Commissioner in Ukraine [5], the age structure of IDP varies greatly by region. The highest number of disabled people in the structure of IDP falls on the regions directly bordering the JFO zone and neighbouring regions. This significantly affects the level of demographic burden on the economically active population and the level of socio-economic security of these regions.

According to the definition of the State Statistics Committee, Demographic Burden (DB) is a generalized

quantitative characteristic of the age structure of the population, which shows the load on society by unproductive population. The DB is given per thousand population, i.e. in per mille (‰). Accordingly, the DB is calculated by the following formula:

$$DB = \frac{\text{Number of people aged 60 and over}}{\text{Population aged 16 – 59}}$$

To confirm the assumption of a significant impact of forced internal migration processes after 2014 on the level of socio-economic security of individual regions, we construct a comparative table of the total DB and compare the dynamics of its change during the JFO period (Table).

Comparison of the Regions of Ukraine by the Level of Demographic Burden in the Period 01.01.2014 to 01.01.2019

The Region, in the DB Descending Order (01.01.2014)	The DB (01.01.2014)	The DB (01.01.2019)	The Region, in the DB Descending Order (01.01.2019)
1	2	3	4
Chernihiv Oblast	421	489	Luhansk Oblast
Cherkasy Oblast	393	480	Donetsk Oblast
Kirovohrad Oblast	385	459	Chernihiv Oblast
Donetsk Oblast	384	425	Cherkasy Oblast
Vinnitsia Oblast	378	421	Sumy Oblast
Poltava Oblast	376	416	Kirovohrad Oblast
Sumy Oblast	375	415	Zaporizhzhia Oblast
Luhansk Oblast	370	403	Poltava Oblast
Khmelnitskyi Oblast	365	402	Vinnitsia Oblast
Zaporizhzhia Oblast	364	399	Khmelnitskyi Oblast
Zhytomyr Oblast	355	396	Dnipropetrovsk Oblast
Dnipropetrovsk Oblast	354	385	Kharkiv Oblast
Kharkiv Oblast	346	384	Mykolaiv Oblast
Mykolaiv Oblast	338	383	Zhytomyr Oblast
Kyiv Oblast	337	380	Kherson Oblast
Kherson Oblast	334	361	Odesa Oblast
Ternopil Oblast	331	357	Kyiv Oblast

1	2	3	4
Odesa Oblast	326	357	Ternopil Oblast
Lviv Oblast	306	344	the city of Kyiv
Chernivtsi Oblast	302	343	Lviv Oblast
Ivano-Frankivsk Oblast	299	330	Ivano-Frankivsk Oblast
the city of Kyiv	295	327	Chernivtsi Oblast
Volyn Oblast	285	314	Volyn Oblast
Rivne Oblast	273	303	Rivne Oblast
Zakarpattia Oblast	258	286	Zakarpattia Oblast

Source: Built by the author based on data [4]

According to Table, we conclude that the areas that are geographically located in the immediate vicinity of the JFO zone during the period under review had rapid dynamics to the DB growth. In particular, the maximum growth rate is observed in Luhansk (+32,2 %) and Donetsk (+25 %) oblasts, which account for more than 50 % of the IDP total number. In comparison: the DB average growth rate in the country during this period was 11,7 %.

The growing demographic burden has adverse consequences, which in particular lead to a scattered investment as a result of their redistribution from manufacturing to social infrastructure, a reduction in savings as a result of increased household consumption.

Consider the following of the selected indicators: the Unemployment Rate (UR) among the IDP. It is quite natural that a significant increase in the IDP number leads to a proportional increase in the unemployment rate in the region. Analysis of data on the unemployment rate according to the methodology of the International Labour Organization (determines unemployment rate as a ratio (as a percentage) of the number of unemployed aged 15 and

over to the labour force of the specified age or the relevant socio-demographic group) by regions during the JFO indicates the UR significant increase by regions bordering on the JFO zone. In particular, we have unprecedented growth of the indicator during the period under review in Luhansk (202 %) and Donetsk oblasts (59,5 %), with the UP average growth rate at 9,5 %, and in half of the oblasts, there was the UR reduction.

The third indicator that needs to be taken into account to assess the impact of forced internal migration processes on the level of socio-economic security of the region is the Proximity of the Location (PL) to the demarcation line, to the JFO zone. The objectivity and the need to take this indicator into account is unquestionable. However, the quantification of territories by distance from the line of demarcation is complicated by the lack of a clear methodology in international law for determining areas of armed tension in countries with military conflict [12]. Therefore, as part of this study, the author offers an expert assessment of this indicator, which will be determined in points. The scale of the PL indicator varies from 1 to 4 and is adjusted according to the regions ac-

According to the geographical distance from the demarcation line from the maximum value for regions directly bordering the JFO zone (Donetsk and Luhansk oblasts) to the minimum for regions far from the JFO zone. The PL level is equal to three in the regions bordering on regions with the PL level equal to 4 (Dnipropetrovsk, Zaporizhzhia and Kharkiv Oblasts). The PL = 2 for the regions adjacent to the data (Kirovograd, Mykolaiv, Poltava, Sumy and Kherson Oblasts) and PL = 1 for all others.

The last indicator that the author proposes to take into account in the process of cluster analysis of the dynamics of individual indicators of socio-economic security of regions under the influence of forced migration of the IDP is the Growth Rate of Remittances (GRR). This is the only selected indicator that reflects the positive impact of IDP migration on regional security.

The realities of today show that in the context of declining investment attractiveness, as well as military-political conflict, the growing rate of remittances and investments of the IDP forced to work abroad can become a stable and long-term resource for regional economic development [13].

The available data of the National Bank of Ukraine allows us to study the regional distribution of only part of remittances to Ukraine that comes through international payment systems (Western Union, Golden Crown, MoneyGram, etc.). Therefore, this study is limited to official statistics and will not make assumptions about the number of remittances through other revenue channels. This approach will form a statistical sample to build

a mathematical model that meets the principles of comparability.

Based on the analysis of available statistical information, we see a tendency to increase the GRR in the regions that account for the IDP majority. An important exception is Donetsk and Luhansk Oblasts. They show a decrease in the GRR revenues. Therefore, it means that there is no positive effect from the processes of forced internal migration in this indicator. This is due to the IDP highest levels in regions where more than half of the IDP are retired. Conversely, the majority of the IDP economically active population was registered in Kyiv, where the GTT grew by 309 % during the period under review.

Let's generalize the obtained data. Based on statistical information about the dynamics of the selected indicators, we will conduct a cluster analysis of their impact on the level of socio-economic security of regions based on a neural network such as the Korhonen map. Korhonen map implements one of the methods of cluster analysis [14].

This neural network is a single layer of neurons organized in the form of a two-dimensional matrix. This makes it possible to obtain a visual image of multidimensional input data. The Korhonen map allows clustering of research objects and further analysis of neuronal weights and distribution of examples by clusters.

According to the simulation results, the author obtained a Korhonen map, which divides the sample of 25 elements (24 oblasts and the city of Kyiv) into clusters according to the level of selected indicators that characterize certain aspects of the impact of forced

internal migration on socio-economic security of regions (Fig. 2) [15].

Let's analyse the results. Regions of Ukraine were distributed by clusters according to the values of the selected indicators on 01.01.2014 as follows:

- Cluster #1: Magarpatta Oblast, Zaporizhzhia Oblast, Ivano-Frankivsk Oblast, Kyiv Oblast, Mykolaiv Oblast, Sumy Oblast, Ternopil Oblast;

- Cluster #2: Volyn Oblast, Rivne Oblast, Kherson Oblast, Khmelnytskyi Oblast, Cherkasy Oblast, Chernivtsi Oblast;

- Cluster #3: Dnipropetrovsk Oblast, Donetsk Oblast, Lviv Oblast, Luhansk Oblast, Odessa Oblast, Kharkiv Oblast;

- Cluster #4: Kirovograd Oblast, Chernihiv Oblast;

- Cluster #5: the city of Kyiv; and

- Cluster #6: Vinnytsia Oblast, Zhytomyr Oblast, Poltava Oblast.

Consider the obtained clusters following the selected indicators of socio-economic security and compare the change in the cluster structure of the training sample under the influence of forced internal migration (Fig. 2).

The highest level of security according to the selected indicators as of 01.01.2014 was observed in the city of Kyiv (Cluster #1), Dnipropetrovsk, Donetsk, Lviv, Luhansk, Odessa and Kharkiv Oblasts (Cluster #3). They were characterized by a combination of the lowest and average values of demographic burden, unemployment and remittances. This result is quite justified: the core of the third cluster consists of historically formed industrial regions of Ukraine, and the city of Kyiv is the financial and administrative centre of the country with all the relevant advantages and opportunities.

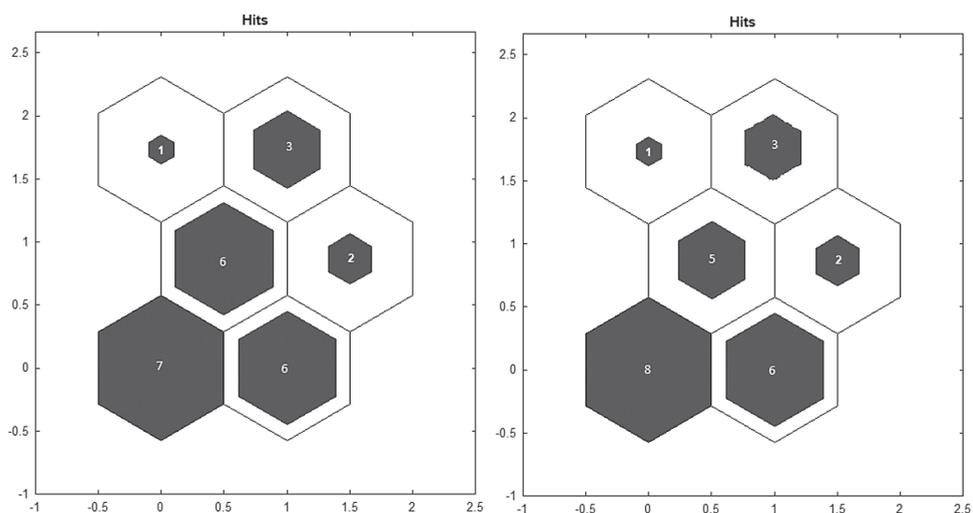


Fig. 2. From left to right: Korhonen map, obtained as a result of modelling the distribution of regions of Ukraine by individual indicators of socio-economic security according to the data on 01.01.2014; Korhonen map, obtained as a result of modelling the distribution of regions of Ukraine by individual indicators of socio-economic security according to data as of 01.01.2019

Source: Made by the author.

Cluster #1 is characterized by a stable level of security: it is the largest and includes areas with low unemployment, the demographic burden on the economically active population and the GRR high values, which significantly exceed the corresponding flows of foreign investment in the regions.

Slightly worse values of the studied indicators correspond to Cluster #2. The level of security of the areas included in it, according to the selected indicators, the author defines as below average. The worst situation with the DB, UR and GRR. They were typical on 01.01.2014 for Vinnytsia Oblast, Zhytomyr Oblast, Poltava Oblast (Cluster #6), Kirovohrad and Chernihiv Oblasts (Cluster #4). The latter two have the worst values of indicators, and therefore the level of socio-economic security is defined by the author as 'dangerous'. The level of socio-economic security of the regions of Cluster #6 was threatening.

Under the influence of the processes of forced internal migration in the cluster structure of the educational sample, there were changes. Regions of Ukraine were distributed by clusters according to the values of the selected indicators on 01.01.2019 as follows:

- Cluster #1: Vinnytsia Oblast, Zhytomyr Oblast, Zakarpattia Oblast, Rivne Oblast, Ternopil Oblast, Khmelnytskyi Oblast, Cherkasy Oblast, Chernivtsi Oblast;

- Cluster #2: Ivano-Frankivsk Oblast, Kyiv Oblast, Lviv Oblast, Mykolaiv Oblast, Odesa Oblast, Kherson Oblast;

- Cluster #3: Volyn Oblast, Kirovohrad Oblast, Poltava Oblast, Sumy Oblast, Chernihiv Oblast;

- Cluster #4: Donetsk Oblast, Luhansk Oblast;

- Cluster #5: the city of Kyiv; and

- Cluster #6: Zaporizhzhia Oblast, Dnipropetrovsk Oblast, Kharkiv Oblast.

According to the selected set of indicators, Donetsk and Luhansk Oblasts have a dangerous level of social and economic security (Cluster #4). Since the beginning of the military aggression in the east, which caused the IDP significant influx to these regions, their status has changed from 'the highest level of security' to 'dangerous'. The high share of the IDP in the structure of the IDP has led to a catastrophic increase in the demographic burden and the unemployment rate in the oblasts. Instead, there was no increase in remittances, the positive dynamics of which also directly depends on the number of the economically active population in the region. Besides, the regions directly border the JFO zone, which according to the proposed algorithm gives the territories the highest values of the PL indicator and reflects the additional risks associated with it.

According to the distribution, the level of security in Volyn Oblast, Kirovohrad Oblast, Poltava Oblast, Sumy Oblast and Chernihiv Oblasts remains threatening.

Under the influence of forced internal migration, the indicators of demographic burden and unemployment have increased significantly in Zaporizhzhia, Dnipropetrovsk and Kharkiv Oblasts. Also, the UR = 3 for these regions. Because of this, the trained neural network assigned them to one cluster. However, the level of socio-economic security of these regions re-

mains above average, in particular, due to the growth of remittance flows and low unemployment. The results obtained allow us to conclude that despite the proximity of the location to the demarcation line, the IDP significant number did not lead to a catastrophic decrease in the level of socio-economic security. One reason is the difference in the demographic structure of the IDP. Compared to Donetsk and Luhansk Oblasts, the regions of Cluster #6 have a ratio between people of working age and the retirement age of 80–90 % (8–9 people of working age per 10 pensioners), while in the fourth cluster the same figure is 24 % (Donetsk Oblast) and 17 % (Luhansk Oblast).

Cluster #5 has the highest level of security. It consists of one element of the educational sample as the city of Kyiv. Although the status of the safest region according to the chosen system of indicators has not formally changed; the positive effect of the IDP flow, since 2014 can be observed on the example of the city of Kyiv. The reason for this is again the demographic structure: the previously reported ratio between people of working age and retired person in IDP is 231 %. This means that one retired person has two people of working age. As a result, cash flows from migrants, low unemployment and the demographic burden have more than tripled.

Cluster #1 and Cluster #2 are characterized by a medium and high level of socio-economic security according to selected indicators.

Based on the generalized characteristics in the form of average values of characteristics within each of the six clusters, the author constructed a scat-

tering diagram in the coordinate system 'unemployment rate-demographic burden', which clearly demonstrates the component of socio-demographic security of each group. The size of the item on the chart corresponds to the average amount of remittances in the cluster. The arrow indicates the vector of deterioration of the level of the socio-demographic component of security in the regions that make up the corresponding cluster (Fig. 3).

The obtained average values of indicators of the unemployment rate, demographic burden, the volume of remittances of migrants and the proximity of their location to the demarcation line confirm the conclusions obtained by the author regarding the impact of forced internal migration processes on certain aspects of the level of socio-demographic security of regions.

The situation in the east of the country requires additional research on the conceptual approach to assessing the level of economic security of the regions. In the light of these events, it becomes clear that adequate management of the security of the regional economy is impossible without taking into account the risks of significant fluctuations in its indicators under the influence of forced internal migration processes.

Conclusions and prospects for further researches. As a result of the study, the author constructed a neural network of the Korhonen map type. The model divided the training sample from 25 regions (24 oblasts and the city of Kyiv) into six clusters according to the level of four indicators of social and demographic security. This allowed us to assess the impact of forced internal

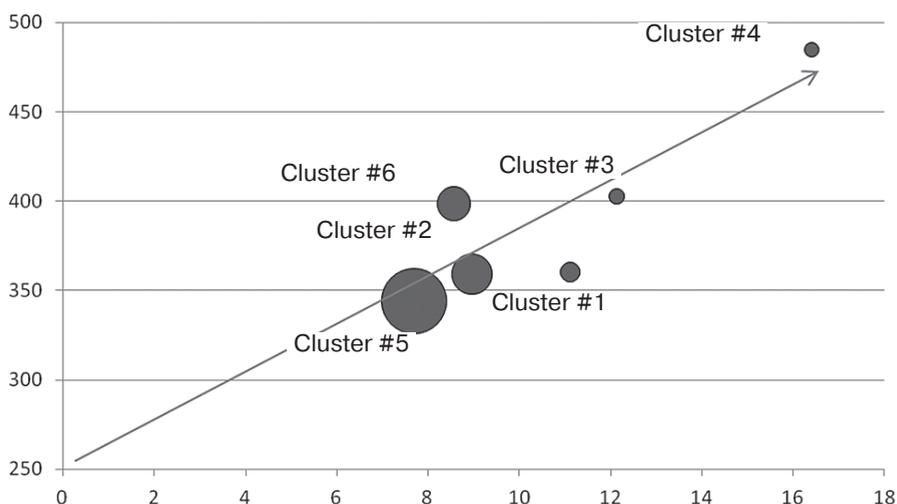


Fig. 3. Diagram of scattering of the generalized characteristics of separate indicators of social and economic safety of regions on clusters of the Korhonen map on data of 2019

Source: Made by the author.

migration on some aspects of socio-economic security of the regions. Based on the obtained Korhonen map, it is shown that the Donetsk and Luhansk Oblasts, which directly border the JFO zone, had a catastrophic increase in the demographic burden and unemployment rate during the study period. The volume of remittances of migrants has also decreased several times. The level of socio-economic security of the regions of the sixth cluster was selected as dangerous according to the selected indicators. In contrast, in the city of Kyiv, which has significant volumes of the IDP arrivals, an increase in the level of socio-economic security was recorded in the selected indicators. This is due to the demographic structure of IDP in the region. The ratio between people of working age and retired persons in IDP is 231 %. As a result, the volume of cash flows from migrants, low unemployment and demographic burden have more than tripled.

The level of security of the oblasts bordering Donetsk Oblast and Luhansk Oblast remains consistently high during the period under review. They did not record the catastrophic impact of forced internal migration processes, but there was an increase in the demographic burden indicator.

The obtained results can be used for the formation of regional socio-economic policy and the corresponding national demographic and migration policy. The cluster analysis process and the proposed system of indicators make it possible to constantly monitor and assess the impact of forced internal migration processes on certain aspects of socio-economic security of regions.

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FORMATION OF MODELS OF INVESTMENT ACTIVITY DEVELOPMENT IN HOUSING IN UKRAINE

Abstracts. Today, housing construction in Ukraine is in decline, but we can note that this activity has significant potential for further development. Many factors in the country contribute to this: the steady demand for housing products, available natural resources, skilled labor, and accumulated scientific potential. The processes of development of the construction industry are hampered by the unstable financial and economic situation in the country, imperfect legislation governing the implementation of housing construction, insufficient financial and information support of the construction process, and imperfect state regulation of housing development processes.

Improving housing finance and an important element of socio-economic development at the present stage for Ukraine is the reconstruction of housing, which is manifested for several reasons: the need to increase opportunities for housing affordability, improve housing conditions, provide adequate housing and government support. Due to limited budgetary resources and a reorientation of priorities in funding for military expenditures, it is necessary to create a mechanism that would combine the efforts of the state and the private sector to finance housing construction and reconstruction.

Currently, in Ukraine, the issue of financial support for the construction of new housing and the reconstruction of existing housing remains relevant. The issue of housing modernization remains especially urgent and relevant, as more than 86,000 high-rise buildings of the last century were built in the 1960s and 1980s. This problem has become even more relevant due to the expansion of the network of the condominium associations. It should be noted that in most regions there is a significant share of housing stock that has expired and is in emergency conditions.

Keywords: investment activity, housing construction, investment relations, investment capital.

РОЗРОБКА МОДЕЛЕЙ РОЗВИТКУ ІНВЕСТИЦІЙНОЇ ДІЯЛЬНОСТІ В ЖИТЛОВОМУ БУДІВНИЦТВІ В УКРАЇНІ

Анотація. На сьогодні житлове будівництво в Україні знаходиться у стані спаду, але можемо зазначити, що ця діяльність має значний потенціал

для подальшого свого розвитку. В країні існує багато чинників, які сприяють цьому: стійкий попит на продукцію житлового будівництва, наявні природні ресурси, кваліфікована робоча сила та накопичений науковий потенціал. Гальмують процеси розвитку будівельної галузі нестабільна фінансово-економічна ситуація в країні, недосконале законодавство, що регулює здійснення житлового будівництва, недостатнє фінансове та інформаційне забезпечення будівельного процесу, недосконале державне регулювання процесами розвитку житлового будівництва.

Удосконаленням фінансування житлового будівництва та важливим елементом соціально-економічного розвитку на сучасному етапі для України є реконструкція житлового фонду, що проявляється через деякі причини: необхідність збільшення можливостей для доступності житла, поліпшення самих умов житлового фонду, забезпечення достатньої кількості житла та державна підтримки. Через обмеженість бюджетних ресурсів та переорієнтацію пріоритетів у фінансуванні на військові витрати необхідно створити механізм, який би поєднав зусилля держави та приватного сектору з фінансування житлового будівництва та реконструкції.

На даний час в Україні питання фінансової підтримки як для будівництва нового житла, так і для реконструкції існуючого житлового фонду залишається актуальним. Особливо терміновим та актуальним є питання модернізації житлового фонду, оскільки у 60–80-х роках минулого століття було побудовано понад 86 тис. висотних будинків. Ця проблема набула додаткової актуальності у зв'язку з розширенням мережі ОСББ. Не можна не зазначити, що у більшості регіонів значною є частка житлового фонду із закінченим терміном експлуатації, яка знаходиться в аварійному стані.

Ключові слова: інвестиційна діяльність, житлове будівництво, інвестиційні взаємовідносини, інвестиційний капітал.

РАЗРАБОТКА МОДЕЛЕЙ РАЗВИТИЯ ИНВЕСТИЦИОННОЙ ДЕЯТЕЛЬНОСТИ В ЖИЛИЩНОМ СТРОИТЕЛЬСТВЕ В УКРАИНЕ

Аннотация. На сегодня жилищное строительство в Украине находится в состоянии спада, но можем отметить, что эта деятельность имеет значительный потенциал для дальнейшего своего развития. В стране существует много факторов, которые способствуют этому: устойчивый спрос на продукцию жилищного строительства, имеющиеся природные ресурсы, квалифицированная рабочая сила и накопленный научный потенциал. Тормозят процессы развития строительной отрасли нестабильная финансово-экономическая ситуация в стране, несовершенное законодательство, регулирующее осуществление жилищного строительства, недостаточное финансовое и информационное обеспечение строительного процесса, несовершенное государственное регулирование процессами развития жилищного строительства.

Совершенствованием финансирования жилищного строительства и важным элементом социально-экономического развития на современном этапе

для Украины является реконструкция жилого фонда, что проявляется по ряду причин: необходимость увеличения возможностей для доступности жилья, улучшения самих условий жилищного фонда, обеспечения достаточного количества жилья и государственной поддержки. Из-за ограниченности бюджетных ресурсов и переориентации приоритетов в финансировании на военные расходы необходимо создать механизм, который бы объединил усилия государства и частного сектора по финансированию жилищного строительства и реконструкции.

В настоящее время в Украине вопрос финансовой поддержки как для строительства нового жилья, так и для реконструкции существующего жилого фонда остается актуальным. Особенно срочным и актуальным является вопрос модернизации жилищного фонда, поскольку в 60–80-х годах прошлого века было построено более 86 тыс. высотных домов. Эта проблема приобрела дополнительную актуальность в связи с расширением сети ОСМД. Нельзя не отметить, что в большинстве регионов значительна доля жилищного фонда с истекшим сроком эксплуатации и той, которая находится в аварийном состоянии.

Ключевые слова: инвестиционная деятельность, жилищное строительство, инвестиционные взаимоотношения, инвестиционный капитал.

Problem Statement. Ensuring the exit of the Ukrainian construction industry from the crisis of economic activity and the formation of its long-term development is possible with the introduction and active state regulation of new forms of investment relations between enterprises, organizations of various economic activities, authorities and the public, research and educational institutions (network organizations).

Under the new forms of investment relations in housing should be understood such a process of investment and international cooperation, which results in maximum integration of economic systems, free movement of goods, works, services, intellectual capital, growth of foreign trade flows (export-import operations, foreign direct investment), without violating the

national identity of the country and raising, in general, the living standards of the population.

Analysis of recent publications on research issues. Modern features of investment and development of investment activity in the field of housing construction in their works covered M. A. Vozniuk, M. S. Sadoviak, T. V. Maiorova, H. F. Mazur, V. I. Hurkovskyi, O. M. Nepomniashchyi, Ye. O. Romanenko, and others.

Purpose of the article. The purpose of the article is to develop a conceptual and investment state model of housing formation.

Presenting the main material of research. Under market conditions, the housing stock is the object of long-term investment activities, since it is characterized by a long process of implementation and operation, and, accordingly,

such a fund requires significant capital investment at all stages of its development and therefore proper investment. Investment support is a rather complex and comprehensive process, as its participants are public authorities and local governments, financial institutions, legal entities and individuals, intermediaries, stock exchanges, specialized funds, and more.

Practice and experience show that the accumulation of investment resources can be formed by obtaining loans, issuing mortgage bonds, raising funds from citizens, corporate structures, the state, local communities, and more. That is, the sources of investment capital are quite diverse, but its purpose is clearly defined, as it is aimed at the formation of housing [1].

Effective government regulation and support are needed to overcome the existing problems in the field of housing construction. Also, to increase the efficiency of housing construction in Ukraine, it is necessary to take the following measures:

- improvement of regulatory and legal support for housing construction, primarily in the field of construction financing;
- improving the mechanism of implementation of state targeted programs to provide the population with affordable housing, state support for investment projects;
- development of housing mortgages and state support of commercial banks that offer mortgage programs;
- reducing interest rates and facilitating access to credit;
- obtaining tax exemptions by developers of social housing;

- elimination of bureaucratic obstacles and reduction of terms of permit documentation approval.

But it should be noted that the development of housing depends on economic and social stability in the country. Therefore, public policy should be aimed primarily at reducing inflation, restoring economic growth, stabilizing the money supply, reducing the budget deficit, strengthening the national currency, improving the welfare of the population [2, p. 320].

At the present stage of the country's development, the importance of the impact of innovation on the growth of the country's economic indicators is unquestionable. The need for Ukraine's transition to a modern innovative model of economic development is defined at the state level, which will not only stabilize the level of development of the national economy but also increase the country's export potential, solve many social problems, promote compliance with international environmental standards in production, giving the national manufacturer the competitiveness status in the world market. To date, given the increasing informatization of production in the world, the Government of Ukraine has chosen the path of digital transformation to stimulate the country's economy and attract investment in the most promising areas, including construction [3].

A sound investment policy in the field of construction (based on the involvement of a wide range of investment sources) is a set of economic and legal relations on government regulation and parameters of the investment process, which with financial

leverage will promote state production in Ukraine and the future economic model after the crisis [4]. We would also like to note the fact that in conditions of economic instability it becomes important to expand sources of funding for investment projects (mixed financing), to introduce the insurance investment, as the latter affects the development of many other sectors of the economy and is one of the indicators of the national economy [5].

In modern conditions, there is a need to revise the updated state model of housing based on the identification of key sources of investment in housing. This model should be focused on the strategic solution of housing problems of the Ukrainian population and aimed at improving the quality of life in terms of providing resource-ecological housing of a new type. Taking into account that the level of housing for Ukrainian citizens is low and does not meet European standards, the state must create conditions for the realization of the constitutional right of citizens to housing. This requires the study of effective investment mechanisms to ensure the formation of housing stock, which would allow ordinary citizens to obtain the opportunity to purchase housing on acceptable terms.

Trends in housing policy in Ukraine in recent years indicate that housing remains unaffordable for the vast majority of Ukrainian citizens.

Market mechanisms introduced in the field of housing construction and redistribution in the current conditions in Ukraine do not work. The most common tool in the world to increase the availability of housing – mortgage lending, also proves ineffective [6].

In modern conditions, the income of the “average” family is at least twice less than that required to obtain a mortgage loan. That is, the existing model of housing mortgage lending in Ukraine based on the banking system is focused on high-income groups of citizens with incomes two or more times higher than average. A slight tendency to increase the housing affordability index, which was observed in 2010–2011, ended in a significant decrease in 2014–2017, mainly due to a significant devaluation of the hryvnia. To obtain a housing mortgage in 2018, incomes had to be more than 2,5 times higher than average. Thus, market mechanisms are not able to provide significant progress in solving the housing problem in Ukraine [7].

Under such conditions, it is logical that the initiative to reduce the severity of the housing problem should be taken by the state.

The activity of the state can be manifested in two directions:

1. the state can act as a subject of construction, increasing the volume of housing built, and distribute it among those categories of citizens who need it most;

2. the state can implement certain programs aimed at stimulating the attraction of public funds in the field of housing construction and its redistribution with its subsequent acquisition.

Regarding the first of the above areas, it should be noted that the activity of the state as a subject of housing construction is extremely low.

The volume of housing commissioned at the expense of the State Budget in 2016 decreased 2,7 times compared to 2015 and reached almost

zero – 0,03 % of the total volume of housing commissioned in Ukraine. Thus, in 2015–2016, the state significantly reduced the amount of direct financing for housing construction, even in comparison with the insignificant funds that were allocated for these purposes earlier. Thus, the transition to a market model of development has led to the fact that the state has virtually ceased to be a subject of housing construction.

Regarding the second of the state activities in solving the housing problem, we note that, in fact, removing itself from the construction of new housing, the state has not created effective tools to stimulate public demand [8].

It should be noted that those categories of Ukrainian citizens who need to be provided with social housing are practically deprived of the right to receive it because there are no mechanisms for building social housing in Ukraine.

To implement an effective socially oriented housing policy in Ukraine, which will create conditions for real social and economic improvements in the lives of millions of citizens, we have developed the following proposals for the development of a new housing policy strategy in Ukraine.

To effectively provide housing for Ukrainian citizens in need of state support to solve the housing problem by attracting funding from state and local budgets, as well as from extrabudgetary sources, the Government of Ukraine should develop and approve a new unified State Housing Program.

Categories of citizens for whom the state allocates funds to solve their housing problem under the State

Housing Program are determined by the new Housing Code of Ukraine and the Laws of Ukraine.

For certain categories of citizens (disabled people and participants of the anti-terrorist operation, IDPs, servicemen, youth, socially vulnerable citizens, other categories of citizens established by the Laws of Ukraine) the State Housing Program should provide for appropriate subprograms [9].

Within the framework of the State Housing Program, new regional and local housing programs must be adopted to implement the decentralization policy under the legislation of Ukraine and the decisions of the relevant councils. Besides, the ability of a construction company to innovate largely depends on the profitability of the enterprise, the availability of its own financial resources, and the ability to use borrowed funds [10].

The knowledge, skills, qualifications, experience, and creativity of employees are also important to ensure the innovative development of a construction company. Therefore, for the successful implementation of the state policy of enterprise development, it is necessary to create an effective system of personnel development of the enterprise, in particular timely and effective training and retraining of employees. Thus, the development of a construction company requires training of employees to perform new functions, occupy new positions, solve new problems [11].

At the same time, domestic construction companies should pay sufficient attention to improving the management system of the organization, especially to increase the efficiency of

interaction of all participants in the construction process, which will help reduce construction time.

Thus, the use of modern technologies, high productivity, as well as an effective system of government regulation are key factors in the success of construction companies.

The introduction of a new housing policy will create mechanisms for a real solution to the housing problem of the most socially vulnerable groups of Ukrainian citizens, which will significantly improve the social well-being of Ukrainian citizens and the level of confidence in the government.

As a result of the implementation of the new strategy, the volume of housing construction is projected to increase to 14 million square meters in 2020 and up to 20 million square meters in 2025.

Tens of thousands of citizens will further improve their living conditions every year, Ukraine will receive an additional multibillion GDP growth each year, and additional tax revenues to the budgets of all levels will also amount to billions of hryvnias.

The creation of the State Housing Corporation will be the first step to introduce a modern, socially-oriented housing policy in Ukraine.

Conclusion and prospects for further research. Summarizing the above, we can conclude that in conditions of socio-economic instability it is extremely difficult to build and sell a business, to form investment processes. The main task is to find and implement special mechanisms and tools for the implementation of investment activities in housing construction and public financing, increase the level of accessibility of land for developers, reduce the

bureaucracy of procedures for obtaining building permits and fight corruption.

Of course, the issues of improving housing financing mechanisms, the economic situation in the country, stabilizing the currency, improving living standards, as well as increasing wages, pensions, etc., which in turn will ensure socio-economic stability in the country, need to be researched and developed.

Therefore, to form an active model of investment policy, it is proposed to create an investment structure that will include an investment committee, information center, authorized insurance companies, authorized banks, consulting firms, investment funds, investment companies, consulting companies. At the initial stage, it is necessary to develop a system of guarantees and protection of investments to attract them to the region, to establish a system of evaluation of investment projects in the legislative procedure; define and differentiate powers in the field of regional investment policy formation by investment institutions; systematize control over investment measures and establish a system of sanctions for violations of investment legislation.

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ENVIRONMENTAL MANAGEMENT TOOLS IN THE CONTEXT OF IMPLEMENTATION OF STATE ENVIRONMENTAL POLICY AT THE REGIONAL LEVEL

Abstract. The article considers the tools of environmental management in the context of the implementation of the state environmental policy and sustainable development of the regions. State environmental policy is the activity of the public authorities aimed at the formation and development of the environmental production/consumption and environmental culture of the human life. The following mechanisms are used to implement the regional environmental policy: legislative and legal, managerial, economic, public and educational.

It is determined that environmental management is a component of the general system of environmental management, the system of market management of the environment, operates at the territorial hierarchical level within the global environmental policy, the state as a whole, region, separate territory (city, settlement, separate natural zone), corporations, enterprises in areas with market relations. Environmental management at the state level is a state management system aimed at creating legal norms and principles for the environmental protection, ensuring the formation of public awareness of the rational use of natural resources, support for environmental innovation and technology projects. The following groups of environmental management tools are regulated by the national environmental legislation and implemented international agreements and conventions: the first group is related to the system of international and state environmental standards ISO and SSU (*State Standards of Ukraine*) (environmental audit, environmental certification, environmental labeling), the second group represents systematic assessment of the ecological state of the environment and the impact of man-made factors (strategic environmental assessment, environmental monitoring, environmental impact assessment), the third group is related to the environmental development of the region, territories, enterprises (environmental marketing).

Keywords: environmental policy, environmental management, environmental audit, environmental certification, environmental labeling, strategic environmental assessment, environmental monitoring, environmental impact assessment, environmental marketing.

ІНСТРУМЕНТИ ЕКОЛОГІЧНОГО МЕНЕДЖМЕНТУ В КОНТЕКСТІ РЕАЛІЗАЦІЇ ДЕРЖАВНОЇ ЕКОЛОГІЧНОЇ ПОЛІТИКИ НА РЕГІОНАЛЬНОМУ РІВНІ

Анотація. Розглянуто інструменти екологічного менеджменту в контексті реалізації державної екологічної політики і сталого розвитку регіонів. Державна екологічна політика — це діяльність органів державної влади, спрямована на формування та розвиток екологічного виробництва/споживання та екологічної культури життєдіяльності людини. Для реалізації регіональної екологічної політики використовуються такі механізми: законодавчо-правовий, управлінський, економічний, громадсько-просвітницький.

Визначено, що екологічний менеджмент є складовою загальної системи екологічного управління, системою ринкового управління довкіллям, функціонує на територіальному ієрархічному рівні в рамках глобальної екологічної політики, держави в цілому, регіону, окремої території (місто, селище, окрема природна зона), корпорації, підприємств у сферах з ринковими відносинами. Екологічний менеджмент на рівні держави являє собою державну систему управління, яка спрямована на створення правових норм та засад з охорони навколишнього середовища, забезпечення формування у населення свідомості щодо раціонального використання природних ресурсів, підтримку екологічних інноваційних та технологічних проєктів. Виділено

наступні групи інструментів екологічного менеджменту, які регулюються національним екологічним законодавством та імплементованими міжнародними угодами і конвенціями: перша група пов'язана із системою міжнародних і державних екологічних стандартів ISO та ДСТУ (екологічний аудит, екологічна сертифікація, екологічне маркування), друга група представляє системну оцінку екологічного стану навколишнього середовища і впливу техногенного фактора (стратегічна екологічна оцінка, екологічний моніторинг, оцінка впливу на довкілля), третя група пов'язана із екологічним розвитком регіону, території, підприємств (екологічний маркетинг).

Ключові слова: екологічна політика, екологічний менеджмент, екологічний аудит, екологічна сертифікація, екологічне маркування, стратегічна екологічна оцінка, екологічний моніторинг, оцінка впливу на довкілля, екологічний маркетинг.

ИНСТРУМЕНТЫ ЭКОЛОГИЧЕСКОГО МЕНЕДЖМЕНТА В КОНТЕКСТЕ РЕАЛИЗАЦИИ ГОСУДАРСТВЕННОЙ ЭКОЛОГИЧЕСКОЙ ПОЛИТИКИ НА РЕГИОНАЛЬНОМ УРОВНЕ

Аннотация. Рассмотрены инструменты экологического менеджмента в контексте реализации государственной экологической политики и устойчивого развития регионов. Государственная экологическая политика — это деятельность органов государственной власти, направленная на формирование и развитие экологического производства/потребления и экологической культуры жизнедеятельности человека. Для реализации региональной экологической политики используются следующие механизмы: законодательно-правовой, управленческий, экономический, общественно-просветительский.

Определено, что экологический менеджмент является составной частью общей системы экологического управления, системой рыночного управления окружающей средой, функционирует на территориальном иерархическом уровне в рамках глобальной экологической политики, государства в целом, региона, отдельной территории (город, поселок, отдельная природная зона), корпорации, предприятий в сферах с рыночными отношениями.

Экологический менеджмент на уровне государства представляет собой государственную систему управления, которая направлена на создание правовых норм и принципов по охране окружающей среды, обеспечения формирования у населения сознания по рациональному использованию природных ресурсов, поддержку экологических инновационных и технологических проектов. Выделены следующие группы инструментов экологического менеджмента, которые регулируются национальным экологическим законодательством и реализованы международными соглашениями и конвенциями: первая связана с системой международных и государственных экологических стандартов ISO и ДСТУ (экологический аудит, экологическая сертификация, экологическая маркировка), вторая группа представляет системную оценку экологического состояния окружающей среды и влияния техноген-

ного фактора (стратегическая экологическая оценка, экологический мониторинг, оценка воздействия на окружающую среду), третья группа связана с экологическим развитием региона, территорий, предприятий (экологический маркетинг).

Ключевые слова: экологическая политика, экологический менеджмент, экологический аудит, экологическая сертификация, экологическое маркирование, стратегическая экологическая оценка, экологический мониторинг, оценка влияния на окружающую среду, экологический маркетинг.

Formulation of the problem. The functioning of the environmental management system involves the use of certain management tools aimed at achieving practical results of the environmental policy, related to: firstly, analysis and assessment of the environmental situation in the state, region, individual territory and enterprise, identification of the environmental hazards; secondly, reducing the negative impact of identified environmental risks; thirdly, prevention of environmental hazards through the use of preventive management methods in the field of environmental policy; fourthly, control and monitoring of compliance with the environmental legislation; fifthly, the formation of conditions for the implementation of the principles and mechanisms of the “green” economy as the basis of the economic component of sustainable (balanced) development; and, sixth, the creation of a multi-entity management system for the practical implementation of the environmental policy in the region.

Analysis of recent research and publications. The theoretical and methodological basis of the study of the environmental management system are the works of Ukrainian and foreign scientists. The works of V. Anishchenko,

O. Balatsky, O. Bilyk, T. Halushkina, T. Halkevych, K. Demyanenko, Yu. Dobush, I. Dudnikova, M. Ilyina, O. Lukyanykhina, N. Pakhomova, O. Potay, K. Richter, T. Tryfonov, A. Sadekov, N. Selivanov, Y. Sahaidak, V. Shevchuk Works and other scientists were important and devoted to the study of environmental management as a type of management. However, a number of issues still remain unexplored, in particular the systematization of the environmental management tools in the context of sustainable regional development.

Purpose of the article. The purpose of the article is to identify and systematize the tools of the environmental management in the context of the implementation of the state environmental policy at the regional level.

Presentation of the main research material. The implementation of the state environmental policy at the regional level involves the introduction of an effective system of mechanisms and tools for management, the allocation of objects and subjects of management, its principles and functions. An integrating factor in the formation of such a management system is the management methodology, and in the field of environmental protection, environ-

mental safety, sustainable (balanced) development of a certain area – environmental management, that acts as an instrumental component of the general system of the environmental management at the territorial level within the framework of the global environmental policy, the state as a whole, region, separate territory (city, settlement, separate natural zone), corporations, enterprises in the spheres with market relations. In the context of the implementation of the state environmental policy, and regional environmental policy in particular, environmental management is a system-oriented approach to environmental policy management at the national, regional, place and local levels.

Despite the ambiguity of the concept of “management”, today it means management at different levels. Accordingly, the term “environmental management” is considered mainly in the following meanings [1, p. 227]: a) as the activity of the public environmental organizations; b) as a set of principles, methods and means of managing the environmental activities of the enterprise; c) as an management system of a separate natural complex, subject to special protection; d) as part of the overall management system, which contains the organizational structure, planning activities, duties, responsibilities, experience, methods, techniques, processes and resources for the formation, implementation, analysis and updating of the environmental policy of a particular organization.

The most complete interpretation of the environmental management is given in the international standard ISO 14000. “Environmental management

system is a part of the general management system, that includes organizational structure, activity planning, division of responsibilities, practical work, as well as procedures, processes and resources for the development, implementation, evaluation of implementation results and improvement of the environmental policy, goals and objectives” [2, p. 2].

The main features of the environmental management are [3, p. 9]: 1) it is part of the overall system of environmental management, 2) it is a system of the market management of the environment, 3) its action is limited to the territorial hierarchical level within the region, corporations, enterprises in the areas with market relations, especially production.

Thus, in a broad sense, it is a type of management, fundamentally focused on the formation and development of the environmental production and a new environmental quality of the human life, in order to preserve the environment, ensure public health and economical use of the resources in the context of sustainable development.

The functioning of the environmental management system is carried out using certain methods, mechanisms and tools. In general, there are many types of environmental management tools. For example, I. Zholobchuk identified the following groups of tools: administrative and control, technical and technological, economic, legal, political, educational and upbringing [4, p. 235].

The presented typology of tools of the environmental management system is more in line with the general system of tools for implementing the environ-

mental policy. These instruments are defined as priority and strategic in the Law of Ukraine “On the Basic Principles (Strategies) of the State Environmental Policy of Ukraine For the Period Up To 2030” [5]. Therefore, the system of management tools in the environmental management can be narrowed down to several main groups.

The first group is directly related to the very basis of the environmental management – the system of the international and national environmental standards ISO and SSU (*State Standards of Ukraine*). This group includes environmental audit, environmental certification and environmental labeling. The second group of environmental management tools is a systematic assessment of the ecological state of the environment and the impact of man-made factors – strategic environmental assessment, environmental monitoring, environmental expertise is replaced by environmental impact assessment. The third group is singled out by us and is related to the environmental development of the region, territories, enterprises – environmental marketing, environmental education and upbringing. The fourth group of environmental management tools provides a separate consideration and is related to the economic mechanisms of the state environmental policy.

The first group of environmental management tools includes environmental audit, environmental certification, environmental labeling.

In Ukraine, the normative basis of environmental audit is the Law of Ukraine “On Environmental Audit”, adopted by the Verkhovna Rada on 24.06.2004 (effective since 2005).

The law defines environmental audit as follows: “Environmental audit is a documented systematic independent process of assessment of the object of environmental audit, which includes the collection and objective assessment of evidence to establish compliance with certain activities, measures, conditions, environmental management system and information on these issues to the requirements of the legislation of Ukraine on environmental protection and other criteria of environmental audit” [6].

The main tasks of environmental audit: 1) collection of reliable data on environmental aspects of the activity of the object of environmental audit and formation on the basis of this conclusions of the environmental audit; 2) establishing the compliance of the objects of the environmental audit with the requirements of the legislation on environmental protection and other criteria of environmental audit; 3) assessment of the impact of the activity of the object of environmental audit on the state of the environment; 4) assessment of the effectiveness of plans and the validity of environmental protection measures at the object of environmental audit [7, p. 50–51].

Environmental audit can be widely used in ISO 14000 certification both to assess the compliance of the environmental management system with the requirements of the standard, and to develop programs for the preparation of environmental certification of the enterprise. Environmental certification can be mandatory or voluntary. Mandatory certification in the national system of UkrSEPRO (*State Certification System*) is subject to facilities that,

in accordance with current legislation, must meet the requirements of environmental protection, ensure environmental safety and conservation of the biological diversity. Other objects can be subjected to voluntary certification, taking into account the established international practice in accordance with Articles 17, 18 and 19 of the Law of Ukraine “On Standardization and Certification” [8, p. 267].

In Ukraine, the system of environmental certification and labeling began to develop in accordance with the requirements of the SSU ISO 14024 in 2003 as an independent and voluntary system. Its development aimed to promote the formation of a market for products with improved environmental performance according to established evaluation criteria. Thus, ensuring the functioning of the system involves: 1) development, harmonization, adoption and periodic revision of the environmental criteria for life cycle assessment (standards), which allow to assess the improved environmental and functional characteristics of the standardization objects; 2) assessment of compliance of the object of certification with the requirements of the environmental criteria (certification); 3) supervision of the certified goods, services or real estate (compliance with environmental criteria); 4) ensuring international recognition of the assessment results [9, p. 90].

Thus, environmental certification as a tool of environmental management involves compliance with production, services, goods, in general, the object of certification to the international and national environmental standards ISO and SSU, and in the certification

process local governments, regional authorities can play a significant role in the field of environmental protection, creating favourable conditions for the participation of the regional economic actors.

Environmental certification is associated with such a tool as environmental labeling. Environmental labeling is usually understood as a specific environmental declaration that indicates the impact of a product or service on the environment at all stages of the life cycle of the product or service. The term “environmental labeling” is used in the international standards, including those adapted in Ukraine. These are international standards: SSU ISO 14020 “Environmental labels and declarations. Basic principles”; SSU ISO 14021 “Environmental labels and declarations. Self-declared environmental applications (type II environmental labeling)”; SSU ISO 14024 “Environmental labels and declarations. Environmental labeling type I. Principles and methods”.

Strategic Environmental Assessment (SEA) as a tool for implementing the state environmental policy is presented in the Law of Ukraine “On Basic Principles (Strategies) of the State Environmental Policy of Ukraine For the Period Up To 2030” [5] as a systematic process for analyzing the environmental impact of the proposed plans, programs and other strategic actions, to incorporate research findings into the decision-making process, assess likely environmental impacts (including health impacts), covering environmental reporting and preparation, public relations and consultation.

Of particular importance in modern conditions is the tool of environmental monitoring, the creation of an effective system which is due to the adoption of the Law of Ukraine “On Environmental Protection”. According to Article 22 of this law, a system of state environmental monitoring is created in Ukraine to ensure the collection, processing, storage and analysis of the information on the state of the environment, forecasting its changes and developing scientifically sound recommendations for effective management decisions in Ukraine creates a system of state monitoring of the environment [10].

Environmental monitoring acts as a comprehensive environmental and legal institution, consisting of a set of state information on the quality of the environment and observations of the sectoral government agencies on changes in nature, which are summarized at the national level to obtain a single comprehensive assessment of the ecological state of the environment [11, p. 134]. M. Slyvka believes that “environmental monitoring should be considered primarily as a management function in the field of nature management and environmental protection” [12, p. 83].

As one of the tools of the environmental management system in the context of the implementation of the state environmental policy, environmental monitoring is closely related to another – environmental expertise, but according to the new Law of Ukraine “On Environmental Impact Assessment” of 23.05.2017 [13], which entered in force on 18.12.2017 to replace the old Law of Ukraine “On Environmental Exper-

tise”, the term “environmental expertise” was replaced by the term “environmental impact assessment”.

A separate group of environmental management tools are marketing methods, which are expressed in the concept of “environmental marketing”. Modern environmental marketing was formed as a result of the evolution of marketing concepts and dates back to the mid-1980s.

O. Sadchenko and S. Kharichkov consider environmental marketing through “the prism of a certain system of its concepts, each of which focuses on one of the key factors of the environmental marketing”. The authors identify five concepts of the environmental marketing [14, p. 56]: 1) marketing of goods and services, taking into account the environmental standards and restrictions; 2) marketing of environmental goods and services – a specific type of marketing caused by the emergence of environmental needs of the population in connection with the deterioration of the quality of the environment and increasing environmental awareness of the society; 3) marketing of natural conditions and resources (marketing of the nature management); 4) non-commercial type of environmental marketing, the purpose of which is to preserve the human habitat and the gene pool of the biosphere.

Conclusions. The theoretical analysis and systematization of the main tools of environmental management in the context of the implementation of environmental policy at the regional level allows us to draw some conclusions. Firstly, considering the region as a socio-ecological-economic system,

environmental management tools are aimed at optimization in the economic sphere, which affects the sustainable development of the social and environmental component. Secondly, environmental management tools are governed by the national environmental legislation and implemented international agreements, conventions, and so on. Thirdly, we can distinguish the following groups of tools – the first group is related to the system of international and national environmental standards ISO and SSU, the second group is a systematic assessment of the ecological environment and the impact of man-made factors, the third group is related to the environmental development of the region, territories, enterprises (environmental marketing).

A promising area of further research is the systematization of the economic instruments for the implementation of the state environmental policy at the regional level in the context of implementation of the environmental management system.

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STRATEGIC PLANNING OF TERRITORIAL DEVELOPMENT AS A MANAGEMENT TOOL

Abstract. Today, the need and relevance of planning activities at the local level is beyond doubt. In Ukraine, as in other countries of the world, it is the strategic approach to territorial development planning that is being actively developed and introduced. The article examines the essence of strategic planning of territorial development as a component of local government in the context of decentralization, regional development and the formation of the information society. The functions of strategic management, which are implemented during the planning process and the implementation of which contributes to the economic and social development of the region, are considered. The basic principles of strategic planning at the regional level are identified, which significantly accelerate political, economic, social, technological, environmental and other changes in the development of territories. The peculiarities of strategic planning that would help

to meet the challenges of today's globalized world are summarized and the importance of SMART-specialization in modern conditions is proved, the importance of achieving sustainable development goals through strategic planning is determined. It is emphasized that the functions performed by planning are changing, as the direct role of planning in the local government system undergoes significant changes, taking into account new values and long-term priorities. The article gives a comparative description of traditional and strategic planning, which are taken into account in the development of development plans and is the basis of different approaches to the development of strategies for their development. The system of goals of strategic planning of local development in the context of increasing the competitiveness of territories and regions is considered, which combines operational and strategic goals, priorities of territorial development in the long run and the results of the strategic vision of territorial development.

Keywords: regional development, decentralization, territorial management, tool, development strategy.

СТРАТЕГІЧНЕ ПЛАНУВАННЯ РОЗВИТКУ ТЕРИТОРІЙ ЯК ІНСТРУМЕНТ УПРАВЛІННЯ

Анотація. На сьогодні необхідність та актуальність планувальної діяльності на місцевому рівні не викликає сумнівів. В Україні, як й в інших країнах світу, активно розвивається і запроваджується саме стратегічний підхід до планування територіального розвитку. У статті досліджено сутність стратегічного планування розвитку територій як складової системи місцевого управління у контексті децентралізації, регіонального розвитку та становлення інформаційного суспільства. Розглянуто функції стратегічного управління, які реалізуються під час процесу планування, та виконання яких сприяє економічному та соціальному розвитку регіону. Визначено основні принципи стратегічного планування на регіональному рівні, які істотно пришвидшують політичні, економічні, соціальні, технологічні, екологічні та інші зміни розвитку територій. Узагальнено особливості стратегічного планування, які б допомагали відповісти на виклики сучасного глобалізованого світу, та доведено значення SMART-спеціалізації в сучасних умовах, визначено важливість досягнення цілей сталого розвитку за допомогою стратегічного планування. Підкреслено, що функції, які виконує планування, видозмінюються, оскільки зазнає суттєвих змін безпосередня роль планування у системі місцевого управління з урахуванням нових цінностей і довгострокових пріоритетів. У статті дано порівняльну характеристику традиційного та стратегічного планування, які враховуються при розробці Планів розвитку територій, та є основою різних підходів до розробки Стратегій їх розвитку. Розглянуто систему цілей стратегічного планування місцевого розвитку в контексті підвищення конкурентоспроможності територій і регіонів, яка поєднує оперативні і стратегічні цілі, пріоритети територіального розвитку в довгостроковій перспективі та підсумки стратегічного бачення розвитку територій.

Ключові слова: регіональний розвиток, децентралізація, управління територіями, інструмент, стратегія розвитку.

СТРАТЕГИЧЕСКОЕ ПЛАНИРОВАНИЕ РАЗВИТИЯ ТЕРРИТОРИЙ КАК ИНСТРУМЕНТ УПРАВЛЕНИЯ

Аннотация. На сегодня необходимость и актуальность планировочной деятельности на местном уровне не вызывает сомнений. В Украине, как и в других странах мира, активно развивается и внедряется именно стратегический подход к планированию территориального развития. В статье исследована сущность стратегического планирования развития территорий как составляющей системы местного управления в контексте децентрализации, регионального развития и становления информационного общества. Рассмотрены функции стратегического управления, которые реализуются в процессе планирования, и выполнение которых способствует экономическому и социальному развитию региона. Определены основные принципы стратегического планирования на региональном уровне, которые существенно ускоряют политические, экономические, социальные, технологические, экологические и другие изменения развития территорий. Обзор особенности стратегического планирования, которые помогли ответить на вызовы современного глобализирующегося мира, и доказано значение SMART-специализации в современных условиях, определены важность достижения целей устойчивого развития с помощью стратегического планирования. Подчеркнуто, что функции, которые выполняет планирование, видоизменяются, поскольку претерпевает существенные изменения непосредственная роль планирования в системе местного управления с учетом новых ценностей и долгосрочных приоритетов. В статье дана сравнительная характеристика традиционного и стратегического планирования, которые учитываются при разработке планов развития территорий, и является основой различных подходов к разработке стратегий их развития. Рассмотрена система целей стратегического планирования местного развития в контексте повышения конкурентоспособности территорий и регионов, которая сочетает оперативные и стратегические цели, приоритеты территориального развития в долгосрочной перспективе и итоги стратегического видения развития территорий.

Ключевые слова: региональное развитие, децентрализация, управление территориями, инструмент, стратегия развития.

Problem statement. Among the reforms that are being carried out in Ukraine, the administrative-territorial reform is of great importance, without which it is impossible to ensure sustainable economic development of indi-

vidual regions, increase their competitiveness and increase the contribution of individual regions to the growth of the state's economy. An important tool for managing the development of territories in modern dynamic conditions

is strategic planning, which is focused on the national and regional levels. The implementation of strategic decisions largely depends on the regional authorities and local self-government authorities. In modern conditions, the tendencies of SMART-specialization of regional development, innovativeness of development of territories, stimulation of sustainable development have become widespread. The relevance of the research topic is confirmed in the increasing importance of strategizing at the level of individual territories, the spread of modern trends in the development and implementation of regional strategies.

Analysis of recent research and publications. Great contribution to the study of theoretical and methodological aspects of the strategic planning of territorial development made Berdanov A., Bryl M., Vakulenko B., Vartsaba B., Vrublevskiy A., Zub D., Kish G., and other scientists. However, the uncertainty of certain issues related to the organization of strategic planning for the development of territories requires further theoretical and practical developments in this direction.

Purpose of the article – the content of the study of strategic planning development of the region as an instrument of strategic management, its basic principles and strategic planning documents.

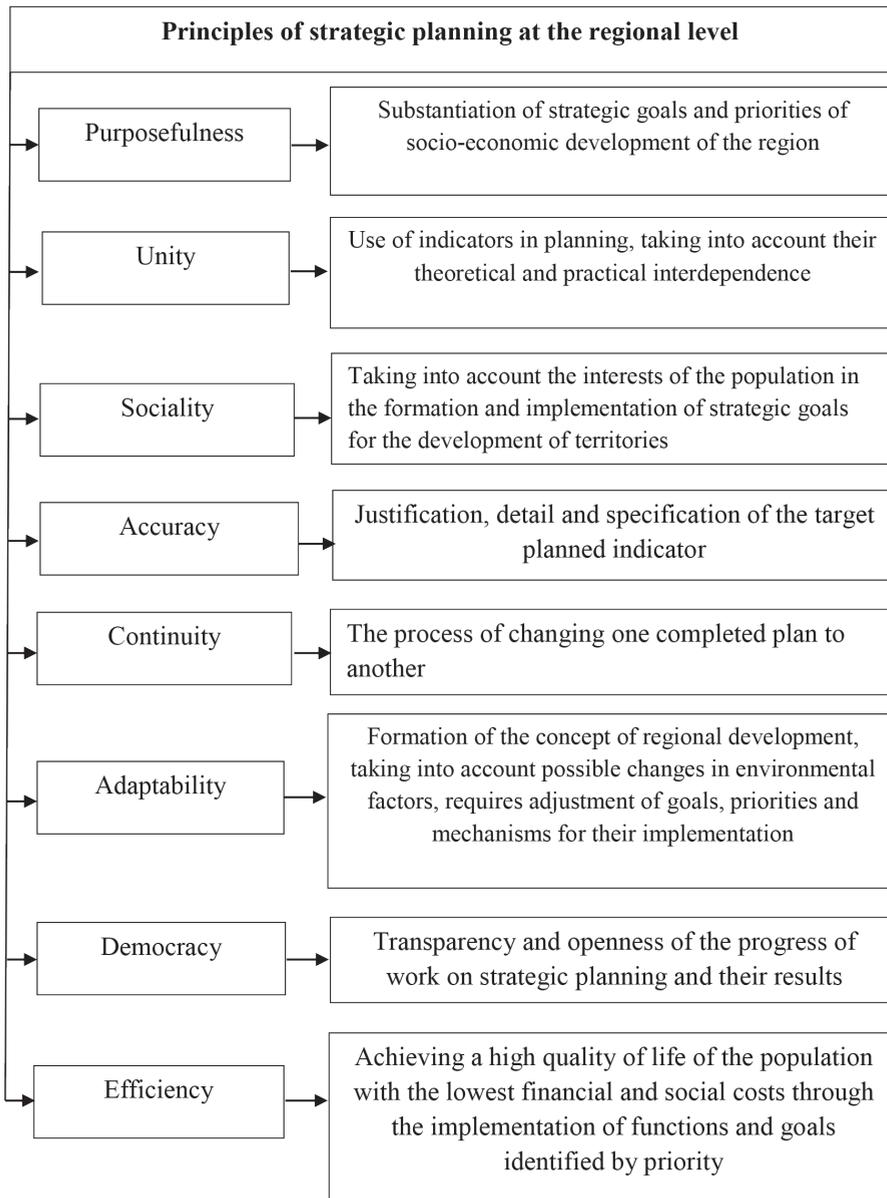
Presentation of the main material. According to the State Strategy for Regional Development for 2021–2027 from 5 of August 2020 № 695, strategic planning is an important tool for state strategic management of the development of the region, helps maintain economic proportions and coordinates

the work of all links of the state's economic system. At the same time, the State Strategy Regional Development for 2021–2027 indicates that a certain potential of strategic plans for the implementation of projects at the regional level is not the main instrument of regional development, but only one of its components [5]. Strategic management of the development of a region is defined as a type of management in which the functioning of a separate territory, focused on target requirements, quickly adapts to the external environment, selects means to increase the competitiveness of the territory, as a result, ensures stable development in the long term [10, art. 93], (see fig.).

Strategic management of territories performs five functions: planning a strategy for a specific territory; organization and implementation of the formed action plan; coordination of actions for implementation of strategic objectives; motivation to achieve the desired strategic results; control over the implementation of the plan for the strategic development of the territory [3, art. 132].

Strategic planning, being a component of strategic management of the socio-economic development of the region and the main function of the management activities of local self-government authorities, aimed at developing strategic decisions, the implementation of which provides for the effective functioning of a certain territorial community in the long term. The development of strategic decisions involves the definition of specific goals and strategies for the behavior of management subjects.

Strategic planning is aimed at making important decisions regarding re-



Principles of strategic planning at the regional level

Source: compiled by the author [8].

gional development, planning certain events, programs and projects aimed at implementing changes for the desired future state of the region [9, art. 302].

Strategic planning involves a comprehensive study of the situation, analysis of the external environment and in-

ternal potential of the region, the study of society's problems, planning a vision for the development of the territory and assessing future strategic alternatives.

State regulation of socio-economic processes cannot be effective without strategic planning. The functions of

strategic planning are entrusted to local self-government authorities and authorities of the corresponding level, which determine the stages of strategic planning and implement the regional development strategy. At the same time, strategic planning is based on communication between public authorities and society, therefore, planning takes into account the interests of the parties, concentrates the efforts and resources of all participants in regional development, contributes to the consolidation of decisions for their implementation.

In figure shows the basic principles of strategic planning for the development of territories at the regional

The development of territories is characterized by a complex of spatial, economic, social, cultural, spiritual, environmental and other factors that must be taken into account in the process of strategic territorial planning. That is why not one, but a number of planning documents are being developed for the territories, each of which has its own object and purpose. Together, they form an integral planning system for the development of territories.

Obligatory components of the basic strategic planning documents at the local level are: a local development strategy; spatial programs (master plans of settlements); annual programs of socio-economic and cultural development of the territory [2, art. 89].

Key trends in strategic planning at the regional level include the following:

1. Orientation on strategizing the development of individual territories (decentralization in planning).

2. Focus for achieving the 2030 Global Sustainable Development Goals.

3. Application of SMART specialization approach to regional development planning. Search for backbone industries and sub-sectors of regional development.

4. Development of regional cluster formations and stimulation of innovation.

5. Wide involvement of stakeholders (public, entrepreneurs) in the discussion of the problems of development of the territory.

6. Setting and monitoring the achievement of key KRI for the development strategy of the region/territory.

Considering the development of a region from the standpoint of using its comparative advantages, we can say that regions accelerate their development when they use their comparative advantages over other regions in the production of goods and services that are in demand. Such specialization in the production of goods and services is called a reasonable specialization or SMART specialization of the region (from “smart” – smart). At the same time, the region has the opportunity not only to stimulate its development, but also its influence on the development of the state and participation in globalization processes.

The plan for the implementation of the provisions of the EU-Ukraine Association Agreement was to predict the introduction of smart specialization into the system of strategic planning for regional development. In pursuance of this plan, it was envisaged to amend the relevant regulatory framework. One of the Resolutions of the CMU [12] defines smart specialization an approach that provides for a reasoned definition

by the subjects of regional development within the framework of the regional strategy of individual strategic goals and objectives for the development of economic activities that have innovative potential, taking into account the competitive advantages of the region and contribute to the transformation of economic sectors into more effective, and at least one strategic goal of the regional strategy should be determined based on smart specialization. The choice of such priorities should take into account the world market and technological trends of innovative development and facilitate the search for those areas of economic activity in the region that are competitive at the national and international level.

In domestic practice, when planning the strategic development of territories, the main attention is paid to the development of a Strategy (document). Let us compare the traditional approach, the approach of strategic planning and the use of SMART specialization (Table).

The primary tasks of strategic planning are to accelerate the economic growth of territories, increase their competitiveness through the effective use of internal potential, increase new jobs, improve employment, create conditions for the return of labor migrants to their homeland. This is what can give a rapid and steady growth in the quality of human life, regardless of where she was born and where she lives now and where she will live in the future [7, art. 25].

Local authorities often face questions about the lack of necessary resources when it is necessary to decide on the priority of the areas for allocating funds: for improving roads, for the development of education and medicine, for the reconstruction of housing and communal infrastructure, for supporting the development of entrepreneurship. In order to avoid such questions, it is necessary to correctly draw up a strategy for the development of territories, determine priority goals, and develop scenarios for the develop-

Features of traditional, strategic planning and planning based on SMART specialization

Traditional planning	Strategic planning	Strategic planning using SMART specialization
Orientation on the development of the Strategy	Orientation on the implementation of the Strategy	Orientation on the implementation of the Strategy and on stimulating the development of key industries
Technocratic approach	A partnership approach	A partnership approach
Hard implementation	Flexible implementation	Flexible implementation
Orientation on the current state of affairs	Change of orientation	Change orientation and synergy
Compliance with specifications of monitoring	Performance monitoring	Performance monitoring for key KRI
Emphasis on Strategy (document)	Emphasis on implementation plan	Emphasis on implementation plan

Source: compiled by the author based on [8].

ment of territories in existing conditions. In order to draw up and substantiate the Territorial Development Plan, it is necessary to carry out complex work related to the analysis of all internal and external factors affecting the development of the territories. But it is not enough just to collect information, it is necessary to find out the specific advantages and disadvantages and justify the strategic choice for the development of territories.

The system of goals for strategic planning of local development includes the following elements: operational goals, which are to be achieved within 1–3 years; strategic goals, which are implemented within 3–5 years; territorial development priorities in the long term (10–15 years); the results of the strategic vision of the development of territories (from 10 to 15 years) [11, art. 341].

So, in order for the strategic planning of the development of territories to become an effective tool of strategic management, it is necessary: based on the study of the needs of individual territories, prepare a high-quality strategic plan for the development of territories, which should be integrated into the activities of all organizational structures of government, public organizations and local business; to form a clear system for organizing the process of developing a strategic plan and an algorithm of actions that unites the efforts of all participants in territorial development.

It is necessary to attract all types of capital available in the community to the implementation of the developed Territorial Development Strategy, which will allow to form the competitive advantages of individual territo-

ries. An important condition for the effectiveness of strategic planning is: the feasibility of the goals; thorough monitoring of the socio-economic situation of the region (territory); focus on strategy innovation; optimal choice of SMART specialization industries.

Conclusions. Strategic planning for the development of territories is a component of the system of strategic management of their socio-economic development and consists in determining the directions and ways to achieve the desired state of management objects, the implementation of which ensures their effective functioning in the long term and rapid adaptation to the peculiarities of the external environment. The current stage of territorial development planning in Ukraine is characterized by a tendency of transition from traditional planning to planning with a focus on ensuring sustainable development. The SMART specialization of regional development is becoming widespread in the EU countries, and it has also begun to be applied in Ukraine when developing strategies.

The implementation of strategic planning tools contributes to the development of various forms of cooperation and cooperation with business structures of the region and is the basis for detailed planning of the development of territories, the development of economic clusters.

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INFORMATION AND ECONOMIC SECURITY AS A FACTOR OF STABLE DEVELOPMENT OF THE STATE

Abstract. The article reveals the essence of the concept of ‘information and economic security’ and its role in ensuring the stable development of the state.

The economy of the information society (or information economy) is focused on the rapid growth of information resources, and can not develop without the widespread use of information and communication technologies. The subjects of a market economy carry out their activities in an environment where information, information relations, and in general, all the main components of the informatization process are becoming increasingly important. Therefore, comprehensive information security is the key to economic security. They organically complement each other and are inextricably linked not only from a practical point of view, but also in conceptual terms.

It is proposed to consider the information component of economic security and the economic aspect of information security as a single area of activity that provides security in administration, energy, financial, technical and production, technological and other areas that have a significant impact on the national security and ensure sustainable development of the state.

The definition of information and economic security is given: a comprehensive system that protects the vital interests of the citizens, society and the state in the economic sphere from internal and external information threats. The latter in this definition acquire the status of information and economic threats — a set of conditions, factors and events that determine the effectiveness of internal and external destructive information influences on the economic condition of the country, thereby endangering the economically important interests of the individual, society and the state.

It is proposed to form a new interdisciplinary field of scientific knowledge, the main purpose of which will be to develop ways and means of using the information environment to solve problems of economic security. The theory of information and economic security should cover not only the description of information relations in the economy, but also their relationship with the national security.

Keywords: information security, economic security, information and economic security.

ІНФОРМАЦІЙНО-ЕКОНОМІЧНА БЕЗПЕКА ЯК ФАКТОР СТАБІЛЬНОГО РОЗВИТКУ ДЕРЖАВИ

Анотація. Розкрито сутність поняття “інформаційно-економічна безпека” та її роль у забезпеченні стабільного розвитку держави.

Економіка інформаційного суспільства (або інформаційна економіка) орієнтована на стрімке зростання інформаційних ресурсів, і не може розвиватися без широкого використання інформаційно-комунікаційних технологій. Суб'єкти ринкової економіки здійснюють свою діяльність в умовах, коли інформація, інформаційні взаємовідносини, тай взагалі, всі основні складові процесу інформатизації набувають все більшої значущості. Тому комплексна інформаційна безпека виступає запорукою забезпечення економічної безпеки. Вони органічно доповнюють одна одну і нерозривно пов'язані не тільки з практичної точки зору, але і в понятійному відношенні.

Запропоновано розглядати в комплексі інформаційну компоненту економічної безпеки й економічний аспект інформаційної безпеки в якості єдиної сфери діяльності, що забезпечує безпеку в управлінській, енергетичній, фінансовій, техніко-виробничій, технологічній та інших областях, що мають істотний вплив на національну безпеку та забезпечують стабільний розвиток держави.

Приведене визначення інформаційно-економічної безпеки: комплексна система, що забезпечує захист життєво важливих інтересів громадян, суспільства та держави в економічній сфері від внутрішніх і зовнішніх інформаційних загроз. Останні в такому визначенні набувають статусу інформа-

ційно-економічних загроз — сукупності умов, факторів і подій, що визначає ефективність внутрішніх і зовнішніх деструктивних інформаційних впливів на економічний стан країни, тим самим створюючи небезпеку економічно важливим інтересам особистості, суспільства і держави.

Запропоновано сформуванню нову міждисциплінарну галузь наукових знань, основним призначенням якої буде розробка шляхів і способів використання інформаційного середовища для вирішення завдань економічної безпеки. Теорія інформаційно-економічної безпеки має охоплювати не тільки опис інформаційних взаємовідносин в економіці, а й їх взаємозв'язок із національною безпекою.

Ключові слова: інформаційна безпека, економічна безпека, інформаційно-економічна безпека.

ИНФОРМАЦИОННО-ЭКОНОМИЧЕСКАЯ БЕЗОПАСНОСТЬ КАК ФАКТОР СТАБИЛЬНОГО РАЗВИТИЯ ГОСУДАРСТВА

Аннотация. Раскрыта сущность понятия “информационно-экономическая безопасность” и ее роль в обеспечении стабильного развития государства.

Экономика информационного общества (или информационная экономика) ориентирована на стремительный рост информационных ресурсов, и не может развиваться без широкого использования информационно-коммуникационных технологий. Субъекты рыночной экономики осуществляют свою деятельность в условиях, когда информация, информационные взаимоотношения, да вообще, все основные составляющие процесса информатизации приобретают все большую значимость. Поэтому комплексная информационная безопасность выступает залогом обеспечения экономической безопасности. Они органично дополняют друг друга и неразрывно связаны не только с практической точки зрения, но и в понятийном отношении.

Предложено рассматривать в комплексе информационную компоненту экономической безопасности и экономический аспект информационной безопасности в качестве единой сферы деятельности, обеспечивающей безопасность в управленческой, энергетической, финансовой, технико-производственной, технологической и других областях, оказывающих существенное влияние на национальную безопасность и обеспечивающих стабильное развитие государства.

Приведено определение информационно-экономической безопасности: комплексная система, обеспечивающая защиту жизненно важных интересов граждан, общества и государства в экономической сфере от внутренних и внешних информационных угроз. Последние в таком определении приобретают статус информационно-экономических угроз — совокупности условий, факторов и событий, которая определяет эффективность внутренних и внешних деструктивных информационных воздействий на экономическое состояние страны, тем самым создавая опасность экономически важным интересам личности, общества и государства. Предложено сформировать

новую междисциплинарную область научных знаний, основным назначением которой будет разработка путей и способов использования информационной среды для решения задач экономической безопасности. Теория информационно-экономической безопасности должна охватывать не только описание информационных взаимоотношений в экономике, но и их взаимосвязь с национальной безопасностью.

Ключевые слова: информационная безопасность, экономическая безопасность, информационно-экономическая безопасность.

Formulation of the problem. In modern conditions, the process of successful functioning and economic development of the state depends on the adoption of quality and timely administration decisions, which are formed on the basis of careful and comprehensive analysis of information coming from both internal and external environment. The economy of the information society (or information economy) formulates new rules of management in the processes of production, distribution and consumption of public goods. It is focused on the rapid growth of information resources, the constant change of the external environment, is mobile and can not develop without the widespread use of information and communication technologies.

Information has become one of the important administration resources, along with human, financial and material ones. With the increasing role of information, an information environment has been formed that requires protection from unauthorized or unintentional influence at the level of the state, region, and even individual enterprises. With the development of the information society in which the subjects of the market economy, information, information relations, and in general, all the

main components of the informatization process are becoming increasingly important. Therefore, comprehensive information security is the key to economic security. They organically complement each other and are inextricably linked not only from a practical point of view, but also in conceptual terms. In the scientific and practical literature these concepts are mainly considered separately, which in our view, in an 'information boom' is ineffective for the analysis, planning and ensuring the process of successful functioning and economic development of the state.

Analysis of recent research and publications. Information security, problems of protection of the national information space were studied in the works of O. Panchenko [1–3], U. Ilytska [4], Yu. Lisovska [5], Yu. Muravska [6], A. Marushchak [7] and others. Many works are devoted to the study of economic security, including the works of such scientists as P. Drucker, K. McConnell, J. Schumpeter, and others. Economic security is also studied in the works of domestic scientists, such as O. Baranovsky, A. Halchynsky, T. Klebanova, O. Malynovskaya, A. Mokiy, V. Shlemko and others. There are relatively few studies examining the relationship between infor-

mation and economic security. We can distinguish such authors as R. Tymaev [8], M. Kolbanev [9]. T. Mykytenko [10], V. Nekhay [11]. However, their research is either focused on a very narrow topic, or does not reach the required completeness for this study.

Formulation of the purposes (goal) of the article. To reveal the essence of the concept of ‘information and economic security’ and its role in ensuring the stable development of the state.

Presentation of the main material. Both information and economic security can be analyzed based on the basic concept of ‘security’. In life safety theory the axiom of potential danger is well known: ‘All human actions and all components of the environment, especially technical means and technologies, in addition to positive properties and results, have the ability to generate traumatic and harmful factors. In this case, any new positive action or result is inevitably accompanied by the emergence of new negative factors’. [12]. In the era of turbulence, studied in detail by O. A. Panchenko, this principle is legitimate to use to assess not only technical but also social, economic, political systems. Uncertainty of the environment in which human life takes place (including informational), the instability of the social and natural processes makes us consider this environment as a potential source of various dangers, threats, risk factors, and take precautionary measures.

N. Luhmann identifies security with preservation and understands it as the absence of losses due to individual calculation of risks, successful construction of the situation [13]. A similar interpretation is offered by A. I. Pozd-

nyakov [14], where security is defined as the protection of the values of the subject (the state, society, individual) from the damage that is not indifferent to this subject.

Based on the extrapolation of the above definitions of security to the information plane and the achievements of other researchers, we can identify three components of the semantic content of the generalized concept of information security.

The first component is to meet the information needs of the entities that are included in the information environment. The information security of the subject cannot be ensured without the availability of the necessary information. The information needs of different actors are not the same, but in any case, the lack of necessary information can have and usually has negative consequences. These consequences can be of different nature, their severity depends on the composition of the missing information.

To meet the information needs, the information must meet certain requirements. Firstly, the information must be relatively complete. Due to the fact that no subject can have absolutely complete information. The completeness of information is characterized by its sufficiency for making the right decisions. Secondly, the information must be reliable, because distorted information leads to wrong decisions. Thirdly, information must be timely, because the necessary decisions are effective only when they are made in a timely manner.

The requirements for completeness, reliability and timeliness of information relate not only to its original sta-

tus. These requirements are valid for the entire circulation of information, because their violation at the stage of further use of information can also lead to incorrect decisions or in general to the impossibility of decision-making, as well as violation of confidentiality can devalue information. Therefore, information should be protected from actions that violate its status. And this applies to the field of information security. Therefore, providing security of the information should be the *second* component of information security.

Wrong decisions can lead not only to the lack of necessary information, but also the presence of harmful, dangerous to the subject of information, which is often purposefully imposed. This requires ensuring the protection of the subjects of information relations from negative information action, and this should be the *third* component of information security.

Given these three components, we can formulate the following definition: *information security – the state of the information environment that meets the information needs of the subjects of information relations, information security and protection of subjects from negative information action.*

Based on the above definition, information security threats can be divided into: a) violation of information security, i.e. threat to the objective component; b) violation of the security of the object/subject of protection due to non-satisfaction of its information needs or destructive information actions, i.e. threat to the subjective component.

In the context of the national security, information security can be considered, on the one hand, as its independ-

ent element, and on the other – as an integrated component of any other security: military, economic, political, etc. In this regard, a more complete definition of information security can be considered as follows (U. Ilnytska): ‘information security is a state of protection of the vital interests of the individual, society and the state, which minimizes the task of harm due to incompleteness, timeliness and unreliability of information, negative information impact, negative consequences of information technology, as well as unauthorized dissemination of information’. But this definition does not reveal the essence of the concept, because it is given in static categories. The most appropriate is a dynamic approach, which shows actions to ensure the proper condition of the subject. Relevant in this regard is the definition of A. D. Ursul, T.(F). N. Tsyrdya [15]: information security – ‘the ability of the state, society, social group, individual, firstly, to provide with a certain probability sufficient and protected social intelligence and information resource, optimal social entropy and information environment to maintain vitality and viability, sustainable functioning and development of the society; secondly, to resist information dangers and threats, negative information influences on individual and social consciousness and psyche of the people, and also on computer networks and other technical sources of information; thirdly, to develop personal and group skills and abilities of safe behaviour; fourthly, to maintain constant readiness for adequate measures in the information confrontation, no matter who imposes it; fifthly, constantly and consistently ‘embed’ artificial intel-

ligence in the public environment according to a certain safe program’.

As for the modern interpretation of the concept of ‘economic security’, it is quite ambiguous, and this suggests that there is no single approach to its definition, as the essence of this category depends on many circumstances that characterize the socio-economic system. Like information, economic security can be interpreted both statically and dynamically. Thus, Mykytenko T. V. provides the following definition: ‘Economic security — the state of the national economy, which allows to maintain resilience to internal and external threats, which contributes to the creation of a reliable and provided with all necessary means of the state, the protection of national and state interests in the economy’. Abalkin L. I. considers economic security as ‘a set of conditions and factors that ensure the independence of the national economy, its stability and sustainability, the ability to continuous recovery and self-improvement’ [16]. Sak T. V. believes that economic security is a kind of long-term provision of such systems of indicators as [17]:

- economic independence (financial, raw materials, innovation, etc.);
- economic stability (level of development that guarantees a sense of security today and in the future);
- economic development (innovation and investment activity, restructuring, financial recovery).

This approach to the interpretation of the essence of economic security (country, region, enterprise), according to the author, reflects its main functional significance: maintaining economic independence and the achieved level, as

well as increasing competitiveness and expanding opportunities for further development. That is why economic security should be considered not only as a state of protection of the national interests, but also the availability and possibility of using tools to influence economic processes to ensure well-being in the long run.

The main shortcoming in considering the essence and content of economic security, in our opinion, is the lack of attention to the information factor — at best, it is seen as an element of economic security in the isolated information sphere. However, if we consider that the object of economic security is the economic system of the state, then in the transition to the information society, information security becomes the most important and independent element of this system. This is determined by the following aspects, closely related to the need to implement various information processes.

Firstly, the state of economic security is assessed by an objective system of parameters, criteria and indicators that determine the threshold values of the economic system. Intentional or unintentional misrepresentation of such information can lead to erroneous administration decisions that can cause significant economic damage.

Secondly, the economic system is exposed to external and internal threats, most of which are based on the use of confidential information of economic and other nature.

Thirdly, economic security creates favourable conditions for the implementation of the state strategy of economic development for the short and long term.

Fourthly, economic security is an element of crisis management of the economy, which eliminates the use of inefficient economic concepts implemented from the outside.

Thus, the intensive informatization of the economic processes has led to the fact that the problems of economic security are increasingly intertwined with information security. In turn, information security acquires a significant economic aspect. This is due to the transformation of information into a commodity and the most important resource for economic development, the dynamic development of the information market, the growth of the share of information and communication sectors of the economy.

In fact, the morphological analysis of interpretations of economic and information security allows us to conclude that both concepts have much in common. By choosing the key components that form the semantic core of both concepts, you can integrate them into one structure. That is, it is proposed to consider the information component of economic security and the economic aspect of information security as a single area of activity that provides security in administration, energy, financial, technical and production, technological and other areas that have a significant impact on national security and ensure stable development of the state.

Taking into account the above, information and economic security is proposed to mean a *comprehensive system that protects the vital interests of the citizens, society and the state in the economic sphere from internal and external information threats*. The latter in this definition acquire the status of in-

formation and economic threats — a set of conditions, factors and events that determine the effectiveness of internal and external destructive information influences on the economic condition of the country, thereby endangering the economically important interests of the individual, society and the state.

The most typical examples of such threats are: theft (modification, distortion, etc.) of economic information; theft of information products that ensure the economic growth of the country; disruption of information and communication systems and destruction of information infrastructure; information attacks on the subjects of economic relations; unpredictable economic problems due to socio-political turbulence; changing the worldview of the country's leadership and/or key economic structures through informational and psychological influence.

Taking into account the views of researchers in this field, and based on our own experience, it can be argued that the solution of information and economic security should be focused on the most important and acute problems affecting the economic condition of the state:

1. Development of scientifically based views on the interpenetration of economic and information processes at a new stage of development of the society, which will improve the regulatory framework for regulating the use of informatization in the development of the economy.

2. Study of the essence of perspective information and economic threats and risks, which will allow to timely and objectively predict the deterioration of the information and economic

situation and possible losses to the vital interests of the individual, society and the state.

3. Construction of effective concepts of information counteraction in the economic sphere, which will create preconditions for preventing political destabilization in the state due to public dissatisfaction with their economic situation and quality of life.

4. Creation of perspective information products, information technologies and means of automation that eliminates dependence of growth of information economy on foreign manufacturers.

5. The possibility of violation of the functioning of state and public information and communication systems and the destruction of the information infrastructure of the country or its main components.

The solution of these problems requires the formation of a new interdisciplinary field of scientific knowledge, the main purpose of which will be to develop ways and means of using the information environment to solve problems of economic security. The main purpose of the theory of information and economic security should be not just a description of information relations in the economy, but also a justification of their relationship and interdependence with the state of the national security. Among the main tasks of the theory of information and economic security are:

- study of the impact of changes in the information society on the pace of economic development of the country, regions, corporations and individual businesses;

- identification of mechanisms of formation and development of internal

and external information and economic threats and methods of information struggle in the field of economy;

- study of patterns of informational influence on the worldview of the country's economic elite.

Research in this area will require the joint efforts of various specialists (economists, information systems specialists, lawyers, etc.).

Conclusions and prospects for further research.

1. Modern development of the society is characterized by the integration of security aspects of economic and information processes, which dictates the need to create a single area of information and economic security — a comprehensive system that protects vital interests of the citizens, society and the state in the economic sphere from internal and external information threats.

2. Taking into account the fact that achieving a certain level of information security guarantees an appropriate level of economic security, it can be concluded that the concept of 'information and economic security' combines closely related areas of the state activity that guarantee its stable and progressive development.

3. It is proposed to form a new interdisciplinary field of scientific knowledge, the main purpose of which will be to develop ways and means of using the information environment to solve problems of economic security.

The theory of information and economic security should cover not only the description of information relations in the economy, but also their relationship with the national security.

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ECONOMIC CRIME AS A THREAT TO STATE SECURITY: THE ESSENCE AND MEANS OF COUNTERACTION

Abstract. Economic crime is considered as a threat to state security, covering a set of different types of deliberate encroachments on economic relations protected by the state, regardless of ownership and activities of entities that perform certain functions in the field of production, exchange, service, and persons related to the regulation of this activity.

The spread of crisis in the economy of many countries in connection with the spread of the Covid-19 pandemic, the aggravation of political and economic relations with Russia, the annexation of Crimea and the self-proclamation of new entities in Donetsk and Luhansk regions have led to rising economic crime and shadow economy in Ukraine. The consequences of economic crime for state security are so significant that they can be defined as determinants of the effectiveness of the economic system of the state and the possibility of its existence in the future.

Economic crime is a kind of catalyst for the formation of the state and institutions of public administration. Accordingly, the methods of combating economic crime should be transformed, the legal mechanisms of public administration should be developed, the activities of state institutions, which are entrusted with the functions of detecting economic crimes and bringing perpetrators to justice, should be changed. In today's globalized world, one of the effective means of combating economic crime is financial investigations, which include a set of measures to combat embezzlement, cybercrime, corruption, tax evasion, money laundering, terrorist financing and more. The most common economic crimes in Ukraine and the world, which pose the greatest threat to state security, are outlined. A model of state-administrative aspects of preventing and combating economic crime as a threat to state security has been developed.

Keywords: economic crime, economic crimes, state security, counteraction to economic crime.

ЕКОНОМІЧНА ЗЛОЧИННІСТЬ ЯК ЗАГРОЗА ДЕРЖАВНІЙ БЕЗПЕЦІ: СУТНІСТЬ ТА ЗАСОБИ ПРОТИДІЇ

Анотація. Розглянуто економічну злочинність як загрозу державній безпеці, що охоплює сукупність різних видів навмисних посягань на економічні відносини, що охороняються державою незалежно від форми власності і видів діяльності суб'єктів, які виконують певні функції у сфері виробництва, обміну, обслуговування, а також осіб, пов'язаних з регулюванням цієї діяльності.

Поширення кризових явищ в економіці багатьох країн світу у зв'язку з поширенням пандемії COVID-19, загострення політико-економічних відносин із Росією, анексія АР Крим, самопроголошення нових утворень на території Донецької та Луганської областей спричинили підвищення рівня економічної злочинності та тіньової економіки в Україні. Наслідки економічної злочинності для державної безпеки є настільки вагомими, що їх можна визначати як детермінанти дієвості економічної системи держави та можливості її існування в майбутньому.

Економічна злочинність є своєрідним каталізатором формування держави та інститутів державного управління. Відповідно до цього мають трансформуватися методи боротьби з економічною злочинністю, розвиватися правові механізми державного управління, видозмінюватися діяльність державних інституцій, на які покладені функції виявлення економічних злочинів та притягнення до відповідальності винних осіб. У сучасному глобалізованому світі одним з дієвих засобів боротьби з економічною злочинністю є фінансові розслідування, які охоплюють комплекси заходів протидії розкраданням державних фінансів, кіберзлочинності, виявам корупції, ухиленню від сплати податків, легалізації злочинних доходів, фінансуванню тероризму тощо. Окреслено найбільш поширені в Україні та світі економічні злочини, що становлять найбільшу загрозу державній безпеці. Розроблено модель держав-

но-управлінських аспектів запобіганню та протидії економічній злочинності як загрозі державній безпеці.

Ключові слова: економічна злочинність, економічні злочини, державна безпека, протидія економічній злочинності.

ЭКОНОМИЧЕСКАЯ ПРЕСТУПНОСТЬ КАК УГРОЗА ГОСУДАРСТВЕННОЙ БЕЗОПАСНОСТИ: СУЩНОСТЬ И СРЕДСТВА ПРОТИВОДЕЙСТВИЯ

Аннотация. Рассмотрена экономическая преступность как угрозу государственной безопасности, охватывающей совокупность различных видов умышленных посягательств на экономические отношения, охраняемые государством независимо от формы собственности и видов деятельности субъектов, которые выполняют определенные функции в сфере производства, обмена, обслуживания, а также лиц, связанных с регулированием этой деятельности.

Распространение кризисных явлений в экономике многих стран мира в связи с распространением пандемии COVID-19, обострение политико-экономических отношений с Россией, аннексия АР Крым, самопровозглашения новых образований на территории Донецкой и Луганской областей вызвали повышение уровня экономической преступности и теневой экономики в Украине. Последствия экономической преступности для государственной безопасности настолько весомы, что их можно определить как детерминанты действенности экономической системы государства и возможности ее существования в будущем.

Экономическая преступность является своеобразным катализатором формирования государства и институтов государственного управления. В соответствии с этим должны трансформироваться методы борьбы с экономической преступностью, развиваться правовые механизмы государственного управления, видоизменяться деятельность государственных институтов, на которые возложены функции выявления экономических преступлений и привлечения к ответственности виновных лиц. В современном глобализованном мире одним из действенных средств борьбы с экономической преступностью являются финансовые расследования, которые охватывают комплексы мер противодействия хищениям государственных финансов, киберпреступности, проявлениям коррупции, уклонения от уплаты налогов, легализации преступных доходов, финансированию терроризма и тому подобное. Определены наиболее распространенные в Украине и мире экономические преступления, представляющие наибольшую угрозу государственной безопасности. Разработана модель государственно-управленческих аспектов предотвращению и противодействию экономической преступности как угрозе государственной безопасности.

Ключевые слова: экономическая преступность, экономические преступления, государственная безопасность, противодействие экономической преступности.

Formulation of the problem. In recent years, the criminalization of the economy has been clearly traced, has a manifestation of a social destructive process, the consequence of which is the spread of economic crime, a decrease in the level of socio-economic development of the state, the vulnerability of the country's economic system to constantly emerging internal and external threats. Negative geopolitical influences on Ukraine in the context of deepening economic crisis, ineffectiveness of security guarantees of Ukraine, external dependence of the national economy cause Ukraine's vulnerability and weaken its role in the international arena. The creation of conditions for the effective adoption of measures to counter systemic threats to the country's economic security is possible only with their timely identification and further effective government policy to neutralize them. The aforesaid actualizes scientific research in the context of expanding the object of knowledge of the sciences of public administration in the field of ensuring the economic security of the state. So, today research of state policy in the field of combating economic crime as a threat to the state security of the state is needed. Analysis of recent research and publications.

In domestic economic science, the problems of determining threats to the economic security of Ukraine have been repeatedly raised in the works of a significant number of domestic scientists, such as A. N. Bandurka, A. M. Boyko, A. F. Volobuiev, A. P. Zakaliuk, V. S. Zelenetskyi, O. Kalman, M. I. Kamlyk, A. N. Litvinov, I. Masliy, Yu. V. Orlov, V. M. Popovich, I. K. Turkevych, V. P. Filonov, S. S. Chernyavskyi,

V. I. Shakuni, V. Yu. Shepytko and others. However, the rapid changes in the social and political life of Ukrainian society in recent years, armed confrontation in the eastern regions of the country, shocks caused by the spread of the COVID-19 pandemic, related crisis phenomena in the economy, the development of information and computer technologies, negatively affected the prevalence of cybercrime in the economic sphere, increased the relevance and necessitated a comprehensive study of economic crime as a threat to state security.

The purpose of the article is to highlight economic crime as a threat to state security as a basis for further development of effective measures to counter economic crime. This will make it possible to revise state policy in the context of preventing the causes of economic crime and the formation of a set of measures for the development of a safe economic system of the state.

Presentation of the main material. The development of the theory and methodology of public administration in the field of combating economic crime is extremely important in the context of ensuring the state security of Ukraine. There is no doubt that economic crime in its various types and spheres is a factor of disproportion in the economic system, which in turn affects the decrease in social stability in society. The international community pays close attention to the issue of economic crime, in particular: "Threatening criminalization of socio-economic institutions, unfavorable tendencies in the growth of violence in the real and virtual world, crime, has a transnational character, necessitates knowledge of

the true state of affairs, assessment of the statistical parameters of this phenomenon, presentation of a holistic picture of the factors of its invincibility. Because of this, the intensification of international activities aimed at developing common approaches to combating crime is of paramount importance. The thesis is substantiated that the solution of this problem requires specialized cooperation, combining the efforts of all countries with the aim of urgently forming under the auspices of the UN an information resource (Data Bank) on crime rates in the world, its individual regions and countries, and the activities of the justice authorities in this area, on the basis of an adequately comparable international classification of crimes for statistical purposes” [2, art. 223].

The worldwide survey confirms the negative impact of the economic and political crisis on the level of economic crime. The results of the Ukrainian survey coincide with the findings of the global report and confirm the growth of risks associated with economic crime. Therefore, identifying misconduct and preventing economic crime is critical to ensuring national security.

According to the Pricewaterhouse Coopers (PWC) survey of economic crime in the world, the level of economic crime in the world is increasing by 2020. In fig. 1 shows the main types of economic crime in the world in 2020, in particular, customer fraud, cybercrime, misappropriation of property, bribery and corruption, accounting/financial reporting fraud, procurement fraud, HR fraud, etc. ...

The fight against economic crime should become a special object of state administration in the field of ensuring

national security. This is primarily due to the fact that the state as a social institution is entrusted with the task of regulating economic interests in society, which in turn form the basis for the commission of an economic crime by a person. Public administration should ensure both the prevention and counteraction of economic crime and establish mechanisms to combat it.

The fight against economic crime as an object of government is a special component of scientific knowledge. This is due to the fact that economic crime is the subject of research in various social sciences. We believe that the issue of economic crime is found at the intersection of the following areas of scientific knowledge, in particular: economic sciences from the standpoint of influencing the development and safe functioning of economic systems of various levels; legal sciences in private legal regulation of the fight against economic crime and the spheres and branches of law associated with their commission; sociological sciences from the standpoint of the influence of economic crimes on the development of society; psychological sciences from the standpoint of the formation of the psychological profile of the subjects of economic crimes; political science from the standpoint of the development of political consciousness in the fight against economic crimes; military sciences from the standpoint of the influence of economic crimes on the military-economic security of the state.

To form the categorical apparatus of economic crime, we propose the following interpretations of economic crime:

- economic crime as a socio-economic phenomenon: economic crime is a socio-economic phenomenon, which

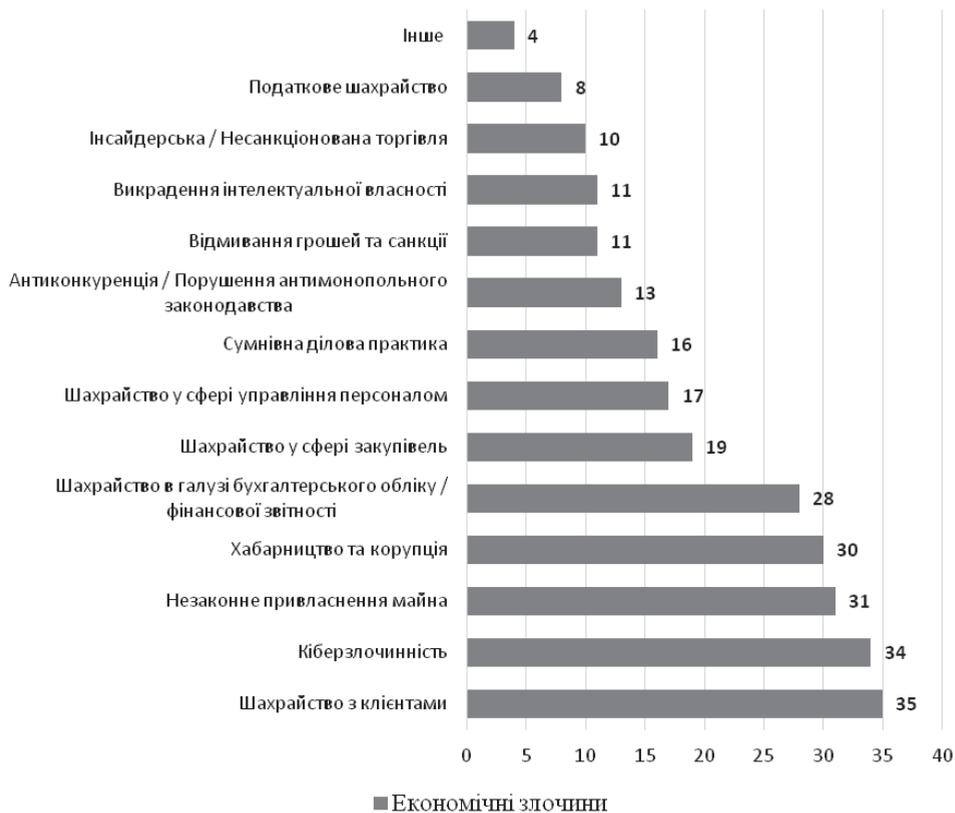


Fig. 1. Review of economic crime in the world, conducted by PricewaterhouseCoopers (PWC) for 2020 [3, art. 4]

consists in socially dangerous activities carried out by participants in economic relations for violations of legal activities or illegal activities and leads to violation of the interests of economic agents (state, business entities, population, international partners and others), principles of economic freedom and imbalance in public relations;

- economic crime as an object of criminal law: a type of criminal activity of a person or a group of persons who carry out socially dangerous acts in the field of economic activity for legal and illegal activities in order to obtain economic benefits and violating the rights of others and leading to economic losses;

- economic crime as an object of state administration: Economic crime is an object of state administration, manifests itself as a socio-economic phenomenon, is prosecuted by law, since it aims to obtain illegal economic benefits by a person or group of persons, an enterprise or other persons and is realized through legal and illegal economic activity and provides influence on public relations, threatens the national security of the state;

- economic crime as a threat to national security: economic crime is a threat to the national security of the state, because it affects socio-economic relations, which leads to an imbalance

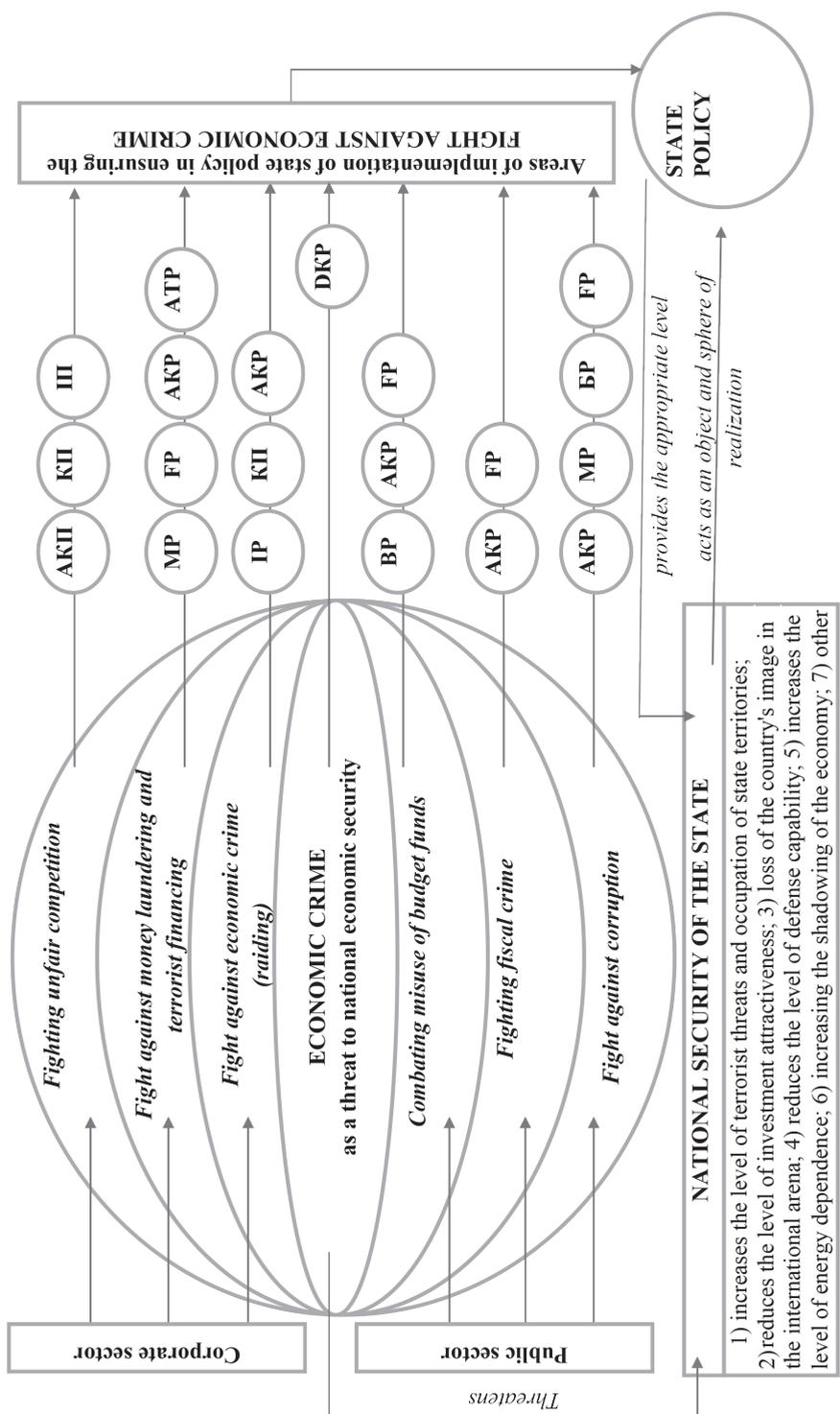


Fig. 2. Economic crime as a threat to national security: public administration

in the economic system, the socio-economic consequences of which cause risks to their security.

In general, the proposed approach makes it possible to take a comprehensive approach to the study of economic crime, to form a theoretical and methodological structure of state management of combating economic crime and to determine its place in threats to state security.

We propose to consider economic crime as a threat to the state security of the state in the context of various types of state policy. We propose to group all crimes in the following areas: in the state and corporate sectors. In general, such interaction falls into the following model of state and administrative aspects of preventing and counteracting economic crime as a threat to state security (Fig. 2).

State security in the context of ensuring the interests of the state as an institution, regulates the interests of various public institutions, has a complex internal structure, which is determined by economic aspects. "Safety assessment includes assessments of: resource potential and opportunities for its development, the level of efficiency in the use of resources, capital and labor and its compliance with the level in the most developed and advanced countries, as well as the level at which threats of an external internal nature are minimized, the competitiveness of the economy, the integrity of the territory of the economic space, sovereignty, independence, the possibility of confrontation, external threats, social stability and conditions for the prevention and resolution of social conflicts" [1, art. 77].

In general, the economic aspects of national security through the prism of economic crime can be characterized through the economic independence of the state and the stability and sustainability of the economic system of the state. It is these two criteria that characterize the relationship of economic security with other components of national security, namely: political, environmental, military, social and others.

Conclusions. Summing up, it should be said that the article substantiates the properties of economic crime as an object of public administration through the development of the categorical apparatus by defining this phenomenon as: socio-economic phenomenon, object of criminal law, object of public administration as a threat to national security. Also, all economic crimes are grouped in the following areas: in the public and corporate sectors. In general, such interaction is part of the developed model of public administration aspects of preventing and combating economic crime as a threat to national security.

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EXPERIENCE OF REALIZATION OF MECHANISMS OF INFLUENCE OF CIVIL SOCIETY ON STATE REGULATION OF LAW ENFORCEMENT ACTIVITY IN MODERN UKRAINE

Abstract. The article identifies the experience of implementing the mechanisms of civil society influence on state regulation of law enforcement in modern Ukraine. It is noted that the interaction of the chain civil society – state agencies – law enforcement agencies has a three-tier structure, as it is carried out at the public (community, population, public initiative), public administration (the role of state agencies as subjects of legislative initiative – creation of laws and bylaws). and the actual legislative level (functioning of the laws of Ukraine “On National Security of Ukraine” and “On operational and investigative activities”).

It is analyzed that the effective use of the principle of separation of powers in Ukraine provides civil protection, the right to freedom in all its manifestations, the economic, social and political balance of social development in Ukraine. The activities of law enforcement agencies, according to this principle, in modern Ukraine are based on the principles of detailed distribution of the foundations

of their activities and functioning, as well as on the guaranteed professionalism of their activities and adherence to the principle of responsibility for their activities, which directly corresponds to the fundamental provisions laid down by the Constitution of Ukraine.

Because of this, we can talk about the existence of state-administrative and political-legislative apparatus in Ukraine, which allow indirectly, indirectly (indirectly) to implement the process of civil society influence on law enforcement agencies through rule-making and legislative regulation.

It has been substantiated that the rule of law and legality as principles enshrined in the Constitution are also directly reflected in the activities of law enforcement agencies and the influence of civil society (as not only a group of people but also the state system of modern Ukraine) on state regulation of law enforcement.

Keywords: mechanisms of state influence, activities of law enforcement agencies, civil society, political balance of social development, the principle of separation of powers, the law of Ukraine “On the national security of Ukraine”.

ДОСВІД РЕАЛІЗАЦІЇ МЕХАНІЗМІВ ВПЛИВУ ГРОМАДЯНСЬКОГО СУСПІЛЬСТВА НА ДЕРЖАВНЕ РЕГУЛЮВАННЯ ПРАВООХОРОННОЇ ДІЯЛЬНОСТІ У СУЧАСНІЙ УКРАЇНІ

Анотація. Визначено досвід реалізації механізмів впливу громадянського суспільства на державне регулювання правоохоронної діяльності у сучасній Україні. Зазначено, що взаємодія ланцюга громадянське суспільство — державні органи — правоохоронні органи має трирівневу структуру, адже здійснюється на суспільному (громада, населення, суспільна ініціативність), державно-управлінському (роль державних органів як суб’єктів законодавчої ініціативи — створення законів та підзаконних актів) та власне законодавчому рівні (функціонування законів України “Про національну безпеку України” та “Про оперативно-розшукову діяльність”).

Проаналізовано, що ефективне використання принципу розподілу влади в Україні забезпечує громадянську захищеність, право на свободу в усіх її виявах, економіко-соціальний та політичний баланс суспільного розвитку в Україні. Діяльність правоохоронних органів, відповідно до цього принципу, в сучасній Україні базується на принципах детального розподілу основ їх діяльності та функціонування, а також на гарантованій професійності їх діяльності та дотриманні принципу відповідальності за власну діяльність, котрий прямо кореспондує засадничим положенням, що закладені Конституцією України.

Отже, можна говорити про наявність на теренах України державно-управлінського та політико-законодавчого апаратів, що дають можливість побічно, у непрямий спосіб (пасивно) реалізовувати процес впливу громадянського суспільства на діяльність правоохоронних органів шляхом нормотворчості та законодавчого регулювання.

Обґрунтовано, що верховенство закону та законність як принципи, закладені Конституцією, також знаходять своє пряме відображення у діяльно-

сті правоохоронних органів та впливі громадянського суспільства (у якості не лише групи людей, а й державного устрою сучасної України) на державне регулювання правоохоронної діяльності.

Ключові слова: механізми державного впливу, діяльність правоохоронних органів, громадянське суспільство, політичний баланс суспільного розвитку, принцип розподілу влади, Закон України “Про національну безпеку України”.

ОПЫТ РЕАЛИЗАЦИИ МЕХАНИЗМОВ ВЛИЯНИЯ ГРАЖДАНСКОГО ОБЩЕСТВА НА ГОСУДАРСТВЕННОЕ РЕГУЛИРОВАНИЕ ПРАВООХРАНИТЕЛЬНОЙ ДЕЯТЕЛЬНОСТИ В СОВРЕМЕННОЙ УКРАИНЕ

Аннотация. Определен опыт реализации механизмов влияния гражданского общества на государственное регулирование правоохранительной деятельности в современной Украине. Отмечено, что взаимодействие цепи гражданское общество — государственные органы — правоохранительные органы имеет трехуровневую структуру, ведь осуществляется на общественном (община, население, общественная инициативность), государственно-управленческом (роль государственных органов как субъектов законодательной инициативы — создание законов и подзаконных актов) и собственно законодательном уровне (функционирование законов Украины “О национальной безопасности Украины” и “Об оперативно-розыскной деятельности”).

Проанализировано, что эффективное использование принципа разделения властей в Украине обеспечивает гражданскую защищенность, право на свободу во всех ее проявлениях, экономико-социальный и политический баланс общественного развития в Украине. Деятельность правоохранительных органов, согласно этому принципу, в современной Украине базируется на принципах детального распределения основ их деятельности и функционирования, а также на гарантированном профессионализме их деятельности и соблюдении принципа ответственности за свою деятельность, который прямо корреспондирует основополагающим положениям, заложенным Конституцией Украины.

Поэтому, можно говорить о наличии на территории Украины государственно-управленческого и политико-законодательного аппаратов, которые дают возможность косвенно, косвенным образом (пассивно) реализовывать процесс влияния гражданского общества на деятельность правоохранительных органов путем нормотворчества и законодательного регулирования.

Обосновано, что верховенство закона и законности как принципы, заложенные Конституцией, также находят свое прямое отражение в деятельности правоохранительных органов и влиянии гражданского общества (в качестве не только группы людей, но и государственного устройства современной Украины) на государственное регулирование правоохранительной деятельности.

Ключевые слова: механизмы государственного воздействия, деятельность правоохранительных органов, гражданское общество, политический баланс общественного развития, принцип разделения власти, Закон Украины “О национальной безопасности Украины”.

Formulation of the problem. Civil society, as a social phenomenon, is the engine and driving force of socio-economic, political, legal and governmental transformations. It is worth noting that in modern Ukraine, as a democratic and legal state, a human-centered approach is widespread – this includes respect for rights and freedoms, as well as the right to freely express their views through public communication.

It should be noted that the social preconditions for highlighting the influence of civil society on state regulation of law enforcement in Ukraine is, first of all, the imbalance between efficiency and legality of public administration processes, combined with the growing role of society in power and political transformation. Socio-legal and economic problems tend to branch out quickly: thus, in Ukraine there is a clear precedent for a certain improvement of cooperation between the government and social institutions (including society in general).

Analysis of recent research and publications. I should note that the study of the role and significance of law enforcement agencies in the formation of a modern model of civil society were: V. Bilokopytov, I. Zhukova, V. Kovalchuk, L. Melnyk, M. Mesyuk, E. Romanenko and. etc.

Taking into account a number of scientific studies on the impact of civil

society on state regulation of law enforcement, it will be appropriate to consider the mechanisms of influence of civil society on state regulation of law enforcement agencies in Ukraine declared in modern legislation.

The purpose of the article is to substantiate the experience of implementing the mechanisms of civil society influence on state regulation of law enforcement activities in modern Ukraine.

Presentation of the main material. In modern Ukraine, the issues of improving and systematizing the state and administrative processes of regulating law enforcement in Ukraine is inextricably linked with the legislative and regulatory separation of approaches to understanding the specifics of the functioning of law enforcement agencies. At the same time, the characteristic of the interaction of the chain civil society – state agencies – law enforcement agencies has a three-level structure, because it is carried out on the public (community, population, public initiative), state-administrative (the role of state agencies as subjects of legislative initiative – the creation of laws and bylaws) and the actual legislative level (the functioning of the laws of Ukraine “On the National Security of Ukraine” and “On Operational Search Activities”).

I would also like to note that the Law of Ukraine “On National Security

of Ukraine” defines law enforcement agencies as security forces that, in accordance with the Constitution and Ukrainian legislation, ensure the safety and security of state security interests of Ukraine. Thus, at the same time, the legislator focused on the role of the state, government and political system in regulating law enforcement in modern Ukraine. However, the latter is a logical continuation of public activism and initiative: as we know, the Constitution of Ukraine proclaims a number of rights of citizens, which are often not taken into account by law enforcement officials in the performance of professional duties [1].

It is important to note that the interaction of civil society with the state and the further influence of the latter on the regulation of law enforcement is a matter of public administration efficiency and openness of government institutions of the state of Ukraine. Therefore, procedurally and ideologically, the process of humane, democratic and civil control over the activities of the state and its legislative initiatives will be considered an example of an effective, direct mechanism for influencing the state law enforcement apparatus. The connection between the state and law enforcement agencies is logical – because the structural and functional apparatus of public administration provides for the role of law enforcement agencies as intermediaries that implement state directives [2, p. 26–27].

At the same time, the functions and tasks of civil society include purely democratic activities to prevent and prevent antisocial, anti-civil activities of the state, which violates the rights,

freedoms and interests of ordinary citizens.

The government and the government, communicating with civic initiative groups, lay the foundations for the practical implementation of legal, social and humane principles of public administration, based on the Constitution of Ukraine – at the same time, in terms of cultivating the legitimacy of socio-political activity in modern Ukraine. on the protection of human rights and fundamental freedoms, the International Covenant on Civil and Political Rights, etc.

At the same time, it can be stated that the mechanisms of the influence of civil society on the state regulation of law enforcement in Ukraine have their substantive origins. These include, in particular, the need for state control over the democracy of law enforcement agencies, the concept of preventing violations of the rights, freedoms and interests of citizens (both legal and constitutional), control and audit activities in the prevention of corruption in law enforcement agencies and authorities. Thus, public activity and cooperation with the government on the effective law-making process in the field of law enforcement are important for the protection and protection of the Constitution of Ukraine, which guarantees respect for human beings and the functioning of all civil society institutions [3, p. 53–55].

I would like to note that the sphere of activity of law enforcement agencies in Ukraine is a rather secret branch of state-administrative transformations. This, in fact, can be defined as one of the obstacles to public activity and its communication with the authorities in

matters of lawmaking. However, the community and its right to freedom of speech, thought and expression, in particular political views and beliefs, are a logical continuation of each other.

Socio-political, democratic and public control over the activities of the state in the field of regulation of the competence of law enforcement agencies are regulated in the directives of the United Nations, the Council of Europe and the European Union. The latter, we recall, are part of national legislation in the case of ratification and approval of their binding force by the Verkhovna Rada of Ukraine (as stated in Article 8 of the Basic Law – the Constitution of Ukraine) [4].

I should note that the effectiveness of public communication with society has a complex and complex public administration structure. Thus, in the context of state and public regulation of law enforcement through social dialogue between government and citizens, it is important to declare and generate the principles of civil society [5].

As noted earlier, in the regulation of the basics of the legislator, the state of Ukraine, in relation to communication with citizens – and, consequently, ensuring the rights, freedoms and interests of citizens by building legislative mechanisms to protect against law enforcement, the hierarchy of regulations plays an important role. acts that include national sources (Constitution of Ukraine, laws of Ukraine “On National Security” and “On operational and investigative activities”) and international legal sources, consent to the mandatory use of which is given by the Verkhovna Rada of Ukraine in accordance with Article 8 of the Basic

Law: and which, accordingly, are part of national legislation (Convention for the Protection of Human Rights and Fundamental Freedoms, the International Covenant on Civil and Political Rights, directives of the United Nations, the Council of Europe and the European Union).

In fact, it is the structural and specific features of the interaction between government and society that are reflected and can be assessed through the prism of social dialogue. Thus, in Ukraine, the concept of social dialogue in the field of state regulation of law enforcement is reflected by the problem of society and its solution by finding consensual solutions. The activities of law enforcement agencies and their assessment by the community are a signal to the authorities to eliminate, or prevent, further government crisis, or level public discontent.

At the same time, it should be noted that the government in Ukraine, as in a state with a strong approach to the common good and the legal regime, has a tendency to create public foundations for an integrative society. This is manifested, in particular, in building a socio-political approach to civic communication, cooperation and communication, because power is not only the apparatus of public administration, but also acts in the interests, on behalf of and in accordance with legal requirements (needs) social character.

In fact, public administration in modern Ukraine, being at the stage of progressive development, acquires the characteristics of a socio-political institution of communication with the public. This is a positive factor, because the effective, functional and effective

interaction of the chain of public – state institutions – law enforcement agencies is possible under the socio-legal nature of public administration mechanisms.

Of course, civil society has a legislative basis on which the stylistics of its functioning in the legal field is based. In modern Ukraine, therefore, a similar legal act is the law of Ukraine “On Public Associations”, the purpose of which is the total regulation of the legal framework of public organizations in Ukraine, the structure and specifics of their formation, creation and registration [6, p. 335–340].

In this context, I should note that any civic initiative in relation to the state must be legally formalized (as a public association or public organization); to act in the legal field (in accordance with the norms of the national legislation of Ukraine and international legal acts, the binding nature of which has been approved by the Verkhovna Rada of Ukraine); to defend the legal, constitutional rights, freedoms and interests of man and citizen through a socially integrated, democratic dialogue with the authorities to address the issue of law enforcement and legal regulation of law enforcement in modern Ukraine, in general.

The process of control over the activities of law enforcement agencies by society is the basis of the political, economic and social structure of the state of Ukraine. An important aspect in the cooperation and coexistence of law enforcement agencies and civil society is compliance with the Constitution of Ukraine: law enforcement agencies rely on the need to recognize man, his life and health as the highest social

value, while noting and cultivating the obligation to comply and realization of human rights and freedoms.

The inadmissibility of the violation of human rights and freedoms, in turn, gives rise to another constitutional principle: the provision of sovereignty and power, which, as defined in the Constitution of Ukraine, belong to the people. He carries it out directly – which, in fact, gives rise to his ability to use constitutional and legal immunity and legal rights to defend their own interests in interaction with law enforcement agencies [7].

I must note that the usurpation of any of the branches of government in Ukraine is not allowed. This, again, is an important norm of the Constitution of Ukraine in light of the interaction of the public and law enforcement agencies (as well as further social influence on them), because it regulates the division of power into legislative, executive and judicial branches: for democracy – a sign of power. state transparency and implementation in the state-power structure of law enforcement, agencies of common law principles, the use of which is associated with a democratic legal regime.

The rule of law, which is one of the fundamental principles of the Constitution of Ukraine and the Law of Ukraine “On the National Police” of 02.07.2015 № 580-VII consolidates the trend towards democracy and enables the public to cooperate with law enforcement agencies, thus influencing their legislative, public administration and socio-political statuses. Such principles of law, symbolizing democracy and humanism as the style of the state regime, create an opportunity for citi-

zens to freely, unconditionally, openly and at their own discretion to express their own opinion.

In matters of cooperation between citizens and law enforcement agencies, the norms of the Constitution of Ukraine (as well as their observance by law enforcement agencies) play a fundamental role – because, as norms of direct action, they contribute to a more flexible public administration approach to determining the status of law enforcement agencies [8, p. 4].

I note that the Law of Ukraine “On National Security of Ukraine” from 21.06.2018 № 2469-VIII, at the same time, is another social regulator of legality and legal legality in the activities of law enforcement agencies in modern Ukraine. In fact, this normative legal act regulates the mandatory nature of not only legal, but also open and socially oriented activities of law enforcement agencies: at the same time, emphasis is placed on the effectiveness of their operation and solving specific, profile problems of protection and enforcement of Ukraine. and prevention of violation of legal rights, freedoms and interests of citizens.

In the context of the influence of civil society on law enforcement agencies, we must note, based on the principles enshrined not only in the Constitution of Ukraine but also in a specific normative act, the Law of Ukraine “On National Security of Ukraine” of 21.06.2018 № 2469-VIII, law enforcement in Ukraine carried out in accordance with the human-centric approach, because its specificity involves providing decent and safe living conditions, supporting the idea of civil society and ensuring its democratic principles,

constitutional order and the concept of general social welfare.

Another principle that should be taken into account when studying the impact of civil society on law enforcement agencies is the principle of responsibility of the state and its officials to citizens, which, again, is enshrined in the Basic Law – the Constitution of Ukraine. Therefore, such a basic provision, being a norm of direct action, having a declarative character and an imperative direction, is obligatory in any state structures. These include, in particular, law enforcement and law enforcement agencies in general.

Thus, civil society is a stable unit, which, being the main socio-state mechanism and force of social change, creates the foundations for harmonized, implemented and relatively codified legislation, which aims to respect the fundamental rights and freedoms of man and citizen [9, p. 85–86].

I note that the effective use of the principle of separation of powers in Ukraine provides civil protection, the right to freedom in all its manifestations, economic, social and political balance of social development in Ukraine. The activity of law enforcement agencies in accordance with this principle in modern Ukraine is based on the principles of detailed distribution of the basics of their activities and functioning, as well as on guaranteed professionalism of their activities and compliance with the principle of responsibility for their own activities.

Because of this, it can be argued that there are state-administrative and political-legislative apparatus in Ukraine, which allow indirectly, indirectly (passively) to implement the process of ci-

vil society influence on law enforcement agencies through rule-making and legislative regulation.

It is necessary to emphasize that the Constitution of Ukraine, as the Basic Law of the state, acts for law enforcement agencies, both as a binding and prohibitive conceptual and categorical mechanism. Executive agencies, which include law enforcement agencies, are guided in their daily activities by the Constitution of Ukraine, laws of Ukraine and international regulations, which are part of national legislation and relate to the impact of civil society on law enforcement and its state regulation.

Conclusions. Thus, we can highlight that the legislative basis of mechanisms of civil society influence on state regulation of law enforcement, in modern Ukraine, directs, coordinates the activities of law enforcement agencies and declares the basic ideas of coexistence of civil society and law enforcement agencies, through the following chain-strategic links:

- The Constitution of Ukraine;
- Laws of Ukraine “On National Security of Ukraine” and “On operational and investigative activities”;
- International legal acts, such as the Convention for the Protection of Human Rights and Fundamental Freedoms, the International Covenant on Civil and Political Rights, the directives of the United Nations, the Council of Europe and the European Union.

In general, the activities of law enforcement agencies are, in fact, subject to control and audit by the public. Again, this human and civil right in modern Ukraine corresponds to the principle of democracy. Democracy as

a socio-political current and public administration ideology is reflected in the absolute right of citizens to control the activities of government (in particular, we are talking about law enforcement agencies as executive agencies); the latter, in turn, respond to such audits by citizens transparent, effective and legal from a legal point of view, activities [10, p. 352–353; 11].

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STATE REGULATION OF THE INSURANCE MARKET IN FORCE MAJOR SITUATIONS

Abstract. The problems of functioning in extreme conditions of the system and mechanisms of state regulation of the market of insurance services are covered. The current situation in Ukraine during the onset and spread of coronavirus disease (COVID-19) is analyzed. It is shown that the population remained unprotected, alone with the problems, without decent state compensation for the victims. An assessment of the state of the system and mechanisms of state regulation of the market of insurance of risks of occurrence of extraordinary events is carried out. The author's strategy of construction of insurance of such risks which provides financial support from the state is offered. If the program of insurance of the population against the risks associated with the occurrence and spread of coronavirus disease is created and implemented in the country, the serious prob-

lems we observe in Ukraine could be avoided. It is emphasized that in case of force majeure, natural disasters, coronavirus pandemic, etc. the state through the system and mechanisms of state regulation should immediately introduce measures to stimulate the insurance market to compensate for losses and provide support to the affected population. The negative experience of the public administration in ensuring the well-being of the population of Ukraine during the state of emergency caused by the 'coronavirus crisis' encourages the introduction at the legislative level of a systematic approach to responding to emergencies, epidemiological challenges, natural and other disasters. The need for state support of the insurance business in this area of Ukraine's economy is shown on the example of risk insurance in agriculture due to catastrophic deviations of weather conditions from the norm. Prospects for the development of the risk insurance market in the agricultural sector are considered. Proposals are made to improve the protection of the citizens by insuring against the risks of emergencies. Recommendations have been formulated in the direction of mitigating the negative consequences for individuals and legal entities by expanding insurance mechanisms with the use of state support. The necessity of determining by the regulator of the insurance market the principles of construction of insurance programs in case of emergencies is substantiated. It is recommended to create a program of state support for insurance against the risks of emergencies, which will include measures and financial resources to mitigate the negative consequences in the event of a sudden emergence of new pathogens of infectious diseases and other cataclysms of various kinds. New scientific approaches to revealing the essence of insurance of individuals and legal entities in Ukraine against natural disasters, force majeure events, consequences of emergencies are proposed. A radically new approach to the use of the concept of 'force majeure', which differs from the conventional one, is proposed.

Keywords: emergencies, risk insurance, state regulation, regulatory mechanisms.

ДЕРЖАВНЕ РЕГУЛЮВАННЯ РИНКУ СТРАХУВАННЯ У ФОРС-МАЖОРНИХ СИТУАЦІЯХ

Анотація. Висвітлено проблеми функціонування в екстремальних умовах системи і механізмів державного регулювання ринку надання страхових послуг. Проаналізовано поточну ситуацію в Україні в період виникнення і поширення коронавірусної хвороби. Показано, що населення залишилося не захищеним, сам на сам із проблемами, без достойної компенсації державою збитків постраждалим. Проведено оцінку стану системи і механізмів державного регулювання ринку страхування ризиків настання подій надзвичайного характеру. Запропоновано авторську стратегію побудови страхування таких ризиків, яка передбачає фінансову підтримку з боку держави. У разі створення і реалізації у державі програми страхування населення від ризиків, пов'язаних з виникненням і поширенням COVID-19, то серйозних проблем, які спостерігаємо в Україні, вдалося б уникнути. Підкреслено, що при виникненні обставин непереборної сили, природних катаклізмів, коронавірусної пан-

демії тощо держава через систему і механізми державного регулювання має невідкладно запровадити заходи стимулювання діяльності страхового ринку для компенсації збитків і надання підтримки постраждалому населенню. Негативний досвід державного управління у сфері забезпечення благополуччя населення України в період надзвичайного стану, зумовленого виникненням “коронавірусної кризи”, спонукає запровадження на законодавчому рівні системного підходу до реагування на надзвичайні ситуації, виклики епідеміологічного характеру, природні та інші катаклізми. На прикладі страхування ризиків у сільському господарстві, зумовленими катастрофічними відхиленнями погодних умов від норми, показана необхідність державної підтримки страхового бізнесу в цій сфері економіки України. Розглянуто перспективи розвитку ринку страхування ризиків в аграрному секторі. Надано пропозиції щодо удосконалення захисту громадян шляхом страхування від ризиків виникнення надзвичайних ситуацій. Сформульовано рекомендації у напрямі послаблення негативних наслідків для фізичних і юридичних осіб за рахунок розширення механізмів страхування із застосуванням державної підтримки. Обґрунтовано необхідність визначення регулятором страхового ринку принципів побудови програм страхування на випадок надзвичайних ситуацій. Рекомендовано створення програми підтримки державою страхування ризиків виникнення надзвичайних ситуацій, яка буде передбачати заходи і фінансові ресурси для пом'якшення негативних наслідків у разі раптової появи нових збудників інфекційних захворювань та інших катаклізмів різного характеру. Запропоновано нові наукові підходи до розкриття сутності страхування фізичних і юридичних осіб в Україні від природних катаклізмів, подій непереборної сили, наслідків надзвичайних ситуацій. Запропоновано кардинально новий підхід до використання поняття “форс-мажор”, який відрізняється від загальноприйнятого.

Ключові слова: надзвичайні ситуації, страхування ризиків, державне регулювання, механізми регулювання.

ГОСУДАРСТВЕННОЕ РЕГУЛИРОВАНИЕ РЫНКА СТРАХОВАНИЯ В ФОРС-МАЖОРНЫХ СИТУАЦИЯХ

Аннотация. Освещены проблемы функционирования в экстремальных условиях системы и механизмов государственного регулирования рынка страхования. Проанализирована ситуация в Украине в период возникновения и распространения коронавирусной инфекции. Показано, что население осталось не защищенным, один на один с проблемами, без достойной компенсации государством убытков пострадавшим. Проведена оценка состояния системы и механизмов государственного регулирования рынка страхования рисков наступления событий чрезвычайного характера. Предложена авторская стратегия построения системы страхования таких рисков, которая предусматривает финансовую поддержку со стороны государства. В случае создания и реализации государственной программы страхования населения от рисков, связанных с возникновением и распространением

COVID-19, удалось бы избежать серьезных проблем, которые наблюдаем в Украине. Подчеркнуто, что при возникновении обстоятельств непреодолимой силы, природных катаклизмов, коронавирусной пандемии государство через систему и механизмы управления должно безотлагательно принять меры по стимулированию деятельности страхового рынка с целью компенсации убытков и оказания поддержки пострадавшему населению. Опыт Украины в сфере обеспечения благополучия населения в период чрезвычайной ситуации, вызванного “коронавирусным кризисом”, негативный. Рекомендовано введение в государстве системного подхода к реагированию на чрезвычайные ситуации, вызовы эпидемиологического характера, природные и другие катаклизмы. На примере страхования рисков в сельском хозяйстве, обусловленных катастрофическими отклонениями погодных условий от нормы, показана необходимость государственной поддержки страхового бизнеса в этой сфере экономики Украины. Рассмотрены перспективы развития рынка страхования рисков в аграрном секторе. Даны предложения по совершенствованию защиты граждан путем страхования от рисков возникновения чрезвычайных ситуаций. Сформулированы рекомендации в направлении ослабления негативных последствий для физических и юридических лиц за счет расширения механизмов страхования с применением государственной поддержки. Обоснована необходимость определения регулятором страхового рынка принципов построения программ страхования на случай чрезвычайных ситуаций. Программа поддержки государством системы страхования рисков возникновения чрезвычайных ситуаций должна предусматривать меры и финансовые ресурсы для смягчения негативных последствий в случае внезапного появления новых возбудителей инфекционных заболеваний и других катаклизмов различного характера. Предложены новые научные подходы к раскрытию сущности страхования физических и юридических лиц в Украине от природных катаклизмов, событий непреодолимой силы, последствий чрезвычайных ситуаций. Предложен кардинально новый, отличающийся от общепринятого, подход к использованию понятия “форс-мажор”.

Ключевые слова: чрезвычайные ситуации, страхование рисков, государственное регулирование, механизмы регулирования.

Formulation of the problem. In the last year the question of the functioning of the system and mechanisms of state regulation of non-banking financial services markets in extreme conditions caused, for example, by coronavirus disease and other cataclysms, has become relevant for the scientists.

This issue is insufficiently studied and covered in the scientific literature. The situation that has arisen in Ukraine and around the world in connection with the spread of COVID-19 requires consideration.

Analysis of recent research and publications. In the fundamental work

[1] it is emphasized that 'the risks of emergencies of a different nature' significantly affect the quality of life in any state. This certainly applies to Ukraine. The author of [1] notes that the use of only the 'traditional administrative approach' to responding to emergencies is often ineffective. And that one of the reasons for the low level of security of the population, territories, etc. from emergencies in Ukraine is the weakness of the state policy in this area. The question of whether extraordinary events (emergencies) can or cannot be assessed as force majeure and how effective the mechanisms of state regulation of the insurance market in our country are in emergency situations require special research, in particular, on the examples of the COVID-19 pandemic and mechanisms of state regulation of the insurance market in our country.

It is necessary to agree with the statement in the book [2] of the Academician of the National Academy of Sciences of Ukraine S. V. Komisarenko that concluded that the current and any new pandemic requires the mobilization of all the state resources. In the fight against coronavirus or other deadly disease for mankind will be important not only the level of science and medicine, but also the state of the economy and financial sphere of the state. Including the readiness of the system and mechanisms of state regulation of the insurance market to protect and enhance the safety of the citizens by insuring the risks associated with this disease and its consequences. Therefore, given the current epidemiological situation in Ukraine and the economic situation of the state, the activities of

state regulators of non-banking financial services should, above all, be focused on the following areas: forecasting, timely detection, prevention and neutralization of security threats to the citizens of Ukraine, individuals and legal entities; to increase the stability of these markets; eradicating the practice of using insurance transactions by unscrupulous business structures to evade taxes; to accelerate the integration of the Ukrainian legislation and regulations in the field of non-banking financial services to the conditions of the European Union. We note and emphasize that these recommendations generally apply to difficult periods of the state development. In case of force majeure, the system of the public administration in the financial sector of the economy must respond immediately and radically.

An attempt to systematize the main measures introduced by the public authorities and aimed at preventing the exacerbation of the systemic crisis associated with the emergence and spread of coronavirus disease is made in the article [3]. According to the findings of this work, Ukraine, like other countries, was not ready for such a global challenge. After the outbreak of the pandemic in Ukraine a number of state-wide measures were implemented, aimed at reducing the negative impact of the disease on the economy of the state, on the state of the society. But every field, every industry, not only medicine or healthcare, requires additional non-standard solutions due to the specifics of the industry. Directly in the system of state regulation of non-banking financial services markets it is necessary to introduce such addi-

tional measures that take into account the specifics of the functioning of insurance and other non-banking financial services and can partially offset the negative effects of the pandemic.

The downturn in the economy, due to the spread of coronavirus disease, has led to a decrease in the efficiency of non-banking financial services markets. Most of the structures operating in these markets are even on the verge of ceasing to operate. As a result of the quarantine restrictions imposed in Ukraine, small and medium-sized businesses have encountered difficulties, tourism, air and rail services have significantly decreased, the saturation of passenger flows on local transport has weakened, the transportation of goods has decreased, and so on. A special state has been introduced at strategic facilities (nuclear power plants, etc.).

The coronavirus disease will continue to create difficulties and lead to deterioration in all sectors of the economy. This will be reflected in the performance of the insurance market due to lower production in almost all industries and, as a result, reduced financial resources of the citizens that could be spent on non-banking services, including insurance. Insurance market monitoring showed that in the second half of 2020 the volume of collected insurance premiums decreased by approximately 20 %. There were unexpected, due to coronavirus disease, difficulties in the work of insurance agents, brokers, branches and offices of insurance companies in the regions and more. It is obvious that the state regulators of non-banking financial services markets should use mechanisms and take anti-crisis measures in addition to the solu-

tions proposed in the article [3], which minimize losses from the systemic crisis in these markets.

In the literature sources [4–9] the issues of mechanisms of response of the state bodies of different countries to force majeure in the agricultural sector are considered. The information from these sources is analyzed further in the course of consideration of the topic. It should be noted that the topic of state regulation of the insurance market in force majeure situations needs further research and improvement.

The purpose of the article is an in-depth analysis of the mechanisms and measures of state regulation of the insurance market, aimed at protecting the citizens in case of emergencies, and to find ways to improve the insurance system of risks of unforeseen events of force majeure.

Presentation of the main material. The system of state regulation of non-banking financial services markets should introduce and implement in practice measures to spread insurance of military-political risks, which have intensified in connection with the coronavirus pandemic. Unfortunately, there are circumstances that contribute to the negative effect of synergy of risks. It is necessary to develop mechanisms for preferential insurance for doctors who come into contact with patients with coronavirus. In particular, the state must provide insurance against illness in the event of infection of a medical worker. The system of state regulation of non-banking financial services markets in general and, in particular, the regulator of the insurance market, must prepare for a possible deterioration not only morally, but

also in accordance with the tasks and responsibilities assigned to these structures.

Of course, the market participants themselves should step up their activity in search of anti-crisis solutions. With regard to the functioning, in particular of the insurance market, it is necessary to support the insurance companies that have offered services to insure the citizens against COVID-19 and the associated possible complications and negative consequences. The regulators of insurance and other markets that provide non-banking services should focus on ensuring the functioning of markets, on the preservation of jobs by their subjects. Self-regulatory organizations uniting insurance market entities, together with non-banking financial market regulators, should develop and propose to the Cabinet of Ministers of Ukraine specific mechanisms for state support of the insurance business, the operation of which is of particular importance at that time. Insurers need support from the public authorities. As measures to stimulate the insurance market can be considered, for example, easing for a certain period of time the requirements for assets and capital of the insurers.

The public authorities must respond to anticipations of possible cataclysms, which sometimes occur in any country. But this topic has not been worked out enough in Ukraine yet. Mechanisms for regulating the markets of non-banking financial services, primarily the insurance market, in crisis situations have not been developed. The question of the legitimacy of considering natural anomalies (droughts, floods, fires, earthquakes, etc.) as force

majeure in various situations is clearly not resolved. There are no methods for assessing force majeure. It is obvious that the mechanisms of the public administration must provide for the prevention of negative consequences in the country, such as drought, floods, other weather disturbances and compensation of victims through the insurance system.

The development of the agricultural insurance in particular can provide compensation for losses of the agricultural producers, caused primarily by droughts in the steppe part of Ukraine. The experience of meteorologists shows that droughts, say in the Odessa region, occur periodically. Therefore, the authorities should introduce such mechanisms of state regulation of the agricultural insurance, which will operate on a permanent basis and save the farmers from bankruptcy in the event of drought or other unexpected deviations of weather conditions from, so to speak, standard norms. And at the same time will be attractive, profitable for the insurers. Agricultural insurance is a separate specific section on the provision of insurance services to the farmers and the state's participation in compensation by insurance companies for losses of the agricultural producers that periodically occur due to natural disasters, including due to abnormal droughts. Related issues are very difficult to solve.

In-depth consideration of the mechanisms of the state's response to any force majeure through insurance is of scientific interest to the approaches used in various countries around the world. According to literature sources [4–9], the main reason for the slow

development of agricultural insurance in Ukraine is the allegedly high cost of insurance services for the Ukrainian farmers, including the size of insurance premiums. Experience, such as the USA, shows that part of the costs of the farmers for insurance, namely the payment of insurance premiums, is borne by the state. Of course, the state incurs certain costs, which are much lower compared to the funds needed to compensate the farmers affected by the drought. Thus, in the USA and most European countries, agricultural insurance is an effective mechanism for the farmers to avoid drought losses or at least partially compensate for its negative effects.

In Ukraine the mechanisms of state support of the farmers in insuring the risks associated with deviations of weather conditions from the forecast have not yet been worked out. One of the reasons for this is the mutual distrust of the farmers in the insurance institution. On the other hand, insurers do not trust farmers, who often distort the situation regarding the causes of loss of all or part of the harvest [4–9, etc.].

The possibility for the farmers to receive assistance from the state is provided by the Law of Ukraine 'On Peculiarities of Insurance of the Agricultural Products with State Support' No. 4391-V of February 9, 2012. According to this Law, a mandatory condition for state support is the availability of a crop insurance policy for a farmer. Most likely, such a requirement is appropriate. According to the data provided in the above articles, the share of agricultural insurance in the total insurance market in 2016 was

0,6 % and gradually increased. Then the development of this area of insurance stopped because in subsequent years for the implementation of the program provided by this law budget funds were not allocated. Only powerful insurance companies could afford agricultural insurance [9]. A small number of insurers, as it is known [10], reduces competition and leads to market monopolization, which in turn reduces the quality of the insurance products. The system of state regulation of the insurance market almost did not take a significant part in solving the problem of compensation for losses incurred by the farmers as a result of natural disturbances.

The Cabinet of Ministers and the Verkhovna Rada of Ukraine understand the urgent need to introduce agricultural insurance on a significant scale for the state in the event of a negative situation caused by an anomaly in weather conditions. And they intend to solve this problem. The new bill should define and economically justify the directions and mechanisms for providing assistance to the farmers through insurance. Various options are offered and analyzed. For example, by way of compensation by the state of ~50 % of insurance premiums farmers will pay to insurance companies. Or state compensation to insurers for part of the insurance indemnity, if the insurance premiums paid to insurance companies by the farmers are insufficient to cover the losses. Each of these significantly different mechanisms of the state participation in agricultural insurance must be carefully substantiated by reliable economic calculations performed by the state regulators of the insurance

market with the involvement of scientists, self-governing organizations of insurers, agribusiness structures and other institutions. Work in this direction is still not enough for unambiguous recommendations.

Based on the results of our research, we recommend dividing the problem into two parts. Namely, on agricultural insurance in the generally accepted approach, which takes into account the constant fluctuations in yields and prices for agricultural products within the normal limits. And to insure the risks of farmers associated with the occurrence of weather disasters, defined as force majeure. That is, force majeure in accordance with Ukrainian law. Let us emphasize that it was the catastrophic droughts, floods, coronavirus pandemic, and fires that occurred in Ukraine in 2019–2020 that once again drew attention to the fact that compensation for losses and support to the affected population should be carried out not only by the state, but also by business through insurance mechanisms.

In Ukraine it is customary to apply reservations in contracts, agreements, etc. of economic content and to provide for the section 'Force Majeure', according to which the parties to the agreement are released from obligations in case of force majeure. According to the encyclopedic definition, force majeure (irresistible force) is an emergency and unavoidable in specific circumstances (e.g., flood, storm, other natural disasters), which usually release from liability for non-performance of the agreement or causing harm to the subject of the agreement. Force majeure, i.e. emergencies and unavoidable circumstances may include not only excep-

tional weather conditions and natural disasters, but also social (public) circumstances (declared and undeclared wars, revolutions, etc.), or government action (embargoes, quotas, etc.). The Law of Ukraine 'On Chambers of Commerce and Industry in Ukraine' of 02.12.1997 No. 671/97-BP stipulates that the Chamber of Commerce and Industry of Ukraine and the regional chambers of commerce and industry authorized by it certify force majeure. Note that the concept of 'force majeure' is not similar to the concept of 'emergency' (E), although often applied to the same events. The concept of 'force majeure' is essentially much broader. In the opinion of the author of the article [1], 'from the point of view of administration such a phenomenon as an E is the cessation of the normal process of life in the affected area'.

We will leave the discussion on whether it is legal or illegal from the legal point of view to qualify the fact of the occurrence and spread of COVID-19 disease as force majeure outside the scope of this article. The main thing that is not in doubt is the need to develop, approve at the legislative level and put into practice through the system of insurance against risks of COVID-19 or infection with other exceptional and previously unknown diseases and possible negative and even catastrophic consequences. On the contrary, it is about insuring the risks of force majeure. That is, it is proposed to change the concept of attitude to force majeure to the opposite of what is now accepted. Or close to the opposite of the relatively common and provided for in the legislation of Ukraine. At the same time, state regulation of these in-

insurance services should be maintained and expanded.

Conclusions. It should be agreed with the definition [5] that risk is a combination of probability and consequences of adverse events. It is proposed to expand the use of insurance mechanisms as an additional means of protecting the population from the risks associated with the coronavirus pandemic and other force majeure situations. The society is not able to avoid them, but insurance can mitigate the negative consequences. The body of state regulation of the insurance market (the regulator) should ensure maximum protection of the insurers through licensing of the insurance companies, insurance agents and brokers, through monitoring the level of rates and constant control of their activities. The regulator of the insurance market must determine the principles of construction of insurance programs of risks of force majeure and carry out full administration of such programs.

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PRIVATE MEDICAL SERVICES AS AN OBJECT OF STATE REGULATION

Abstract. The article considers the issue of private medical institutions as an object of state regulation. It is proved that the health care system is the main component of the general system of social protection of states. It has been determined that, according to the World Health Organization, there are currently only three main models of health care in the world: public, insurance and private models of medicine. The meaning of the concept of “medical care”, which should be considered the activities of health care institutions and the activities of natural persons — entrepreneurs who have the appropriate registration and license in accordance with the procedure established by law, which relates to health care, whose activities may not necessarily be limited to medical care. It is noted that the medical service can also be considered as the activity of the person providing these services, aimed at achieving such a result or useful property, which will be able to meet the needs of the person to restore and/or maintain his health, directly in the process of implementing appropriate activities of a person — a service provider, which has no material expression (material form) and cannot be guaranteed by the service provider. It was found that the market of medical services is grow-

ing due to the expansion of the number of health care facilities of various forms of ownership, their existence and rapid development does not allow to assess the scale of services provided and their funding in general, as both public and private institutions have a shadow economic segment. It has been proven that the development of private medical institutions helps to reduce the pressure on the state health care system, as it can take over the part of the citizens that is able to pay for all necessary services. It is noted that private health care facilities have a certain specificity of legal regulation of medical services, the effectiveness of which has legal significance.

Keywords: health care, private medicine market, public health, state regulation of medical institutions, private medical institutions.

ПРИВАТНІ МЕДИЧНІ ПОСЛУГИ ЯК ОБ'ЄКТ ДЕРЖАВНОГО РЕГУЛЮВАННЯ

Анотація. Розглянуто питання приватних медичних закладів як об'єкта державного регулювання. Доведено, що система охорони здоров'я виступає головною складовою загальної системи соціального захисту держав. Визначено, що за даними Всесвітньої організації охорони здоров'я, на сьогоднішній день, у світі виділяють лише три основні моделі охорони здоров'я: державну, страхову та приватну модель медицини. Роз'яснено зміст поняття “медичне обслуговування”, під яким варто розглядати діяльність закладів охорони здоров'я та діяльність фізичних осіб – підприємців, які мають відповідну реєстрацію та одержали ліцензію відповідно до установленого законом порядку, який стосується сфери охорони здоров'я, діяльність яких не обов'язково може обмежуватись медичною допомогою. Зазначено, що медичну послугу також можна розглядати як діяльність особи, яка надає ці послуги, що спрямована на досягнення такого результату чи корисної властивості, завдяки якому будуть здатні задовольнити потреби особи у відновленні та/або підтриманні її здоров'я, безпосередньо в процесі реалізації доцільної діяльності особи – надавача послуг, який не має упредметненого вираження (матеріальної форми) і не може бути гарантований надавачом послуг. Виявлено, що ринок медичних послуг зростає завдяки розширенню кількості закладів охорони здоров'я різних форм власності, їх існування та стрімкий розвиток не дає змоги оцінити масштаби наданих послуг та їх фінансування в цілому, адже як в державним, так і приватним закладам притаманний тіньовий економічний сегмент. Доведено, що розвиток приватних медичних закладів сприяє зменшенню тиску на державну систему охорони здоров'я, оскільки може перейняти ту частину громадян, яка спроможна оплатити всі необхідні послуги. Зауважено, що приватним закладам охорони здоров'я притаманна певна специфіка правового регулювання наданих медичних послуг, результативність якого має юридичне значення.

Ключові слова: охорона здоров'я, ринок приватної медицини, здоров'я населення, державне регулювання медичних закладів, приватні медичні заклади.

ЧАСТНЫЕ МЕДИЦИНСКИЕ УСЛУГИ КАК ОБЪЕКТ ГОСУДАРСТВЕННОГО РЕГУЛИРОВАНИЯ

Аннотация. Рассмотрены вопросы частных медицинских учреждений как объекта государственного регулирования. Доказано, что система здравоохранения выступает главной составляющей общей системы социальной защиты государств. Определено, что по данным Всемирной организации здравоохранения, на сегодняшний день, в мире выделяют только три основные модели здравоохранения: государственную, страховую и частную модель медицины. Разъяснено содержание понятия “медицинское обслуживание”, под которым следует рассматривать деятельность учреждений здравоохранения и деятельность физических лиц — предпринимателей, которые имеют соответствующую регистрацию и получили лицензию в соответствии с установленным законом порядке в сфере здравоохранения, деятельность которых не обязательно должна ограничиваться медицинской помощью. Отмечено, что медицинскую услугу можно рассматривать как деятельность лица, оказывающего эти услуги, направленная на достижение такого результата или полезного свойства, благодаря которому будут способны удовлетворить потребности личности в восстановлении и/или поддержании его здоровья, непосредственно в процессе реализации целесообразной деятельности человека — поставщика услуг, который не имеет овеществленного выражения (материальной формы) и не может быть гарантирован поставщика услуг. Выявлено, что рынок медицинских услуг растет благодаря расширению количества учреждений здравоохранения различных форм собственности, их существование и стремительное развитие не позволяет оценить масштабы предоставляемых услуг и их финансирования в целом, ведь как государственным, так и частным учреждениям присущ теневой экономический сегмент. Доказано, что развитие частных медицинских учреждений способствует уменьшению давления на государственную систему здравоохранения, поскольку может перенять ту часть граждан, которая способна оплатить все необходимые услуги. Замечено, что частным учреждениям здравоохранения присуща определенная специфика правового регулирования предоставленных медицинских услуг, результативность которого имеет юридическое значение.

Ключевые слова: здравоохранение, рынок частной медицины, здоровье населения, государственное регулирование медицинских учреждений, частные медицинские учреждения.

Formulation of the problem. Modern economic conditions require the development of services that focus on the development of the human capital. For this reason, private medical services provided by the healthcare system

of Ukraine are becoming an important catalyst for the modern development of efficiency and stability of the production society. Analyzing the current situation with regard to medical care in different countries of the world, it is a

convincing fact that health is the most precious thing a person has. According to the classification of medical institutions offered by the World Health Organization, there are currently only three main models of healthcare in the world. These include: public, insurance and private models of medicine. Given the factors of economic development, none of these models is found in 'pure' form, however, the predominance of one is obligatory.

That is why today the healthcare system is the main component of the general system of social protection of the states. The modern system is characterized by a post-Soviet extensive network of the medical institutions, which is filled with a touch of modernity where the private sector of medical services is beginning to occupy a significant place in the healthcare system of Ukraine. This area is characterized by the qualities of specific production where the product – the medical services, that belong to the general system of the economic relations. The rapid development of the private medical facilities is due to the solvency of the population, where the patient pays the cost of their treatment, taking into account only their own initiative.

Analysis of recent researches.

In domestic and foreign science there is a significant amount of research on public administration of the healthcare facilities, problems in this area and opportunities for its reform in the context of the European integration of Ukraine. Scientific works of I. S. Bila, D. S. Bondarenko, O. M. Vinnyk, S. M. Vovk, S. A. Kvitka, M. Z. Masyk, L. V. Serhiyenko, S. V. Simak, V. A. Ustymenko, O. P. Fomenko, and others

are devoted to this issue. However, the lack of publication on the topic of private medical facilities as an object of the state regulation led to the writing of this article.

The purpose of the article is to substantiate the importance of the private medical services as an object of the state regulation.

Presentation of the main material. Despite rapid changes in the public funding, the transition of the hospitals to communal ownership, most hospitals remain dependent on budget funding, which affects the overall condition of the hospital equipment and low material and technical equipment. It is for this reason that private healthcare facilities have developed rapidly, which have helped to change the views on the activities of the medical staff and allowed to consider medical services on a par with other types of services that are sold to meet the needs of the end users. Thus, private medical services provided by private healthcare facilities are gaining popularity. The rapid popularity of the private medicine is due to the initiative of the potential consumers of services that focus on practicing private doctors.

A characteristic feature of the private healthcare facilities is constant observance of the patients' rights, respectful and humane attitude to their needs with observance of the basic psychophysiological phenomenon – a professional view of the patients, which allows to establish a relationship between the patient and the doctor, taking into account his/her anamnesis and the maximum exclusion of the errors in the treatment. Simultaneous development of the private healthcare facili-

ties contributes to the formation and development of the concept of 'medical service'.

The clarification of the essence and definition of 'medical service' has been considered in the works of many researchers and legislators. Some legislative documents have clarified the meaning of the concept of 'medical service', which considers the activities of the healthcare facilities and the activities of natural persons – entrepreneurs who have the appropriate registration and license in accordance with the procedure established by the law relating to healthcare whose activities may not necessarily be limited to medical care.

Some researchers consider medical services in the context of specific activities of the medical staff to implement specific measures of prevention, diagnosis, treatment, administrative, management and other actions aimed at maintaining, strengthening, improving, restoring the individual and public health [1].

Other researchers consider medical services as a type of relationship related to the provision of qualified medical care, which is regulated by the agreement for the provision of relevant medical services. Thus, we can assume that medical service is one of the components of the private medical care, which is not identical to medical care, because medical care, in its content, is much broader.

Some groups of scientists believe that medical service is a medical care of a certain type and scope. Such a service is provided by a private medical facility of a certain type, to a patient, in compliance with certain legal forms.

Other scientists believe that medical service is a kind of service used in the field of public relations, in which the citizens (to meet their own needs) receive special specialized medical activities according to the organization or specialist to whom they applied.

Medical service can also be considered as the activity of a person (who provides these services), aimed at achieving such a result or useful property, which will be able to meet the needs of the person to restore and (or) maintain his/her health, directly in the process of appropriate activities of the person – service provider, which has no material expression (material form) and can not be guaranteed by the service provider [2].

It should be emphasized that medical services are a necessary element for the final consumption in a civilized society, because they ensure the preservation of basic human values – his health. At the same time, the services of the private healthcare facilities are not ordinary goods, the production and consumption of which can be determined by the ratio of solvency of supply and demand of the population, but the social benefit to be provided to a person in any case, regardless of his/her material or social status [3].

Based on the above, it is important to get acquainted with the classification of medical services (see Table), that are produced by the healthcare facilities of Ukraine in the process of implementing their main activities.

Based on the classification features, we observe that medical services have a number of classification features, each of which complicates the process of obtaining them by the end user. As a

Classification features of services of the healthcare facilities

By types of medical practice:	<ul style="list-style-type: none"> • consultations; • diagnostics; • medical business
By the place of service:	<ul style="list-style-type: none"> • hospital; • clinic; • ambulance and emergency care; • sanatoriums, preventive facilities, etc.
By complexity:	<ul style="list-style-type: none"> • simple services; • complex services
By execution time:	<ul style="list-style-type: none"> • short-term; • long-term
By the number of participants engaged in the provision of services:	<ul style="list-style-type: none"> • single; • group
By the nature of economic relations:	<ul style="list-style-type: none"> • services of public institutions; • services of communal institutions; • services of private sector institutions

Source: [4–6].

result of the complicated process of obtaining services, in modern conditions the private healthcare facilities are developing, which are actively expanding the list of paid services and creating the most flexible work schedule, which allows you to get all the necessary services by visiting only one specialist.

Based on the analysis, it was found that the market for medical services is growing due to the expansion of the number of healthcare facilities of various forms of ownership. The existence and rapid development of the private healthcare facilities does not allow us to assess the scale of services provided and their funding in general, as both public and private facilities have a shadow economic segment.

The development of the private healthcare facilities helps to reduce the pressure on the public healthcare system, as it can absorb the part of the citizens that is able to pay for all the necessary services. In addition, the ex-

pansion of the private medical facilities creates a competitive environment in the market of medical services to improve the efficiency of the industry as a whole and affects the quality of treatment and prevention services.

The development of the private healthcare facilities is an important condition for the implementation of the mechanism for strengthening the innovation potential of the entire healthcare system of the country. The system includes a set of scientific and technical, technological, infrastructural, financial, legal, socio-cultural and other opportunities that contribute to the perception and implementation of innovations.

Given the classification features of the medical services, it is clear that the healthcare system is a complex system that combines public, municipal and private structures, but requires state supervision of all components in order to increase the efficiency and accessibility of the services provided. In this

case, the main customer of the medical services, regardless of their form of ownership, is the state, which contributes to improving the quality of life and supports the national security.

The payment for each medical service is determined by the degree of its social importance and accessibility for the end consumer, taking into account the division of the population by income level. Also, the effectiveness and efficiency of the paid services of the private healthcare facilities is due to labour potential. The inconsistency of training with the needs and the inability to solve the problems of structural adjustment of the public institutions contributes to the outflow of qualified personnel to the private institutions, where their knowledge, skills and abilities are valued higher. As a result, private healthcare facilities promote the development and improvement of their staff, which increases the prestige of the facilities where they work.

Based on the above material, we can say that the main purpose of the private institutions is to provide quality medical services, which is supported by the requirements relating to: high-quality performance of the medical staff; implementation of careful measures for prevention, diagnosis, treatment in accordance with the needs of the customer; administrative and economic, managerial and other actions whose main activity is aimed at preserving, strengthening, improving, restoring the individual and public health.

Thus, it is clear that the activities of the private medical facilities are related to the provision of services, it should be noted that most researchers are inclined to believe that medical

services, like other services, have only special properties (features).

In accordance with the above, the main properties of paid medical services include the following:

- the service is intangible and therefore cannot be saved;
- the service cannot be separated from the source of service provision;
- the service cannot have a constant quality (because the quality depends on the qualifications of the doctors, the type of medical facility, etc.);
- the service does not have a clear product form and consumer properties.

The following list of specific properties of the paid medical services affects the formation of the quality of medical services and can be determined by at least four of the following criteria:

- material and technical base of the medical facility;
- qualification of the medical staff;
- rationalization and economical use of healthcare resources;
- patients' satisfaction.

Thus, the analyzed information shows that paid medical services require more qualified staff from the facility and are provided on a paid basis in order to increase their efficiency and payback.

In the course of research it is necessary to consider the specificity of the paid medical services of the scientist Chekhun who suggests to allocate some specific features of the medical service:

- medical service is an activity or set of actions, the implementation of which is not inherent in all persons. By offering such a service, the executor is required by the law to have higher qualification requirements. This is the

basis for the issuance of a license to conduct business. Thus, 'medical service' is a professional activity or a set of professional actions.

- any activity related to the provision of paid medical services is carried out to achieve a certain goal. The patient is a customer of the services. Applying to a medical facility, aims to eliminate certain psychophysiological negative manifestations of his/her body. In this case, medical activity is based on 'the objective need of people to preserve and reproduce their physical existence'.

- based on the general classification, the medical service has no material result. It can only be combined with the creation of a material component. However, this component does not represent an independent material value, but is included as a component in the method of treatment.

- in most cases the outcome of the medical service cannot be guaranteed by the performer. Such cases can be explained by two factors: firstly, the medical service is not a unilateral action of the executor, as well as counteractions by the patient; and secondly, it is necessary to take into account the individual characteristics of each human body. However, the specifics of the legal regulation of the medical services is due to the fact that achieving a real result has a certain legal significance. An indication of the objective possibility of achieving the result should be included in the concept of medical service, which has practical significance in resolving the issue of proper or improper performance of their duties by the executor.

A medical service, as an object of the civil rights, has a certain cost, so its

provision is accompanied by an equivalent obligation to pay for it. The payment includes the costs of the executor for its provision and his remuneration [7].

The modern conditions of development of any healthcare facility are full of constant competition. Private institutions are in a highly competitive environment, where those medical facilities that outsource all existing non-core assets and management processes to outsourced companies or outsourcing companies are able to succeed. Today, outsourcing is a very promising area for private healthcare facilities, as part of the work of the healthcare facilities requires a large amount of working time, which is not related to the basis of their activities, but is spent on administrative, managing and marketing and of other nature. Analyzing the statistics, it was found that private healthcare facilities covered about 20 % of the total market for all medical services. For comparison, the number of private facilities and the volume of the medical services provided to the private sector in 2012 was only 1 % of the total healthcare market in Ukraine. In 2016, they took about 10 %. As of 2019, private healthcare facilities accounted for about 20 % of the market for services provided by medical facilities.

The pace of change is rapid, but not high enough, because the medical services of the private institutions, as well as all other institutions have specific features that inhibit their growth. Some of the main features are:

- medical service is a set of actions that can be performed by persons who have the appropriate education and

constantly confirm their qualifications. By offering these types of services, the executor is required by law to have higher qualification requirements. Given that the development of the private healthcare facilities creates the main competition for the public institutions – this is the basis for slowing down the process of issuing a license to carry out the relevant activities of the business entity;

- the activities of the private institutions are created for a specific purpose. The patient, who acts as a customer, turning to a private doctor, aims to eliminate the negative manifestations of his/her own health;

- the medical service is not material. Such services are combined with the creation of a certain material component that does not carry material value, but only is part of the type and method of the treatment;

- the efficiency and effectiveness of the service cannot be fully guaranteed by the executor, because: medical service is an activity that requires feedback from the performer and cannot depend only on the doctor; as well as it is necessary to take into account the characteristics of each human body individually.

Thus, taking into account the peculiarities, we can say that the private sector of healthcare facilities in Ukraine, compared with other countries, is not sufficiently saturated, because countries with developed private medicine contains a share of private medical services at least 50–60 % of the total medical services.

In addition to the above material, it should be noted that the private healthcare facilities have a certain specificity

of legal regulation of medical services, the effectiveness of which has legal significance. That is, there is an objective possibility to achieve the result of private healthcare facilities, because:

- the paid medical service, being the object of the civil rights, has a certain value, establishing which the private institutions are endowed with the relevant responsibilities;

- the private healthcare facilities, providing their list of services identify the service with the product, which has a number of features: does not exist before receipt; labour-intensive without a clear definition of the cost until the end of execution; not material; difficult to calculate; personified; depends on the intellectual abilities of the service provider; the quality of the service is variable even when performed by the same doctor; the service is subjective and depends on the characteristics of the consumer, etc.

Thus, it should be noted that the private healthcare system acts as a set of healthcare facilities engaged in private medical activities, during which an individual approach is applied to each customer with a detailed study of his/her anamnesis. In this case, private medical activities are activities that are necessary for the provision of private medical care by private healthcare providers. Private medical organizations are commercial organizations whose property is in private and other than state forms of ownership and are used by the owner at its discretion to provide the most effective services.

The development of the private sector in the medical field has led to the emergence of multidisciplinary medical institutions, professional organiza-

tions that protect the interests of the private medical facilities, improving the welfare and medical culture of the population, increasing morbidity [8, p. 17].

Today, the number of private medical facilities is about 50 thousand, which includes private medical practice, which accounts for almost 10 % of the total market of medical services. To a greater extent, private medicine is developed in those medical specializations where the public medical institutions are the weakest. The weakest branches of the public medicine include: instrumental and laboratory research, diagnostic services, reproductive medicine. The existence of such weak links in public medicine is due to unwillingness to spend money on equipment upgrades and the purchase of new ones, as well as a significant number of corruption schemes inherent in all stages of budget allocation, instead, private healthcare facilities, aware of the importance and necessity of these problem sectors, use them for their own development. Thus, the main driving force for the rapid development of the number of private medical facilities in 2016–2018 was the financing of the paid medical services, which were divided between: individuals – about 80 %, legal entities – 12 %, and insurance companies – 6 %. Given this feature, the increase in the number of private medical services could be more dynamic.

Given the fact that no nationwide program of support, development and improvement of the private medical services has been developed throughout the existence of the private medical sector, there has been such a need

in recent years. This is due to the rapid increase in the total number of facilities. However, today, in Ukraine, private medical facilities continue to play a secondary role in shaping the overall public healthcare system in the new market relations. The lack of a clear program of support and further development is a confirmation.

The qualifications of most doctors are the same for all forms of healthcare facilities, as all medical staff working in the private sector also work in the public sector (due to the low pay of the former), but the significant difference is concentrated in the technical support.

Conclusions. Thus, private healthcare facilities are characterized by a positive trend in the development and growth of the number of medical practitioners, raising their qualifications while reducing their number in the public sector. Another indication of the slowdown in the increase in the number of private medical facilities is the lack of a national register of enterprises, institutions and facilities of the private sector in the industry, which would focus on those market segments that are least in demand. Without the register, there is no clear national system of the private medicine with the established principles of its functioning, development methodology, adequate regulatory framework, investment development programs, etc.

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THEORETICAL AND METHODOLOGICAL FUNDAMENTALS OF PUBLIC CONTROL OF THE REPRESENTATIVE BODIES OF AUTHORITY IN THE CONDITIONS OF DECENTRALIZATION

Abstract. The article considers the theoretical and methodological principles of public control of the representative bodies of authority in the context of decentralization. The analysis of foreign scientific sources is carried out, which allowed to single out a wide range of researches of public control of the representative bodies of authority and gave the chance to systematize the theoretical and methodological bases of formation and development of such control on directions of researches. The generalization of the essence of theories, concepts, approaches, schools of foreign science has demonstrated a wide range of their practical application for the activities of public administrations in building relationships with the community in the following aspects: independent decision-making in the field of policy and resource allocation; formation of strong communities that control and coordinate actions in relation to the state; election process and distribution

of responsibilities; interaction with those elected to the representative bodies of authority; exercise of power; the influence of citizens' associations on the application of laws and policies (public policy) on the spheres of life of the population; participation of the public and public officials in planning and implementing the community development; public influence on crises at the local level; social work; the process of involving the citizens in the control procedure, etc.

The analysis of scientific sources showed the absence in the domestic scientific opinion of theoretical and methodological principles and theories of public control as a phenomenon and as a process, in particular for the representative bodies of authority in the context of decentralization. These are mostly forms, methods, technologies, tools and procedures of public control, which are often equal to the methods of involving the citizens in the decision-making process at different levels of government.

The analysis of scientific views on the formation and development of control allowed to generalize the areas of public control of the representative bodies of authority, to classify them by areas of public administration, and in accordance with the content, meaning and characteristics of theories, by areas of impact on the vital activity of the population. It has been demonstrated that public control of the representative bodies of authority is one of the forms of public administration's relationship with the community.

Keywords: public control, theories of public control; sphere of public control; representative bodies of authority; decentralization.

ТЕОРЕТИКО-МЕТОДОЛОГІЧНІ ЗАСАДИ ГРОМАДСЬКОГО КОНТРОЛЮ ПРЕДСТАВНИЦЬКИХ ОРГАНІВ ВЛАДИ В УМОВАХ ДЕЦЕНТРАЛІЗАЦІЇ

Анотація. Розглянуто теоретико-методологічні засади громадського контролю представницьких органів влади в умовах децентралізації. Проведено аналіз зарубіжних наукових джерел, що дозволило виокремити широкий спектр досліджень громадського контролю представницьких органів влади та надало можливість систематизувати теоретико-методологічні засади формування та розвитку такого контролю за напрямками досліджень. Узагальнення сутності теорій, концепцій, підходів, шкіл зарубіжної науки продемонструвало широкий діапазон їх практичного застосування для діяльності публічних адміністрацій у побудові взаємовідносин з громадою в аспектах: самостійного прийняття рішень у сфері політики та розподілення ресурсів; формування сильних громад, які контролюють і координують дії по відношенню до держави; виборчого процесу та розподілення відповідальності; взаємодії з обраними в представницькі органи влади; здійснення влади; впливу об'єднань громадян на застосування законів і політики (публічної політики) на сфері життєдіяльності населення; участі громадськості та державних управлінців в плануванні та реалізації розвитку громади; впливу громадськості на кризи на місцевому рівні; соціальної роботи; процесу залучення громадян до процедури контролю тощо.

Проведений аналіз наукових джерел продемонстрував відсутність у вітчизняній науковій думці теоретико-методологічних засад і теорій громадського контролю як явища і як процесу, зокрема за представницькими органами влади в умовах децентралізації. Здебільшого йдеться про форми, методи, технології, інструменти та процедури громадського контролю, які часто дорівнюються до методів залучення громадян у процес прийняття рішень на різних рівнях управління.

Аналіз наукових поглядів на формування та розвиток контролю дав змогу узагальнити сфери громадського контролю представницьких органів влади, класифікувати їх за сферами публічного управління, а відповідно до змісту, сенсу та характеристик теорій, за сферами впливу на життєдіяльність населення. Продемонстровано, що громадський контроль представницьких органів влади — це одна з форм взаємовідносин публічної адміністрації з громадою.

Ключові слова: громадський контроль, теорії громадського контролю; сфера громадського контролю; представницькі органи влади; децентралізація.

ТЕОРЕТИКО-МЕТОДОЛОГИЧЕСКИЕ ОСНОВЫ ГРАЖДАНСКОГО КОНТРОЛЯ ПРЕДСТАВИТЕЛЬНЫХ ОРГАНОВ ВЛАСТИ В УСЛОВИЯХ ДЕЦЕНТРАЛИЗАЦИИ

Аннотация. Рассмотрено теоретико-методологические основы общественного контроля представительных органов власти в условиях децентрализации. Проведен анализ зарубежных научных источников, что позволило выделить широкий спектр исследований общественного контроля представительных органов власти, а также систематизировать теоретико-методологические основы формирования и развития такого контроля по определенным направлениям исследований. Обобщение сущности теорий, концепций, подходов, школ зарубежной науки показало широкий диапазон практического применения в процессе деятельности публичных администраций в построении взаимоотношений с обществом в аспектах: самостоятельного принятия решений в сфере политики и распределения ресурсов; формирования сильных сторон общин, которые контролируют и координируют действия по отношению к государству; избирательного процесса и распределения ответственности; взаимодействия с избранными в представительские органы власти; влияния объединений граждан на действие законов и политики (публичной политики) на сферы жизнедеятельности населения; участия общественности и публичных служащих в планировании и реализации развития общин; влияния общественности на кризисную ситуацию на местном уровне; социальной работы; процесса вовлечения граждан в процедуру контроля и т. д.

Анализ научных источников показал отсутствие в отечественной научной мысли теоретико-методологических основ теорий общественного контроля как явления, так и процесса, в частности представительными органами влас-

ти в условиях децентрализации. В основном речь идет о формах, методах, технологиях, инструментах и процедурах общественного контроля, что часто приравниваются к методам привлечения граждан в процесс принятия решений на разных уровнях управления.

Представленные в статье результаты проведенного исследования позволяют обобщить сферы гражданского контроля представительных органов власти, классифицировать их по сферам публичного управления, в соответствии с содержанием, смыслом и характеристиками теорий, по сферам влияний. Продемонстрировано, что общественный контроль — это одна из форм взаимоотношений публичной администрации с обществом.

Ключевые слова: гражданский контроль, теории гражданского контроля; сфера гражданского контроля; представительные органы власти; децентрализация.

Formulation of the problem. In modern democracies, the institution of public control is characterized as an integral part of the administration activities and is an effective tool for influencing the public policy by the public. Improving the efficiency of public management and administration should take place under the conditions of introducing the principles of transparency and openness in the activities of all sectors of the public life, in particular in the activities of public management and administration. There are a large number of works in domestic scientific sources devoted to the mechanisms, forms, methods and procedures of public control. However, foreign theoretical and methodological principles for the formation and development of public control of the representative bodies of authority, including in the context of decentralization, has shown that research relates to several areas, including: distribution of power between the politicians and the governments; economic theories that the government adheres to in forming sup-

port among the population; sociological theories relating to social control in various situations; the theory of new public management, which changes the understanding of the processes of public management and administration and brings the work of the government to a new effective level; theories of political control, the essence of which has expanded and become applicable in measuring the interaction of several sectors; theories and concepts based on citizen participation and their influence on democratic decision-making processes in the public management and administration.

There is no common understanding of the categories “public control” and “public control of the representative bodies of authority” in the domestic scientific opinion. The latter is studied in certain areas of the public life or public management and administration, which leads to the development of separate methodological approaches to the organization of this control in accordance with the scientific fields in which research is conducted (political

science, economics, sociology, cybernetics). Accordingly, the methodological principles of practical implementation of this type of control differ depending on the methodology applicable in the relevant field of science.

Research mainly concerns the administrative sphere, where the public is given advisory functions, such as: influence on social decisions; the right to vote directly in public decisions and the right to vote in public policy decisions; population participation in planning certain actions or community development efforts; involvement in the state planning and policy development; privacy of life; influences (psychological, purposeful, etc.). The main emphasis is on research in the administrative and public spheres in various fields of science. From this point of view, it is foreign scientific views that form the basis for the formation of public control of the representative bodies of authority.

Analysis of the recent research and publications. In domestic and foreign works there is a significant amount of work on public control, methods, forms and procedures for its implementation. The analysis of the domestic scientific research has shown the lack of a single sustainable view of public control as a phenomenon and as a process in the public administration and in the activities of the local self-governments. There is almost no research on the features of public control in the context of decentralization and the methodology of this work at different levels of local self-government. Most of the emphasis is on the organizational and managerial characteristics of the organization of public control and responsibility for

its results. The analysis identified the existence of a wide range of interpretations of public control in the context of subject-object relations of the public authorities and local self-governments, in particular: forms; mechanisms; influences; activities; interaction; relationships; feedback; activity of the citizens; control systems; functions; ways; methods; tools; rights; processes; mechanisms.

The analysis of foreign scientific literature allowed to identify a number of theoretical approaches to the basis for the formation of public control of the representative bodies of authority. These are the views of researchers Dr. Almon Leroy Way, Jeanet Bentzen, Jacob Gerner Hariri, James A. Robinson, William A. Galston on the distribution of power between the politicians and the governments. The next group of scientists Randall G., Mark C. Schug, Jennifer Fontanini, highlights the influence of economic theories, which are followed by the representative bodies of authority in order to form support in the population. Emphasis is also placed on sociological theories relating to social control in various situations, in particular the tendency to establish interaction between the authorities and the public. In the research of Ashraf Alam, Kabir M., Nazmul Ahsan Kalimullah, the emphasis is on the theory of new public management, which changes the understanding of public management and administration processes and brings administration activity to a new level of effectiveness. Among the diversity of scientific views should be singled out the theory of political control, which is represented by the researcher

Moe T. M., the essence of which has expanded and become applicable in measuring the interaction of several sectors (political, administrative and public). The next group of theories and concepts developed by Ashley E. Nickels, Jason D., Joan Higgins, includes the participation of the citizens and their influence on democratic decision-making processes in the public management and administration. There are scientific views on the nature and processes of political decentralization, which involves the development of public control of the representative bodies of authority. This approach is reflected in the scientific works of N. Van Long. At the same time, these theories are somewhat dependent, but not integrated into a system. Many studies show that each of the theories became the basis for the formation of methods and tools of public control in a particular area, such as financial, social, informational, administrative, and so on. However, there is no comprehensive research on the systematization of scientific views on the formation and development of public control of the representative bodies of authority and there is no research on the areas of impact on the vital activity of the population.

The purpose of the article is to analyze and systematize scientific views on the formation and development of public control, generalize the areas of public control of the representative bodies of authority, classify them by areas of public administration, and in accordance with the content, meaning and characteristics of the theories, concepts, schools, etc. by the areas of impact on the vital activity of the population.

Presentation of the main material.

The analysis of foreign scientific literature allowed to identify a number of theoretical approaches to the basis for the formation of public control of the representative bodies of authority. In particular, these are the views on the distribution of power between the politicians and the governments [1], which is considered from several positions.

From the position of distribution of power. Politics refers to the problems of distribution and use of power in the society, and government refers to the political institution through which this power is distributed and exercised. In this context, the state is seen as a political unit in which power is located. Government is defined as a group of people who run the political affairs of the state, but can also mean a type of government run by the entire state. The type of government, the fundamental foundations of understanding freedom, wealth and living standards depend on the political system that exists in the state [1].

The system of representative democracy is based on the principle of political representation – the exercise of legislative power by the representatives elected by the population. Representative democracy is characterized by the presence and functioning of the representative institutions of political decision-making, which consist of public officials elected by the population [2].

These approaches are based on political theory. However, the representatives of this theory criticize democracy, which they consider not democratic, because one person cannot represent the interests of another.

The theory of modernization is singled out, the essence of which is in the view of the cause of democracy and the role of the government, the participation of which is considered as an indirect product of the economic development. It is believed that these theories do not work in today's world, especially where there are indigenous peoples and there are democratic practices such as succession of leaders through elections or public consensus. This demonstrates the modern representative democracy at the national level. Politically stronger subjects were able to form national institutions, weaker ones could not [3].

The role of the influence of the economic theories, which emphasizes the role of the government and the formation of public support, is highlighted. Thus, back in 1997 it was about the problems that are still facing the governments of many countries. Randall G. (1997) analyzes a number of theories that have led to the formation of a positive model of governance as a counterbalance to a number of theories that can cause riots and revolutions among the population when it is impossible to form effective control. The negative influence of the theory of public goods, which explains the development and use of public goods and which justifies state arbitrariness, is considered. Everything is viewed through the prism of rational benefit, when the government reduces government spending to attract the attention of the citizens to further support for the government. The emphasis is on public education, which gives the government more control through the education system, and because educators in the foreign countries are civil servants, they are also in-

terested in the government activities. Also, influence through education occurs on students to make them "better citizens" who define the government as an institution that reflects the public interest [4].

From the position of decision-making. It is believed that in any society decisions should be made regarding the allocation of resources and other issues. Only in very simple societies do specific people and specific organizations make decisions. Depending on the society, decisions are made, sometimes, solely for the benefit of certain groups, in other cases — in order to benefit the society [1].

From the position of theories that underlie the political system and the level of development of the representative power. The theory of pluralism assumes that associations, public organizations, trade unions, environmentalists, civil rights activists, and formal and informal like-minded coalitions influence the application of laws and policies. As participants in this process make up only a tiny part of the population, the public acts mainly as outside observers. The theory of functionalism takes the form of a theory of pluralism, which states that political power in democracies is concentrated between several "veto groups".

William A. Galston (2017) [5] argues that democracy at a basic level requires both equality of all citizens and broad citizenship. It is taken into account that public decisions are made by a majority of citizens whose votes are of equal importance, and democratic decision-making extends to the widest possible range of the public issues. It is emphasized that the major-

ity is limited only by the imperative to preserve freedoms and powers, including freedom of speech and press. At the same time, the citizens must influence the public decisions [5].

Sociological theories concerning social control in various situations, in particular propensity to delinquency. In the 60s, an innovative version of Travis Hirschi's theory of governance emerged, based on the existing concept of public control. This theory is used in the context of deviant behaviour and justifies the increase of offenses in the absence of control. This theory is one of a number of sociological theories. The theory of social control also considers the norms of behaviour in the society that need control or cause aggression, in particular, it is said that social groups that adhere to violent norms affect the aggressive nature of individual members of the society. At the same time, not the last place in the social control of behaviour is played by religiosity. It is said that religiosity reduces the amount of violence and crime. Accordingly, various policies should be developed and created on the basis of the theory of social control [6].

The theory of new public management, which changes the understanding of the processes of public management and administration and brings the work of the government to a new effective level. Nazmul Ahsan Kalimullah (2012) argues that new public management (NPM) is defined on the basis of two areas: public choice and management [7]. Public choice in this case is understood in the context of the government's concern for the population, and management is concerned with

building relationships with the organizations in the private sector.

Theories of political control the essence of which has expanded and become applicable in measuring the interaction of several sectors. Thus, T. M. Moe (2005, 2015) [8] in his study of the relationship between bureaucracy identifies two areas: internal control (when are controlled the subordinates and lower levels of government) and control over the implementation of the political actions. It is emphasized that because the government is elected, officials can take political action, especially if they are organized by trade unions of the public sector. The political power of bureaucracy is seen in the context of the reorientation of the modern theories based on the analysis of the voters' behaviour.

Theories of politics and bureaucracy are said to greatly diminish the ability of bureaucrats to turn control relationships into their own and have their own interests embedded in the structure, funding, and activities of the government. Many studies point out that bureaucrats may differ from ordinary citizens in political knowledge, interests, efficiency, trust, support for government spending, and budget for the parties. Bureaucrats are often perceived and characterized as a common single type without distinction between specific professions with specific interests that may differ significantly from each other. Most focus on national elections and little attention is paid to local elections, that may be more relevant. Also, everyone is focused on voters' turnout, not on election results. On the other hand, there is research on the role of the trade unions in the electoral

process and the possibility of their influence on their members when voting for individual candidates [8].

The next group is theories and concepts based on citizen participation and their influence on democratic decision-making processes in the public management and administration. Thus, the theory of citizen participation is seen as a process that enables individuals to influence the public decisions and is a component of the democratic decision-making process. Public participation is a means of ensuring that the citizens have a direct voice in public decisions. It is noted that in foreign studies, the terms “citizen”, “public”, “participation”, “public participation” are often used interchangeably to denote the process by which the citizens have the right to vote in the public policy decisions [9].

There is an opinion of scholars (Ashley E. Nickels @ Jason D. Rivera, 2018) that the concepts of public development are used differently in different academic disciplines. Moreover, it is important how certain definitions are used in academic research and practice in the local language (translated in other countries) [10]. It is about changing the paradigm of community development by applying the concept of public administration “New Public Service” (NPS) to community development. It is about the participation of the public officials and administrators in planning and implementing community development, which should lead to a fairer and more sustainable, long-term development [10].

It is emphasized that the term “public participation” and its essence in relation to public decision-making is de-

veloping without a general consensus on its meaning or on the consequences of its use. There are also views on the participation of the population in the planning of certain actions or efforts for community development, public administration decisions, in particular: citizen participation is too costly and time consuming, so it is proposed to exclude citizens from this process. In practice, many citizen participation programs are initiated in response to a public response to a proposed project or action.

Views on the essence and processes of political decentralization are highlighted. In the context of views on the role of political decentralization for the development of public control of the representative bodies of authority, the materials of the World Bank are interesting [11]. This is a new concept of political decentralization. It is noted that political decentralization aims to give the citizens or their elected officials more power in public decision-making. It is emphasized that such a process is often associated with pluralistic policies and representative government, but it should also be borne in mind that democracy can be supported by giving the citizens or their representatives more influence in policy development and implementation. Proponents of political decentralization predict that decisions made with greater participation will be more informative and relevant to the various interests of the society than decisions made only by the national political authorities [11].

The concept of political decentralization implies that the selection of representatives from the local electoral jurisdictions allows the elected officials

to better know the needs and desires of their constituents [11]. Decentralization itself is seen as a complex social experiment that requires flexibility and changes in the specifics of implementation tools while consolidating political and philosophical principles in the Constitution and existing structures of laws [11].

Decentralization and citizen participation are viewed from the position of symbiotic relations, which leads to certain contradictions. On the one hand, citizen participation mechanisms are considered more useful in assessing the prospects for successful decentralization. Accordingly, the design of decentralization should take into account the opportunities and constraints imposed by the existing channels of local participation. On the other hand, the lack of participatory mechanisms can be seen as a motivation for decentralization and can help create local demand for more participatory channels to express the local preferences. Decentralization policy planning should take into account these information gaps and seek to improve the depth and degree of citizen participation in the local government action. The response of the local authorities is one of the main justifications for decentralization, which cannot be implemented without mechanisms for the transfer of information between the local authorities and their voters [11].

Several theories and concepts that, at first glance, have nothing to do with public control attract attention. These theories have emerged as studies of certain areas (branches) in the public administration. Some of them were developed in the 80's and 90's of

the last century. However, they have undergone certain modifications and are used to form forms and methods of public control of the representative bodies of authority.

Mark C. Schug and Jennifer Fontanini (1994) in 1994 considered changes in the understanding of the role of economic theories in the development of relations between the state and the economy. They focused on the historical analysis of the development of the state and the influence of the theory of social choice and the role of the USA government in this process [12].

Another theory, that originated in criminology and social sciences, also at the present stage is widely used in the modern domestic scientific thought. This applies to the theory of social control. In modern foreign scientific thought, this theory is also considered from different points of view and is used as a basis for the formation of new approaches to solving various problems and issues. The role of this theory is most often studied by scientists at Oxford University.

Joan Higgins (2009) examines theories of social control of the social policy. According to her, the concept of social control is crucial to explain how social policy is growing and what its consequences are. This raises important questions about the legality of the state intervention, maintenance of order and protection of the individual freedom [13]. It is noted that this term is widely used in the literature on social policy, but there is little research on its various meanings and possibilities.

In modern scientific research, the terms "optimal control", "dynamic

programming” are often used. All of them are characteristic of the theory of optimal control. The theory of optimal control, at the present stage, is the subject of research in economics, macroeconomics and microeconomics and management science. It is a question of expansion of possibilities of the theory of optimal control and their application. The application of this theory to generate a shadow price is considered [14].

The analysis of scientific views on the formation and development of control allowed to generalize the areas of public control of the representative bodies of authority, and classify them by areas of public administration, and in accordance with the content, meaning and characteristics of the theories, concepts, schools, etc. by the areas of impact on the vital activity of the population (Figure).

From such a list of scientific interests it is difficult to determine the criteria and opportunities for the citizens to influence the spheres of their own lives. Accordingly, the effectiveness of public control is also difficult to determine. In fact, the public sphere is on the sidelines of influencing the problems of state development and vital activity issues. The main influence comes through the representative bodies of authority and the persons who work in them and who have been elected. There is a gap between the political, economic, administrative and social and public spheres. Thus, the largest number of theories that have been developed to bring about changes in the public management and administration concerns the administrative sphere. The research on the role of the public sphere in the process of public administration is in second place. However, as

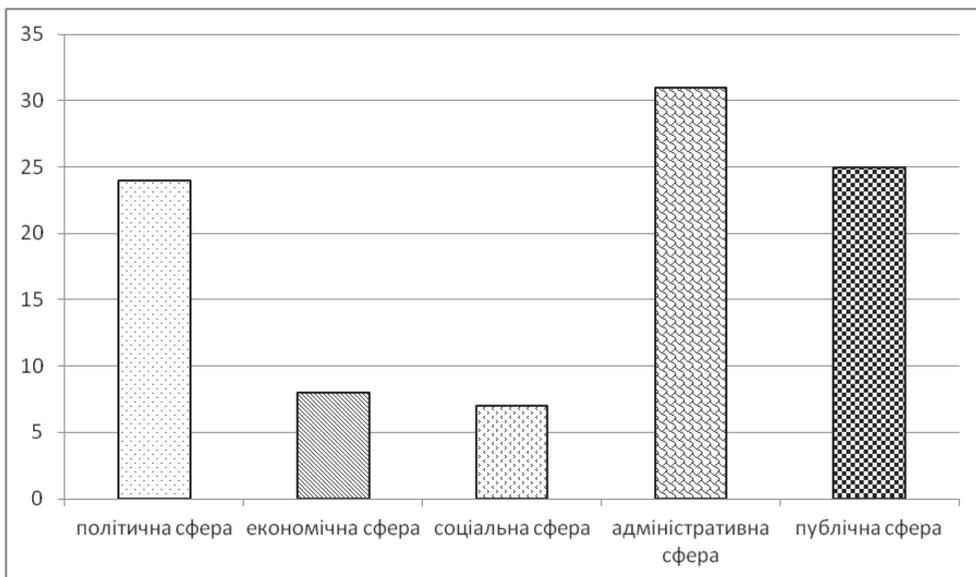


Diagram of quantitative analysis of the foreign scientific theories, concepts, schools in the areas of public control of the representative bodies of authority (author’s analysis, author’s diagram)

the author's systematization and schematization have shown, it is a question of methodological aspects of involving the citizens and developing methods of their participation in decision-making or community planning.

Conclusions. The analysis of the scientific sources demonstrated a wide range of research on public control of the representative bodies of authority, including in the context of decentralization. The theoretical and methodological principles of formation and development of such control are systematized by areas of research, in particular on: building a democratic society based on political theory; political decentralization (political sphere); building a sustainable democratic society; social problems of a democratic society; organization of the administration process; building the interaction of several sectors; involvement of the citizens in the development of a democratic society; storage and control of personal data.

At the same time, the greatest influence on the development of methodologies of public control in the organization of the socio-economic sphere of life of the state, security and defense have research in such scientific fields as: political science, economics, sociology, management (cybernetics). That is why, in our opinion, the effectiveness of public control is difficult to determine. We can only talk about the mechanisms and forms of involving the citizens in decision-making and control.

If we approach from the position of the theory of new public management, which is popular among studies in Ukraine, there are no theories or conceptual approaches that would systematically consider attitudes, be-

haviour and actions in the context of public control by the representative bodies of authority. Theoretical developments on "good management" were not included, as it does not provide for control from the public, but offers joint activities for the development of the state through other methods.

Many sources build relationships and interdependencies between these terms and distinguish between a "broader" understanding and a "narrower" one. Many definitions are repeated with a change in the name of control. The emphasis is mostly on control and oversight of the government functions. This did not allow for a quantitative analysis of the interaction of scientific theories, concepts, schools in the context of public control of the representative bodies of authority, because in domestic practice there are no references to them, and the definitions of public control are mostly statements that are a factor in democratic state formation and citizen involvement.

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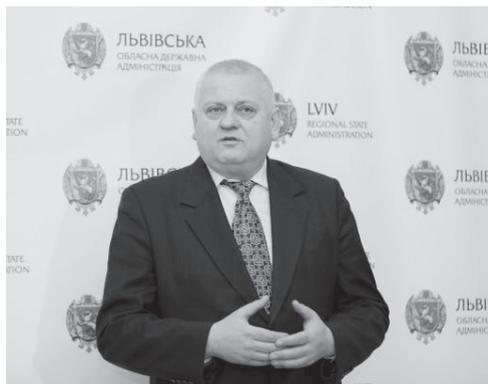
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MODERN PROBLEMS OF THE SYSTEM OF PUBLIC GOVERNANCE IN THE FIELD OF INSTITUTIONAL CARE AND EDUCATION OF CHILDREN IN UKRAINE

Abstract. The article systematizes the problems of public administration in the field of institutional care and education of children in Ukraine. The main problems include: imperfection of the legal framework for regulating the provision of social services to orphans, children deprived of parental care, children with disabilities, children with special educational needs and children in difficult life circumstances; lack of a unified approach to the management of institutional care and upbringing of children in Ukraine; lack of clear organization of public interaction with public authorities and local governments in reforming the system of institutional care and upbringing of children; lack of public control over the system of institutional care and upbringing of children; lack of a systematic assessment of the ineffective-

ness of previous ministries' attempts to reform the system of institutional care and upbringing of children; not developed methodological support necessary for the implementation of the reform of the system of institutional care and education of children. It is noted that the main normative documents that ensure the existence of a system of institutional care and upbringing of children are constantly supplemented by relevant letters and orders of departments at various levels. Effective public administration in the field of institutional care and upbringing of children is a significant effort, which should be minimized by improving legislation in the process of reforming the system of institutional care and upbringing of children, which is reflected in the main objectives of the National Strategy for Reforming Institutional Care and Upbringing for 2017–2026 years. Problematic issues in the regulatory and legal support of public administration in the system of institutional care and upbringing of children have been identified.

Keywords: public administration, boarding schools, mechanisms of public administration, system of institutional care and upbringing of children, social policy, social protection of children's rights, social services, normative-legal provision.

СУЧАСНІ ПРОБЛЕМИ СИСТЕМИ ПУБЛІЧНОГО УПРАВЛІННЯ СФЕРОЮ ІНСТИТУЦІЙНОГО ДОГЛЯДУ ТА ВИХОВАННЯ ДІТЕЙ В УКРАЇНІ

Анотація. Систематизовано проблеми системи державного управління у сфері інституційного догляду та виховання дітей в Україні. До основних проблем віднесені: недосконалість нормативно-правової бази з регулювання надання соціальних послуг дітям-сиротам, дітям, позбавлених батьківського піклування, дітям з інвалідністю, дітям з особливими освітніми потребами та дітям, які перебувають у складних життєвих обставинах; відсутність уніфікованого підходу до управління сферою інституційного догляду та виховання дітей в Україні; відсутність чіткої організації взаємодії громадськості з органами державної влади та місцевого самоврядування у питаннях реформування системи інституційного догляду та виховання дітей; відсутність громадського контролю за системою інституційного догляду та виховання дітей; відсутність системної оцінки неефективності попередніх спроб міністерств реформувати систему інституційного догляду та виховання дітей; не розробленість методичного забезпечення, необхідного для впровадження реформи системи інституційного догляду та виховання дітей. Зазначено, що основні нормативні документи, які забезпечують існування системи інституційного догляду та виховання дітей, постійно доповнюються відповідними листами та розпорядженнями відомств різних рівнів. Задля ефективного державного управління у сфері інституційного догляду та виховання дітей йде значна затрата зусиль, яку варто мінімізувати шляхом удосконалення законодавства в процесі реформування системи інституційного догляду та виховання дітей, що відображено в основних завданнях Національної стратегії реформування системи інституційного

догляду та виховання дітей на 2017–2026 роки. Виявлено проблемні питання у нормативно-правовому забезпеченні державного управління в системі інституційного догляду та виховання дітей.

Ключові слова: державне управління, інтернати, механізми державного управління, система інституційного догляду та виховання дітей, соціальна політика, соціальний захист прав дітей, соціальні послуги, нормативно-правове забезпечення.

СОВРЕМЕННЫЕ ПРОБЛЕМЫ СИСТЕМЫ ПУБЛИЧНОГО УПРАВЛЕНИЯ СФЕРОЙ ИНСТИТУЦИОНАЛЬНОГО УХОДА И ВОСПИТАНИЯ ДЕТЕЙ В УКРАИНЕ

Аннотация. Систематизированы проблемы системы государственного управления в сфере институционального ухода и воспитания детей в Украине. К основным проблемам отнесены: несовершенство нормативно-правовой базы по регулированию предоставления социальных услуг детям-сиротам, детям, лишенным родительской опеки, детям с инвалидностью, детям с особыми образовательными потребностями и детям, находящимся в сложных жизненных обстоятельствах; отсутствие унифицированного подхода к управлению сферой институционального ухода и воспитания детей в Украине; отсутствие четкой организации взаимодействия общественности с органами государственной власти и местного самоуправления в вопросах реформирования системы институционального ухода и воспитания детей; отсутствие общественного контроля за системой институционального ухода и воспитания детей; отсутствие системной оценки неэффективности предыдущих попыток органов центральной власти реформировать систему институционального ухода и воспитания детей; не разработанность методического обеспечения, необходимого для внедрения реформы системы институционального ухода и воспитания детей. Указано, что основные нормативные документы, которые обеспечивают существование системы институционального ухода и воспитания детей, постоянно дополняются соответствующими письмами и распоряжениями ведомств разных уровней. Для эффективного государственного управления в сфере институционального ухода и воспитания детей идет значительная затрата усилий, которые следует минимизировать путем усовершенствования законодательства в процессе реформирования системы институционального ухода и воспитания детей, что отражено в основных задачах Национальной стратегии реформирования системы институционального ухода и воспитания детей на 2017–2026 годы. Выявлены проблемные вопросы в нормативно-правовом обеспечении государственного управления в системе институционального ухода и воспитания детей.

Ключевые слова: государственное управление, интернаты, механизмы государственного управления, система институционального ухода и воспитания детей, социальная политика, социальная защита прав детей, социальные услуги, нормативно-правовое обеспечение.

Formulation of the problem. The modern system of institutional care and upbringing of children began to take shape in the mid-1950s. At the time of its formation, this system met the needs of the society of that time and fully implemented the educational and social policy of the postwar state. The placement of children in need of state care in appropriate institutions was the only alternative to their neglect due to the difficult financial situation of the population in the postwar period. The activities of the institutions of institutional care and upbringing of children at that time were effective in the conditions of the economic crisis of that time and the formation of the social state policy of the Soviet regime. In 1991, this institutional system automatically passed as a legacy to ensure the protection of children in the context of the then educational and social environment of independent Ukraine.

As of now, the challenges posed by the spread of acute respiratory illness COVID-19 in Ukraine to public administration in the field of protection of children's rights and social protection have revealed the inability of this management system to organize appropriate protection, both in institutional care and control over children in families in difficult life circumstances.

Analysis of recent research and publications. The system of institutional care and upbringing of children in Ukraine as a problematic issue in the field of social protection of orphans, children deprived of parental care, children with disabilities, children with special educational needs, children in difficult life circumstances, in the research of scientists acquires a special

relevance over the last decade. Such a system is costly at the state level, has many shortcomings in the realization of the rights of children in need of state support, and negatively affects the formation of the personality of the pupils of institutional institutions. Problems of development of mechanisms of public administration in the social sphere were analyzed by: O. Volska, V. Hryhorovych, K. Dubych, N. Zelinska, D. Karamyshev, N. Karpeko, O. Kotsovska, L. Kryvachuk, O. Krestovska, M. Melnyk, M. Muzyka, Z. Nadyuk, M. Panchenko, L. Parashchenko, O. Temchenko, I. Furtak, V. Shevchenko, V. Shevtsov, M. Obikhod and others. However, in the scientific literature there are no systematic studies of current problems of public administration in the field of institutional care and education of children in Ukraine.

Selection of previously unsolved parts of the overall problem. To date, Ukraine has found itself in a difficult crisis. These include the aggravation of the military-political situation, the growth of social tensions in society, the sharp deterioration of the country's economic situation, the decline in living standards, and the challenges associated with the COVID-19 pandemic. But at the same time, such crisis situations are always the starting conditions for active change, as a response to socio-political challenges and threats.

The purpose of the article is to systematize conceptual approaches to substantiate modern problems of public administration in the field of institutional care and education of children in Ukraine.

Presenting of the main material. On May 11, 2006, the Cabinet of Mi-

ministers of Ukraine approved the Concept of the State Program for Reforming the System of Institutions for Orphans and Children Deprived of Parental Care, which was designed for 10 years. In fact, the start of deinstitutionalization was announced. However, this Concept only drew attention to the problem of placement of orphans, children deprived of parental care, children with disabilities, children in difficult life circumstances and, in part, children with special educational needs who have complex disabilities, in institutions of institutional care and upbringing of children, but did not help to reduce the number of institutions or the number of residents.

Given the shortcomings of the previous program, on August 9, 2017 the government approved the National Strategy for Reforming the Institutional Care and Upbringing System for

2017–2026 and the action plan for the implementation of the first preparatory phase of the National Strategy for Reforming the Institutional Care and Upbringing System for 2017–2026, which ended with the preparation of regional reform plans [1].

Currently, the second stage of reforming the system of institutional care and education has begun, which will last until 2024 [1]. This stage involves the implementation of regional plans in the field of institutional care and upbringing of children, in fact, the reform itself. As a result of the study of the previous state of realization and implementation of the reform of institutional care and education of children in Ukraine during the first stage, which took place during 2017–2018, we identified the following issues, which are shown in Figure 1.

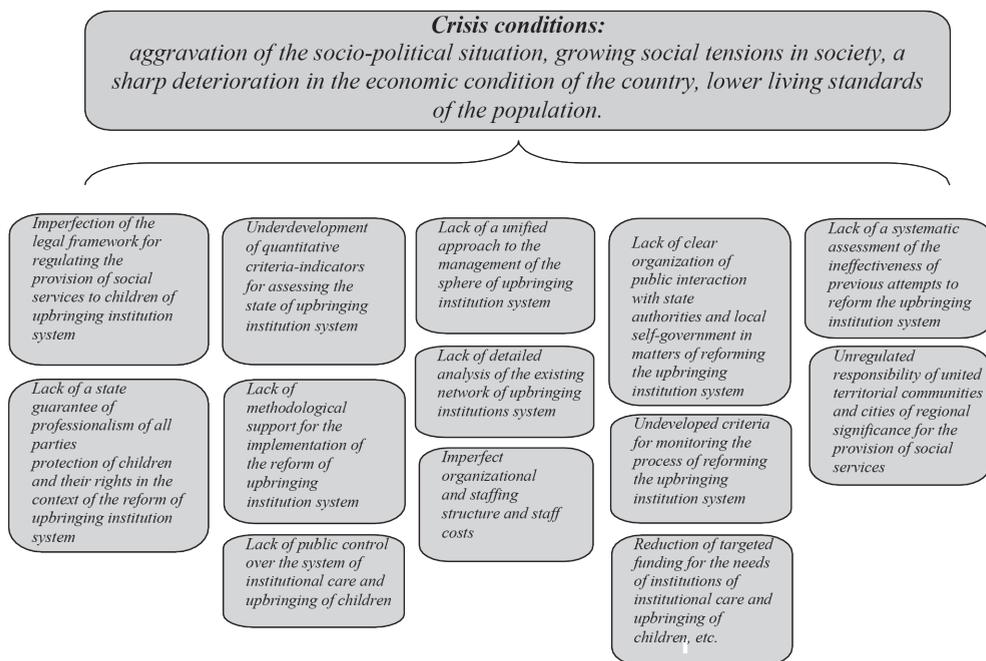


Fig. 1. The main problematic issues of realization of the reform in 2017–2018

Thus, the first problematic issue of public administration in the field of institutional care and upbringing of children in Ukraine we see the imperfection of the legal framework for regulating the provision of social services to orphans, children deprived of parental care, children with disabilities, children with special educational needs and children in difficult life circumstances.

In the process of considering the specifics of regulatory and legal regulation of the institutions of institutional care, we have identified several areas of regulation, which are presented in Figure 2.

It is clear that such a heavy legal framework complicates the process of public administration in the field of institutional care and education and requires constant changes in the introduction of deinstitutionalization and decentralization of powers.

Accordingly, the continuation of the first problematic issue in the field of institutional care and education is

the lack of a unified approach to the management of institutional care and education of children in Ukraine.

The National Strategy for Reforming the Institutional Care and Upbringing System for 2017–2026 declares that ensuring the growth of the child in the family should be a priority in all areas of public administration related to the realization of children’s rights. At the same time, the state is the main party responsible for the transition from institutional to family care and upbringing of the child, and actions for the preparation and implementation of the reform are coordinated by the Cabinet of Ministers of Ukraine [1].

Thus, the main responsibility for the implementation of the key points of the Strategy is assumed by the state. Thus, the state policy on orphans; children deprived of parental care; children with disabilities; children with special educational needs; children in difficult life circumstances should be carried out through the system of public administration in the field of insti-

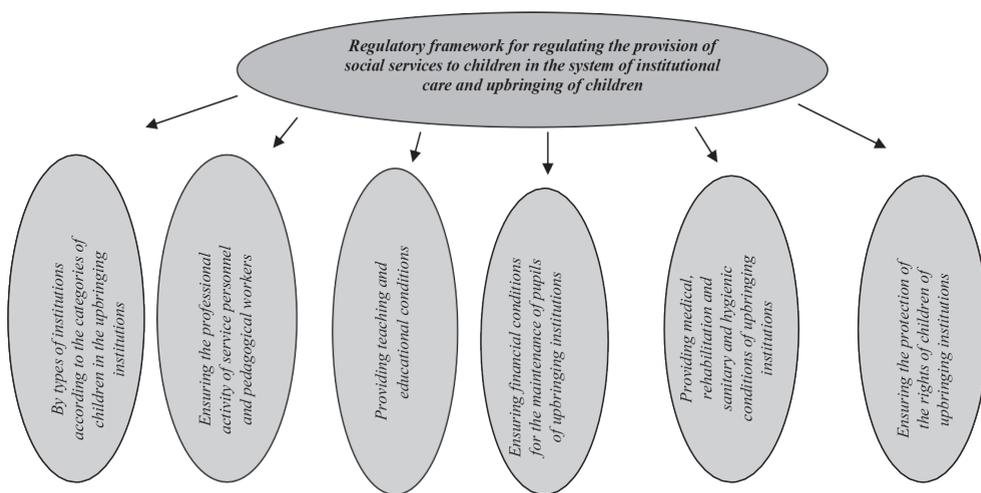


Fig. 2. The state of regulatory and legal support of DI reform

tutional care and upbringing of children in Ukraine.

During the review of the object of study, the division of basic managerial powers in the field of institutional care and upbringing of children in Ukraine between three ministries was repeatedly emphasized: the Ministry of Social Policy, the Ministry of Education and Science and the Ministry of Health. This situation, at first glance, is a negative phenomenon, as it leads to the dispersion of management efforts. However, given the historical peculiarities of the formation of the system of public administration that existed during the decades of the Soviet system, we understand that without the completion of administrative reform and deinstitutionalization reform it is impossible to overcome this phenomenon.

The multidisciplinary services provided to orphans, children deprived of parental care, children with disabilities, children with special educational needs, children in difficult life circumstances, really forms an extensive system of governing bodies in the field of institutional care and education of children.

The solution to this problem in the field of institutional care and upbringing of children is to apply a mechanism of coordination and interaction between executive authorities at all levels and local governments, which are related to the management of institutions of institutional care and education, based on an integrated management approach based on principles of holism and synergy.

Another problem is the lack of clear organization of public interaction with public authorities and local govern-

ments in reforming the system of institutional care and upbringing of children.

The main functions of public and charitable organizations in the field of institutional care and upbringing of children can be distinguished:

- information-motivational includes providing the public with information on the main directions of state policy in this area through the use of various media, public information events aimed at changing the motivational guidelines for the maintenance and upbringing of children in need of state care;

- intelligence includes the study of opportunities and needs within the community for the implementation of state policy in the field of institutional care and upbringing of children;

- organizational includes assistance in creating a special range of services in the community for children with the advantage of family education over institutional;

- innovative includes the use of experience of public and charitable organizations in order to facilitate the implementation of reform tasks in this area.

Taking into account the statutory features of charitable and public organizations operating in Ukraine, we can conditionally classify them according to the following parameters:

- by content of activity: organizations that provide support to children with disabilities, orphans, children with special needs, etc.;

- by place of activity: within a certain region, all-Ukrainian or international.

Given the above, we can conclude that the broad capacity of NGOs and charities to involve the public in en-

sureing the implementation of the main objectives of the National Strategy for Reforming the Institutional Care and Education of Children for 2017–2026 [1] and the process of changing worldviews to change the established institutional system of children's care and upbringing for a more humane and organic system of preservation of children's upbringing in need of state care in the conditions of family upbringing. However, as we can see, so far the process of public influence on the state of the sphere of children's institutional care and upbringing goes hand in hand with the activities of public authorities, acting as one of the stakeholders in deinstitutionalization.

Another problematic issue in the field of institutional care and upbringing is the lack of a public control over the children's institutional care and upbringing system in the state.

On September 11, 2011, Ukraine joined the Open Government Partnership international initiative, which was launched by the Presidents of the United States and Brazil and involved 50 countries. The governments of the countries participating in the initiative have pledged to promote transparency in public administration, the use of new technologies to improve its quality, the involvement of citizens in public administration processes, and the fight against corruption [2].

In recent years, against the background of reforms of major social sectors in Ukraine, we do see an increase in the level of civic activity. It is not only about participation in public discussions, social projects and interaction with reform offices, but also about public control.

Public control is a public inspection by civil society of the state's activities for compliance with its stated goals, adjustment of these activities and the goals themselves, subordination of state policy, activities of its bodies and officials to public interests, as well as civil society oversight of state bodies and local governments activities, aimed at protecting and ensuring human rights and legitimate interests and fundamental freedoms, and respect for them [3].

Various spheres of state activity are subject to public control: first, public verification of the state's activity's compliance with its declared goals and adjustment of this activity and the goals themselves, subordination of state activity to the interests of society. Secondly, it follows from Article 3 of the Constitution of Ukraine, which states that "Human rights and freedoms and their guarantees determine the content and direction of state activity... The establishment and protection of human rights and freedoms is the main duty of the state", so it follows that functions of the state in the field of human rights are also subject to public control. Third, in addition to human rights, which affect all people, there are legitimate public interests that interest certain groups of people – the realization of such interests is also subject to public control [3].

The sphere of institutional care and upbringing of orphans, children deprived of parental care, children with disabilities, children with special educational needs and children in difficult life circumstances should be the subject of special attention from the public, as it concerns life and health of vulnerable categories of children.

Today, we cannot say with confidence that the challenges of public control over the system of institutional care and upbringing of children are fully satisfied.

In particular, the Action Plan for the implementation of the first stage of the National Strategy for Reforming the Institutional Care and Upbringing of Children for 2017–2026 provided that in the IV quarter of 2018 should be improved the mechanism of participation of civil society institutions in the decision-making process concerning the protection of children’s rights, monitoring the observance of children’s rights in institutions of institutional care and upbringing of children with the provision of response and impact measures and as a result of submission to the Cabinet of Ministers of Ukraine of relevant draft regulations. However, unfortunately, we do not find official information on the implementation of this task in the form of a report, although the public association “Ukrainian Network for the Rights of the Child” together with the Office of the Ukrainian Parliament Commissioner for Human Rights, Ministry of Social Policy of Ukraine, with the support of UNICEF Ukraine carried out the monitoring inspections of children’s institutions for children managed by the Ministry of Health. According to the monitoring evidence, the project activist I. Skachko believes that “not a single orphanage needs order, but the system as a whole. Staying in such institutions, even if they create ideal conditions, has an extremely adverse effect on the development and health of children, especially children under three years of age. The National

Strategy for Reforming the System of Institutional Care and Upbringing of Children for 2017–2026 envisages that it is the orphanages that need to be reorganized in the first place. Ideally, children under the age of three should not come here at all” [1].

Instead, we find information on the partial satisfaction of the problem of public control over the system of institutional care and upbringing of children at the legislative level in some provisions on the organization of work in institutions. In particular, the Standard Regulations on Orphanages state that public control over the activities of a boarding house is exercised by the public council in a planned manner or in the event of an emergency notification of a relevant violation. In paragraph 17 in the “Tasks and main activities of the boarding house” states that the quality of services is controlled by the public, and in paragraph 18 of the same part we find that the boarding house may form a public council, the provisions of which are approved by the founder. The public council has the task: to promote the rights and interests of pupils/wards, study the conditions of their residence and submit proposals to the management of the boarding house on their improvement; to promote compliance with the requirements of the legislation on social protection by the boarding house; to promote the provision of social services to pupils/wards; to promote the organization of cultural and mass work of pupils/wards [4].

Also, an official attempt to exercise public control over the activities of institutions of institutional care and upbringing of children is to place a section on the website of the Project Office to

support deinstitutionalization reform, where you can post information on violations of children's rights in boarding schools. The site contains information about 15 messages for 5 months of the platform's existence, but only 2 messages were considered. This may indicate a low level of response of official bodies involved in the management of the system of institutional care and upbringing of children in Ukraine [5].

A logical continuation of the problem of lack of public control over the system of institutional care and upbringing of children is the problem of lack of state guarantee for the professionalism of all parties in child protection and their rights in the context of reforming the system of institutional care and upbringing of children.

As a result of the inspection of boarding schools in 2018, out of 104,469 children in boarding schools – 13,922 children, permanently live in the institution, even on weekends and holidays. Of this number, only an average of 6,000 children have the status of orphans and children deprived of parental care, and about 8,000 children are in boarding schools, having the parents.

According to the Commissioner of the President of Ukraine for Children's Rights M. Kuleba, "There is an opinion why a child with living parents is actually an orphan, and no one establishes its status? Unfortunately, it is easier for boarding schools to tell for years what a "poor" child is, unnecessary to their own parents and to no one else, except the boarding schools, and the guardianship authorities ignore the child for years, than to jointly organize appropriate work with the Children's

Affairs Service and give the child status in court. As part of the DI reform, each child's needs in boarding school should be assessed! And if the child suffers from neglect, if the parents are not interested in the child and most importantly – were used all attempts to "reunite" the family (because it is for such reasons that courts often deny deprivation of parental rights), it should be urgent to prepare documents for court and deprive parents of parental rights!" [6].

In view of the above, there is an opinion that the assessment of children's needs and the state of violation of their rights should be carried out from a professional point of view, without undue emotion, based on the interests of orphans, children deprived of parental care, children with disabilities, children with special educational needs and children in difficult life circumstances.

Summarizing the problematic situation due to the lack of a state guarantee on the professionalism of all parties in the field of child protection and their rights in the context of reforming the system of institutional care and upbringing, it should be noted that the level of professionalism also depends on the level of development of appropriate criteria for assessing the state of the institutional care and upbringing system during the implementation of the plan for reforming this system.

Accordingly, we have the following problematic issues in the field of institutional care and upbringing of children in Ukraine. These are the undeveloped quantitative criteria-indicators for assessing the state of the system of institutional care and upbringing of

children in Ukraine and the undeveloped criteria for monitoring the process of reforming the system of institutional care and upbringing of children.

The advancement of any reform is impossible without an assessment of the previous state of the process to be reformed, the current state of the reform stage and a quantitative and qualitative assessment of the achievements of the reformed process.

The problem of developing quantitative criteria-indicators and criteria for monitoring the process of deinstitutionalization reform in Ukraine is relevant, but in practice requires organized, planned and clear work of specialists who assess the main components in the field of institutional care and upbringing.

Assessing the state of the institutional care and education system is not an easy process due to a large number of assessment objects and levels. We mean assessment at the regional and local levels, assessment of institutions of different statutory nature according to the categories of children, assessment according to the existing needs of local communities and other conditions.

Given this, it is very difficult at the preparatory stage to identify the necessary criteria for assessing the state of institutional care and upbringing of children. Monitoring studies are still multifaceted, due to the lack of relevant experience and resistance of employees of the institutional care and upbringing system in Ukraine.

The National Office for Deinstitutionalization Reform has identified the main monitoring indicators, which in turn contain quantitative monitoring criteria:

Boarding schools: number of boarding schools in the regions by subordination and types; the number of boarding schools in the regions by type and specialization.

Children in boarding schools: number of children in boarding schools; the number of children in boarding schools of the education system; the share of children in boarding schools from the children's population of the region; the number of orphans, children deprived of parental care and children with parents among the children of boarding schools; the number of orphans, children deprived of parental care and children with parents among the pupils of boarding schools of the education system; the share of children with disabilities from the total number of children in boarding schools; distribution of children of boarding schools according to the form of stay; the number of children under 3 years of age (full 2 years) who are in boarding schools.

Alternative forms of upbringing: alternative forms of placement of children; the number of children in alternative forms of accommodation.

Services: due to the problem of undeveloped quantitative criteria-indicators for assessing the state of the institutional care and upbringing system in Ukraine and undeveloped criteria for monitoring the process of reforming the institutional care and upbringing system at the initial stage of deinstitutionalization, the next problem arises — the lack of detailed analysis of the existing network of institutional care institutions for children.

The idea of optimizing the network of boarding schools, and subsequently reforming it, is not new. Previous at-

tempts, unfortunately, were unsuccessful and were implemented only formally, without changing the essence of the system of institutional care and upbringing. In our opinion, the lack of political will to introduce deinstitutionalization was decisive in the ineffectiveness of previous attempts.

To date, the course of the reform is clearly subordinated to the Action Plan for the implementation of the first stage of the National Strategy for reforming the system of institutional care and upbringing of children for 2017–2026. However, the Plan's activities face the same challenges as the previous two reforms. This is due to the lack of a systematic assessment of the ineffectiveness of previous attempts by ministries to reform the system of institutional care and upbringing of children, which is the next problematic situation in the field of institutional care and upbringing of children in Ukraine.

In addition to the desire of a modern team of specialists working on the reform and support of international organizations in the field of protection of children's rights, for the successful implementation of deinstitutionalization, appropriate methodological support is also needed. It is clear that the Ukrainian team does not have enough experience of its own. The methodological base of deinstitutionalization in Ukraine consists more of informational than methodological materials. The vast majority of methodological recommendations are a representation of the experience of individual institutions that have managed to reformat their own activities with the advantage of the family upbringing of children over institutional. The training ma-

terials used by the National Office for deinstitutionalization are presented on the basis of foreign experience in order to adapt to the implementation of the Ukrainian model of reform. This situation raises the following problem — the lack of methodological support necessary for the implementation of the reform of the system of institutional care and upbringing of children.

At the beginning of the first stage of the reform, the process of public administration in the field of institutional care and upbringing in Ukraine contained more questions than answers. This is due not only to the lack of clear coordination between public authorities and the system of institutional care and upbringing of children or the imperfection of the regulatory framework in this area, but also to the formation of a completely new organizational structure as a result of decentralization. The institute of united territorial communities is still in its infancy. Therefore, another problem in the field of institutional care and upbringing of children in Ukraine is the unregulated responsibility of united territorial communities and cities of regional importance for the provision of social services to orphans, children deprived of parental care and children with disabilities, which creates for this category of children a number of risks and problems.

The National Strategy for Reforming the System of Institutional Care and Upbringing of Children for 2017–2026 states that “the state takes measures to promote the importance of upbringing and development of the child, the role of the territorial community in ensuring the best interests of the child, inadmissibility of divorce of the child

with parents because of features of its development, negative consequences of institutional care and upbringing for the child and society as a whole”[1].

However, it is clear that increasing the role of the local community in ensuring the best interests of the child is not a matter of one day.

Analysis of a number of problematic issues in the field of institutional care and upbringing of children in Ukraine, but one of the main problems is not only a large number of children in need of social protection, but also the presence of a large number of employees in this area.

According to a study of problematic issues of orphanhood in Ukraine by the public organization Public Audit, an independent non-governmental controller of public finances and their managers. In 2015, UAH 10.7 thousand per month was spent from local budgets on the maintenance of one boarding school pupil. UAH 8.1 thousand for the maintenance of a child in an orphanage. The maintenance of a family-type orphanage and a foster family cost local budgets about three times less – UAH 3.7 thousand per month.

Even one such example is enough to understand that when the cost of boarding school staff is 80 % of the costs, it is an inexpedient phenomenon in terms of financing the system of institutional care and upbringing of children. Hence the following problematic issues - the imperfection of the organizational and staffing structure and the cost of maintaining staff working in boarding schools (in particular, 70 % of them – technical staff, 29 % – educators and teachers and only 1 % – narrow specialists) and reduced target-

ted funding institutions of institutional care and upbringing of children [6].

Conclusions. The analysis provides grounds to identify the following clusters of problems, in particular:

- imperfection of the legal framework for regulating the provision of social services to orphans, children deprived of parental care, children with disabilities, children with special educational needs and children in difficult life circumstances;

- lack of a unified approach to the management of institutional care and upbringing of children in Ukraine;

- lack of a systematic mechanism of coordination and interaction between executive bodies of all levels and local self-government;

- lack of clear organization of public interaction with public authorities and local governments in matters of reforming the system of institutional care and upbringing of children;

- inefficiency of public control over the system of institutional care and upbringing of children;

- lack of a state guarantee on the professionalism of actions of all parties to protect children and their rights in the context of reforming the system of institutional care and upbringing of children;

- lack of quantitative criteria-indicators for assessing the state of the system of institutional care and upbringing of children in Ukraine and undeveloped criteria for monitoring the process of reforming the system of institutional care and upbringing of children;

- lack of detailed analysis of the existing network of institutions for institutional child care;

- lack of systematic assessment of the ineffectiveness of previous attempts by ministries to reform the system of institutional care and upbringing of children;
- undeveloped methodological support necessary for the implementation of the reform of the system of institutional care and upbringing of children;
- unregulated responsibility of united territorial communities and cities of regional importance for the provision of social services to orphans, children deprived of parental care and children with disabilities, which creates a number of risks and problems for this category of children;
- imperfection of the organizational and staffing structure and maintenance costs of staff working in boarding schools and reduction of targeted funding for the needs of institutions of institutional care and upbringing of children.

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FUTURE TRENDS IN INFORMATION SECURITY ACCORDING TO ARTIFICIAL INTELLIGENCE TECHNOLOGIES

Abstract. The article is devoted to the problems of the growing role of artificial intelligence technologies and the need for legal regulation of the processes of interaction between artificial intelligence and humans, in the context of information security.

According to the author, without a full and timely regulatory regulation of the development of technological innovations that can make independent decisions, society runs the risk of suffering serious losses. Therefore, it is extremely important already now, to develop and implement for information technologies such administrative and legal regulation in which the development of technologies will not lead to risks for the society and will retain control over what is happening to the person.

The author suggests that in the future artificial intelligence is deprived of the status of a computer program or technology, and it will become an independent

subject of law, citing as an example of acquiring legal capacity by another artificial, abstract entity— the state.

The publication examines the existing attempts to form a legal framework for interaction between humans and artificial intelligence, which took place in the European Union, Japan and the PRC. This includes the precedent for recognizing artificial intelligence as an independent creative unit, which has already taken place in the Chinese city of Shenzhen, where the court ruled that some articles written using artificial intelligence are protected by copyright.

Special attention is devoted to the analysis of domestic studies of the prospects for the use of artificial intelligence and its interaction with humans. The author proposes an approach to the regulation of legal relations associated with artificial intelligence, built around the principle — technology for the benefit of a person, to respect his rights and freedoms.

The author predicts a shift in priorities in the field of information security from the protection of personal data and the security of their use, to the prevention of uncontrolled use of artificial intelligence, in the areas related to the implementation of human rights and freedoms.

Keywords: information security; Information Technology; Artificial Intelligence; legal regulation; electronic government; distance learning; human rights.

МАЙБУТНІ ТЕНДЕНЦІЇ ІНФОРМАЦІЙНОЇ БЕЗПЕКИ ВІДПОВІДНО ДО ТЕХНОЛОГІЙ ШТУЧНОГО ІНТЕЛЕКТУ

Анотація. Статтю присвячено проблематиці зростання ролі технологій штучного інтелекту та необхідності правового регулювання процесів взаємодії штучного інтелекту і людини в контексті інформаційної безпеки.

На переконання автора, без повноцінного і своєчасного нормативного регулювання розробок технологічних новацій, які зможуть приймати самостійні рішення, суспільство ризикує зазнати серйозних втрат. Тому вкрай важливо вже зараз розробити та впроваджувати для інформаційних технологій таке адміністративно-правове регулювання, в якому розвиток технологій не призведе до ризиків для суспільства і збереже за людиною контроль над тим, що відбувається.

Автор припускає, що штучний інтелект колись буде позбавлений статусу комп'ютерної програми або технології, і стане самостійним суб'єктом права, наводячи в якості прикладу набуття правоздатності іншим штучним, абстрактним утворенням — державою.

У публікації розглянуто наявні спроби формування правових рамок для взаємодії людини та штучного інтелекту, що мали місце в Європейському Союзі, Японії та КНР. У тому числі — прецедент визнання штучного інтелекту самостійною творчою одиницею, який вже мав місце у китайському місті Шеньчжень, де суд постановив, що певні статті, написані з використанням штучного інтелекту, захищені авторським правом.

Окрему увагу присвячено аналізу сучасних досліджень перспектив застосування штучного інтелекту та його взаємодії з людиною. Автором

пропонується підхід до регулювання правовідносин, пов'язаних зі штучним інтелектом.

Ключові слова: інформаційна безпека; інформаційні технології; штучний інтелект; правове регулювання; електронний уряд; дистанційне навчання; права людини.

БУДУЩИЕ ТЕНДЕНЦИИ ИНФОРМАЦИОННОЙ БЕЗОПАСНОСТИ В СООТВЕТСТВИИ С ТЕХНОЛОГИЕЙ ИСКУССТВЕННОГО ИНТЕЛЛЕКТА

Аннотация. Статья посвящена проблематике возрастания роли технологий искусственного интеллекта и необходимости правового регулирования процессов взаимодействия искусственного интеллекта и человека в контексте информационной безопасности.

По мнению автора, без полноценного и своевременного нормативного регулирования разработок технологических новаций, которые смогут принимать самостоятельные решения, общество рискует понести серьезные потери. Поэтому крайне важно уже сейчас разработать и внедрять для информационных технологий такое административно-правовое регулирование, при котором развитие технологий не приведет к рискам для общества и сохранит за человеком контроль над происходящим.

Автор предполагает, что со временем искусственный интеллект, лишившись статуса компьютерной программы или технологии, станет самостоятельным субъектом права, приводя в качестве примера приобретения правоспособности другим искусственным, абстрактным образованием — государством.

В публикации рассмотрены имеющиеся попытки формирования правовых рамок для взаимодействия человека и искусственного интеллекта, имевшие место в Европейском Союзе, Японии и КНР. В том числе — прецедент признания искусственного интеллекта самостоятельной творческой единицей, который уже имел место в китайском городе Шэньчжэнь, где суд постановил, что некоторые статьи, написанные с использованием искусственного интеллекта, защищены авторским правом.

Отдельное внимание посвящено анализу отечественных исследований перспектив применения искусственного интеллекта и его взаимодействия с человеком. Автором предлагается подход к регулированию правоотношений, связанных с искусственным интеллектом, построенный вокруг принципа — технологии на благо человека, для соблюдения его прав и свобод.

Автор прогнозирует смещение приоритетов в сфере информационной безопасности от защиты персональных данных и безопасности их использования к недопущению бесконтрольного использования искусственного интеллекта в сферах, связанных с реализацией прав и свобод человека.

Ключевые слова: информационная безопасность; информационные технологии; искусственный интеллект; правовое регулирование; электронное правительство; дистанционное обучение; права человека.

Problem statement. The total informatization of modern society, accompanied by the mass introduction of the latest information processing and telecommunications systems, carries, in addition to unprecedented opportunities, many threats due not only to the nature of computer intelligent systems, but also the lack of proper regulation of their activities. Previously, the concept of “artificial intelligence” has evoked associations with science fiction novels and cinema, however, today everyone is somehow faced with the use of intelligent systems for finding content and processing arrays of information in everyday life. At the same time, the answer to the question – can artificial intelligence have its own consciousness? This question is especially acute in the context that the nature of “consciousness” has not been fully explored and is not unambiguously defined. Studies of the problems of consciousness reach the depths of the centuries, originating in ancient philosophical discussions and later attempts to understand whether the mind can be explained by physical laws. In the twenties of the XXI century, we perceive artificial intelligence rather as an algorithm that is able to summarize and process an array of information, to form predictions about unknown facts. However, in some cases, when obtaining useful conclusions, we understand that the program is able to readjust to new algorithms [1].

Analysis of recent research and publications. Such scientists as: Kryvetsky O., Androschuk G., Romanenko E., Zhukova I., Davydova I., Nekrasov V. and others have made a significant contribution to the study of the peculiarities of artificial intel-

ligence technologies in the context of information security.

The purpose of the article is to investigate the growing role of artificial intelligence technologies and the need for legal regulation of the processes of interaction between artificial intelligence and humans, in the context of information security.

Presentation of the main material. The total informatization of the modern society, accompanied by the mass introduction of the latest information processing and telecommunications systems, carries, in addition to unprecedented opportunities, many threats due not only to the nature of computer intelligent systems, but also the lack of proper regulation of their activities.

Previously, the concept of “artificial intelligence” has evoked associations with science fiction and cinema, however, today everyone is somehow faced with the use of intelligent systems for finding content and processing arrays of information in everyday life. At the same time, the answer to the question is still in doubt – can artificial intelligence have its own consciousness? This question is especially acute in the context of the fact that the nature of “consciousness” has not been fully explored and is not unambiguously defined. Studies of the problems of consciousness reach the depths of the centuries, originating in ancient philosophical discussions and later attempts to understand whether the mind can be explained by physical laws. In the twenties of the 21st century, we perceive artificial intelligence rather as an algorithm that can summarize and process an array of information, to form predictions about unknown facts. However, in some cases, when obtain-

ing useful conclusions, we understand that the program can reconfigure to new algorithms [1].

It has not been news for a long time that innovations in the field of information technology and information security are increasingly giving artificial (electronic) intelligence signs of legal autonomy, freedom of choice and even creativity. Therefore, in our opinion, human relationships with media, databases, and in the future — and with artificial intelligence, should be regulated by administrative and legal means within the institute of information security. Competition for supremacy in information technology and artificial intelligence is projected to be one of the key processes for all highly developed countries for at least the next ten years. And although this period seems small, even by the standards of our fast-paced time, the leaders of this process will probably be determined soon enough. However, not only innovations and achievements in the field of artificial intelligence will be an integral feature of leadership. Its most important component will remain the provision of information security of the mankind and the possibility of legal implementation of innovations in all the spheres of economy and public life.

Without full-fledged and timely regulatory regulation of the development of technological innovations that can make independent decisions, society risks getting hit in the back by the results of their own hands. Therefore, it is extremely important now to think and provide for information technology such administrative and legal regulation in which the development of technology will not lead to risks for the

society and will retain human control over what is happening.

Artificial intelligence is now perceived as an unprecedented technological breakthrough, as a technology that can radically change our lives. However, it is worth remembering that such technologies have already occurred in human history. Electricity, radio, telephone, car, plane made revolutionary breakthroughs on a global scale, and each such technology was accompanied by public fears associated with the spread of the unknown and poorly understood.

The first striking example of a change in the public attitudes to the consequences of scientific progress is “The Locomotive Act”, passed by the British Parliament in 1865. This law, among other things, ordered that in front of each self-propelled railless vehicle, which we now call a car, a man with a red flag or lantern walk at a distance of 55 meters to warn of danger, and the crew must have at least two drivers [2]. It is quite difficult to imagine such a procedure of road transport movement in the modern world because modern people perceive cars as commonplace, not noticing them and not distinguishing them from the usual surrounding world. So, it is easy to predict that the change in perception, like the differences in today’s attitude to cars from what took place in the 19th century, awaits us in the context of information technology and artificial intelligence. Although we are sure that all the changes will be quite comfortable if the process of implementing artificial intelligence technologies is accompanied by some administrative and legal regulation of standards and rules of conduct, which

should turn it into a routine, which we will not notice either.

The legislation of individual states and supranational entities already has the first rules governing the relationship between information technology and artificial intelligence. So, recently, in 2017, the European Union adopted a Resolution “Civil Law for Robotics”. This document, which contains more than a hundred items, administers aspects of robotics and artificial intelligence. Specifically, it is proposed to consolidate the legal basis for the use of artificial intelligence and the introduction of a pan-European system for the registration of smart cars, for example with road transport. In addition, it is planned to legally regulate the processes of robotization of the human body [3–4]. Thus, we can talk about laying the foundations of the legal basis not only for artificial intelligence but also for cyborgization.

Japan and PRC are not lagging behind in the study area. In particular, in Japan, back in 2016, at a meeting of the State Commission on Intellectual Law, it was decided to begin developing regulations on copyright protection for creative products created by artificial intelligence [3]. An equally striking case occurred in the Chinese city of Shenzhen, where artificial intelligence was recognized as an independent creative unit. There, the court ruled that certain articles written using artificial intelligence were protected by copyright. Of course, the court’s decision concerned the specific texts of Tencent, which publishes software content in the field of business and finance. The company went to court after one of the online platforms posted on its website

the text Tencent generated using artificial intelligence. The court ruled that the wording of the material and the expressions used were original and classified it as a written work protected by copyright. It is possible that this case will set a precedent for the world legal community.

Unfortunately, Eastern European society has not yet come to the need to regulate this area of activity. Works created by artificial intelligence, for example in Ukraine, are not yet literally recognized as created, because, according to current legislation, copyright can only apply to a living person. At the same time, much research is already devoted to the opportunities and risks of implementing artificial intelligence in existing areas of law, such as personal data law, intellectual property protection or antitrust law. In addition, the domestic scientific community is paying more and more attention to the implementation of e-government, which over time, one way or another, will be intertwined with the technology of artificial intelligence. Back in 2016, “e-government” was proposed to mean a way of organizing government through local information networks and segments of the global information network, which ensures the functioning of certain services in real time and makes everyday communication as simple and accessible as possible with the official institutions [6]. Gradually moving from theory to practice of lawmaking and law enforcement, many Ukrainian experts are working on the formation of legal relations in the field of artificial intelligence. Some developments have already been implemented, such as electronic digital signature, profile identifi-

cation or personal verification. Discussions are underway on the creation of electronic voting systems and the digital economy. According to the purpose, artificial intelligence will be legalized in various sectors of the economy and social sphere, and the adopted administrative and legal principles should insure society against many predicted risks [7–9].

An extremely important area, where, in our opinion, sooner or later will find the application of artificial intelligence technology, is distance learning, including - with the use of virtual reality technologies. Recently, due to the introduction of quarantine restrictions in dozens of countries aimed at counteracting the spread of coronavirus COVID-19, there is a high activity not only in the use of distance learning in parallel with stationary, but also full, even temporary, transition to lectures, seminars, tests, passing exams, including state exams, remotely, using computer tools [10].

Accordingly, more and more attention of the scientists is paid to the peculiarities of the adaptation of augmented reality technologies in academic disciplines for students of different educational institutions. We are talking about the feasibility of applying an integrated approach in the training of future professionals of the new technological era. At the same time, according to researchers, the use of augmented reality technologies increases the motivation to learn, increases the level of assimilation of information due to the diversity and interactivity of its visual presentation [11].

Many researchers are currently discussing the usefulness of Block Chain

technology used in cryptocurrency trading in various areas of management. From the point of view of information security, this technology is just a treasure. The easiest way to use it soon, we see the use of electronic election technology. Thanks to this technology, every step of the election process and voting will have to be coded. In this case, information security will be provided by encoding the same order of each operation and each element in the chain of events. As a result, an attempt to change one of the links in this chain is sure to change the code of the element, and this will cause the failure of the entire program, which will immediately detect intentional interference.

Another unique quality for information security is Block Chain technology in the sense that all participants in the process, in our case – voting, are sent a complete copy of the entire chain of events with the specified encoding. Therefore, everyone will be able to check the compliance of the results with the process and the results. Thus, thanks to the dual control of technology, it is possible to achieve the ideal of information security, i.e. a process that cannot be forged or artificially altered. However, the use of such technologies requires some change in the administrative and legal regulation of the information security in these areas of the legal field [12].

In addition, it should be noted that the Beijing authorities have announced the introduction of blockchain technology in 140 government services. According to them, the use of distributed registry technology has helped reduce costs by 40 % and is a breakthrough that could not be achieved with the use

of traditional information transmission systems.

“Blockchain is a breakthrough in data exchange that is difficult to implement in the traditional way. Storing electronic certificates on a blockchain increases reliability, efficiency and simplifies the data verification process”, said Chinese officials. The Chinese government also noted that services that use the blockchain are divided into 3 categories. Firstly, data exchange and transmission; secondly, their joint processing and, thirdly, storage of electronic licenses and certificates [12].

As an example, a Chinese official named the base for real estate registration. It contains 11 sectors, which include the Municipal Planning Commission, the Commission for Housing and Rural Development, the Tax Bureau, the Public Security Bureau, and others.

Expert forecasts on the volume of investments in this area can be considered as additional evidence of the importance of the problem of artificial intelligence. Currently, experts note that the turnover of investment in artificial intelligence technology is growing annually and by 2024 could reach almost \$ 140 billion. In China alone, the budget for the implementation of artificial intelligence technology development strategy until 2030 is \$ 150 billion [13].

At the end of June 2020, the Italian Banking Association (IBA), which consists of more than 700 banks, announced that its members are ready to test the digital euro, which it wrote on its official website. Participation in related projects and pilot programs will help accelerate the introduction of a digital currency supported by the European Central Bank [17].

During the investment boom, issues of protection of the human rights and freedoms, as well as information security come to the fore. It is, first, about inadmissibility of use of developments for the purpose of intentional harm to the citizens and legal entities. Therefore, the author proposes a stimulating approach to the regulation of these relations, built around the principle — technology for the benefit of man, to respect these rights and freedoms. If at present in the field of information security the priority is the protection of personal data and the security of their use, then in the future the emphasis will shift to preventing the uncontrolled use of artificial intelligence associated with the realization of human rights and freedoms.

At the same time, as we have already noted, in addition to impressive prospects, artificial intelligence technologies pose several potential threats. According to a 2019 report by Nathan Benaich and Jan Hogarth, entitled “Harmful Use of Artificial Intelligence”, intelligent systems may well serve criminals and terrorists. Both scientists and developers must take this into account and prevent the possible use of their work to the detriment of the society. Appropriate restrictions at the legislative level should be established as a primary preventive measure [14].

At present, attempts to administratively regulate the relationship between man and artificial intelligence exist only at the level of a superficial discussion of their further implementation. But soon we will have to interact much more, especially — if artificial intelligence acquires all the features of the subject, including freedom of choice

and creativity. A proven way is to inscribe the relationship associated with artificial intelligence in the legal field. It does not really matter how it develops in this field. The main thing is the availability of flexibility and timely change of the proposed norms. But the administrative and legal field needs to be adjusted now, and the cases of the use of artificial intelligence suggest directions for its further improvement.

Until now, the relationship between society and artificial intelligence coexist according to the rules of Nash equilibrium. When each party is unable to learn about the intentions of the opponent and agree with each other, both choose not the most favourable option for themselves, or frankly less destructive. This position was discovered and described through mathematical laws by the American mathematician John Nash, for which he received the Nobel Prize in Economics in 1994. [15]

It is possible that artificial intelligence will one day be deprived of the status of a computer program or technology and will become an independent subject of law. Legal science has already faced similar issues when an inanimate phenomenon for the sake of general convenience was recognized as legal. The most famous example is the recognition of the state as a legal entity. This definition is accepted almost invariably throughout the world, it has become commonplace, and no one is surprised that such an abstract phenomenon as a state that has neither its own will nor nature — has legal capacity.

Also, in the future, the question of the need to regulate human interaction with artificial intelligence will inevitably arise. Such a process has already be-

gun at the interstate level. The already mentioned draft code of ethics for artificial intelligence, prepared in the European Union in 2017, states that artificial intelligence should serve a just society, support fundamental human rights, not limit human autonomy and in general, work for positive change in the society. At the same time, civilian control over the relevant data must be maintained. Lawyers should create administrative and legal mechanisms that will guarantee the responsibility and accountability of all artificial intelligence systems and their activities. And these are only the first requirements to the regulatory framework for the regulation of these relations. When and how these ethical norms will be implemented, we will see [4, 16]. However, the topic of information security and responsibility for the actions of artificial intelligence systems is already quite relevant today. Responsibility is a component of the institute of information security, which is responsible for legal personality.

Even now, harming an individual or a legal entity during the operation of artificial intelligence systems is not unrealistic. The first simple example is easy to imagine. An unmanned vehicle knocks down a person who was crossing the street at a pedestrian crossing. Who is responsible for the damage in this case? After all, both the owner of the drone and its manufacturer can be considered as such. In other cases, after the investigation, the software developer, licensee, or technical or software support engineer responsible for setting up and running the program will be blamed. The question then arises — under what conditions can liability be imposed on each of these entities? Who

will be responsible for information security breaches or the consequences of simple hacker attacks? Perhaps in such cases the practice of prosecuting the owners of high-risk vehicles will be applied? Now, the answers to these questions are not yet clear and raise new issues that need to be addressed, including in law and jurisprudence.

So, there are a lot of problems that the spread of artificial intelligence technologies will cause. Therefore, as never before, we should go beyond classical scientific trends and create interdisciplinary areas of research. It is important not to be afraid to look for solutions for them, combining the efforts of legal scholars and experts in various fields of knowledge.

Conclusions. The growing role of artificial intelligence technologies and awareness of this process leads to increasing competition for supremacy in this field among the most developed countries. Not only innovations and achievements in the field of artificial intelligence will be an integral feature of the leadership. Its most important component will remain the provision of information security of the mankind and the possibility of legal implementation of innovations in all the spheres of economy and public life. Without full-fledged and timely administrative and legal regulation of the development of technological innovations that will be able to make independent decisions, society risks serious losses. Therefore, it is extremely important now to develop and implement for information technology such administrative and legal regulation, in which the development of technology will not lead to risks for the society and will re-

tain human control over what is happening.

It is likely that artificial intelligence will one day be deprived of the status of a computer program or technology and will become an independent subject of law. There are attempts to form a legal framework for human interaction and artificial intelligence. Back in 2017, the European Union prepared a draft set of ethical rules for artificial intelligence, according to which the key goals of artificial intelligence are: service to a just society, support for fundamental human rights, a ban on restricting human autonomy and more.

The author proposes a stimulating approach to the regulation of legal relations related to artificial intelligence, built around the principle – technology for the benefit of man, to respect his rights and freedoms. If now in the field of information security the priority is the protection of personal data and security of their use, then in the future we predict a shift in emphasis to prevent the uncontrolled use of artificial intelligence in areas related to the realization of human rights and freedoms.

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CURRENT ISSUES OF PUBLIC ACTIVITY IN THE SYSTEM OF PUBLIC GOVERNANCE

Abstract. The essence of the rule of law and civil society is characterized. It has been found that non-governmental organizations are elements of civil society that perform a wide range of functions, including the protection of human rights, the fight for disarmament, the implementation of research and educational activities, and so on. It is established that such organizations create conditions and opportunities for citizens to directly participate in establishing partnerships with the authorities and international organizations. The existing problems of interaction of non-governmental public organizations (NGOs) with state authorities and local self-government bodies have been identified. It is emphasized that the information regarding the number of citizens involved in public organizations and their clients is not true. The existing positive changes in the government's policy on establishing a constructive dialogue with non-governmental organizations were confirmed and the existence of certain negative trends was emphasized. It has been established that public organizations have determined the mechanisms

of the most effective influence on the government, but the level of passivity and indifference of the population is a significant problem in their relationship with government agencies. Based on the results of opinion polls, Ukrainians' confidence in the public sector has grown and their activity has remained consistently low. The results of the survey on the availability of information about the activities of NGOs among students who testify to the existence of problems in this area are characterized, as the respondents do not distinguish public organizations from other associations and organizations and structures of public administration. It was stated that NGOs should better inform the public about the available professional and resource potential, identify joint actions for organizational and legal support for the provision of quality services, and so on.

Keywords: non-governmental public organizations, public, public administration, interaction.

АКТУАЛЬНІ ПИТАННЯ ГРОМАДСЬКОЇ АКТИВНОСТІ В СИСТЕМІ ПУБЛІЧНОГО УПРАВЛІННЯ

Анотація. Схарактеризовано сутність правової держави та громадянського суспільства. З'ясовано, що неурядові організації є елементами громадянського суспільства, що виконують широке коло функцій, серед яких: захист прав людини, боротьба за роззброєння, здійснення дослідницьких та освітніх заходів тощо. Встановлено, що такі організації створюють для громадян умови та можливості щодо безпосередньої участі в налагодженні партнерської співпраці з органами влади й міжнародними організаціями. Виявлені наявні проблеми взаємодії неурядових громадських організацій (НУО) з органами державної влади та місцевого самоврядування. Наголошено, що інформація відносно кількості громадян, залучених до складу громадських організацій, та їх клієнтів не відповідає дійсності. Підтверджено наявні позитивні зміни у політиці влади щодо налагодження конструктивного діалогу з неурядовими громадськими організаціями та підкреслено існування певних негативних тенденцій. Встановлено, що громадські організації визначились з механізмами найбільш ефективного впливу на владу, однак рівень пасивності та байдужості населення є вагомим проблемою їх взаємовідносин з владними структурами. На основі результатів соціологічних опитувань засвідчено зростання довіри українців до громадського сектору та незмінно низький рівень їх активності. Схарактеризовано результати опитування щодо наявності інформації про діяльність НУО у студентів, які засвідчують існування проблем у даній сфері, оскільки респонденти не відрізняють громадські організації від інших об'єднань, організацій і структур державного управління. Констатовано, що НУО мають краще інформувати громадськість про наявний професійний та ресурсний потенціал, визначити заходи спільних дій щодо організаційно-правового забезпечення надання якісних послуг тощо.

Ключові слова: неурядові громадські організації, громадськість, публічне управління, взаємодія.

АКТУАЛЬНЫЕ ВОПРОСЫ ОБЩЕСТВЕННОЙ АКТИВНОСТИ В СИСТЕМЕ ПУБЛИЧНОГО УПРАВЛЕНИЯ

Аннотация. Охарактеризована сущность правового государства и гражданского общества. Выяснено, что неправительственные организации являются элементами гражданского общества, выполняющими широкий круг функций, среди которых: защита прав человека, борьба за разоружение, осуществление исследовательских и образовательных мероприятий и др. Установлено, что такие организации создают для граждан условия и возможности непосредственного участия в налаживании партнерского сотрудничества с органами власти и международными организациями. Обнаружены проблемы взаимодействия неправительственных организаций (НПО) с органами государственной власти и местного самоуправления. Отмечено, что информация относительно количества граждан, привлеченных в состав общественных организаций, и их клиентов не соответствует действительности. Подтверждены положительные изменения в политике власти по формированию конструктивного диалога с неправительственными общественными организациями и подчеркнута существование определенных негативных тенденций. Установлено, что общественные организации определились с механизмами наиболее эффективного воздействия на власть, однако уровень пассивности и безразличия населения является важной проблемой их взаимоотношений со структурами государственной и местной властей. На основе результатов социологического опроса засвидетельствован рост доверия украинцев к общественному сектору и неизменно низкий уровень их активности. Охарактеризованы результаты опроса о наличии информации о деятельности НПО среди студентов, которые удостоверяют существование проблем в данной сфере.

Ключевые слова: публичное управление, общественная активность, неправительственные организации.

Formulation of the problem. In our time, the connection of civil society with the state and influence on it is based on the principles of democracy. The formation of the rule of law has always required from citizens a high level of culture, awareness not only of their rights, but also the recognition of duties, respect for the rights and freedoms of other citizens. In the context of ensuring democratic transformations, it is indicated that it acquires particular relevance, since civil society should

take an active part in public administration.

Analysis of recent research and publications. In the open access of the Internet there is a large number of modern publications concerning the issues of the public administration system and the processes of civil society development. In scientific circles, the issue of public activity in the state administration system was reflected in the works of such scientists as G. Sitnik, A. Mikhnenko, A. Rudenko, D. Khol-

dar, I. Abram'yuk, O. Krutiy, O. Babynova, Yu. Shaigorodsky, R. Voytovich, I. Zhukova, O. Krutiy and others.

After the conducted research of literary sources, it can be argued that the issue of improving the mechanisms of citizens' participation in the public administration process has been actualized. The views of various scientists are mainly aimed at considering general issues of public activity, ignoring the significant influence of public organizations on increasing the activity of citizens in this area.

Purpose of the article. Research on the role of non-governmental organizations in building interaction between government authorities and civil society.

Presentation of the main material. The starting point of democratic principles is the principle of popular sovereignty, proclaiming the people the only source and supreme bearer of power in society [1]. Consequently, the formation of the rule of law requires the consistent implementation of important principles of interaction between all elements of the public administration system into the practice of public administration.

The formation of civil society as a historical reality began with the inception of capitalism. The emergence of civil society is associated with the emergence of a citizen as an independent, individual member of society, realizing himself as such, endowed with a certain set of inalienable rights and freedoms, and is responsible to society for all his actions.

The mediation of human social being inevitably leads to the emergence of voluntary associations and social

groupings. Non-governmental organizations (NGOs) (English Non-governmental organizations are local, national or international associations of people whose activities are carried out at the initiative of citizens, and not with the sanction or instructions of the government and is not aimed at making a profit [2]. Non-governmental organizations are elements of civil society that perform a wide range of functions (protecting human rights, fighting for disarmament, carrying out research and educational activities, etc.). They create conditions and opportunities for citizens to directly participate in solving the problems of their lives, in making decisions, in establishing partnerships with government authorities and international organizations.

The analytical report "State and dynamics of development of non-governmental organizations in Ukraine" [3] highlighted the following problems of interaction between NGOs and authorities: 1) a fairly high level of skepticism of the organized community about the possibility of influencing the authorities; 2) the lack of clear, clearly institutionalized channels of information about the activities of the authorities and, as a result, an almost complete absence of effective levers of influence on the formation of local and regional politics. NGOs, as a rule, use information from "acquaintances in the corridors of power", exchange information on decisions and measures that are planned by the authorities, etc.; 3) the existing institutions of interaction between the authorities and the public (consulting and advisory bodies) are too formalized and have little effect; 4) some non-governmental organi-

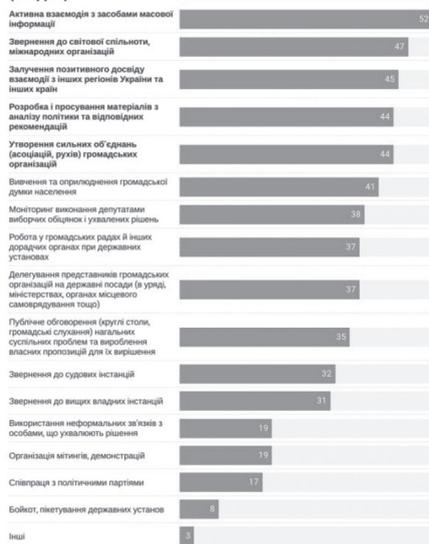
zations try to cover their activities through the media, express their attitude to the actions of the authorities, however, such activities are more of an advertising than an effective nature; 5) the formation of so-called “pocket” NGOs under the government, created, first of all, with the aim of attracting funds from international donor organizations for the implementation of action plans of government agencies, the formation of the illusion of interaction with an organized civil society.

The author agrees with all the above problems, which do not lose their relevance, but note the following – information on the number of citizens involved in public organizations and NGOs clients does not correspond to reality, which, in turn, does not allow us to assess the scale of existing problems in this area of activity [4].

Confirming the presence of positive steps by the authorities to improve a constructive dialogue with NGOs, we also note that today scientists and practitioners identify a number of negative trends in this direction [3]: lack of understanding of the usefulness of such cooperation on the part of the authorities; lack of information about the activities of NGOs; unconscious society in the field of cooperation with NGOs. It should be noted that cooperation between NGOs and public authorities and local governments is more effective than at the national level.

The public organization “Information and Analytical Center” Public Space “provides interesting data on a survey conducted by the Foundation for Democratic Initiatives among employees of public organizations (Figure).

За допомогою яких механізмів громадські організації можуть найбільш ефективно впливати на владу? (згадок)

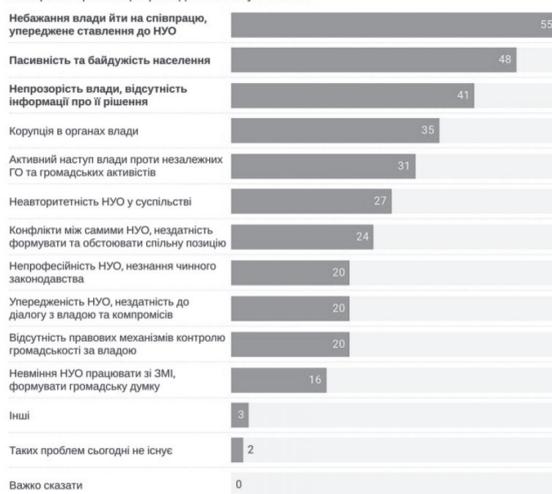


Опитування проведено Фондом «Демократичні ініціативи» з 15 квітня по 1 травня 2020 року серед представників громадських організацій. Загалом отримано 75 відповідей.

Chart: Andrii Sukharyna - Source: DIF - Created with Datawrapper

Основні проблеми взаємовідносин громадських організацій з владою (згадок)

За версією організацій громадянського суспільства



Опитування проведено Фондом «Демократичні ініціативи» з 15 квітня по 1 травня 2020 року серед представників громадських організацій. Загалом отримано 75 відповідей.

Chart: Andrii Sukharyna - Source: DIF - Created with Datawrapper

Indicators of the level of activity and influence on power

So, we can state that public organizations have decided on the mechanisms of the most effective impact on the government. At the same time, the level of passivity and indifference of the population is an important problem in the relationship of NGOs with power structures. Also, the results of sociological surveys indicate that Ukrainian confidence in the public sector is growing, but the level of activity is unchanged, but there is no clear understanding of the functions of such organizations.

At present, theorists and practitioners need to develop a unified system for assessing the quality of the activities of NGOs, since, undoubtedly, it acquires great importance in the process of forming effective interaction in the public administration system.

Undoubtedly, there are a large number of NGOs in Ukraine that work effectively in certain areas, but the unconscious attitude of citizens towards such organizations does not contribute to the spread of their activities. Table shows the results of a survey conducted on the basis of the Faculty of Management, Food Technologies and Trade of the Chernihiv National Technological University.

Note that the respondents do not distinguish public organizations from other associations and organizations and structures of government.

So, NGOs, for their part, should better inform about the available human, professional and resource potential, determine measures of joint actions for the organizational and legal provision of quality services, which should

Results of the survey on the availability of information on the activities of NGOs students

Question	Answers				Notes
1	2				3
1. Enter your age category.	18–25 88 persons	26–35 24 person	36–50 7 person	From 50 4 person	The survey involved full-time and part-time students
2. Do you have information about available non-governmental organizations in your city? If so, which ones?	Yes – 47 “Fire of rebirth” (4 answers); “Public opinion”; Democratic Youth Alliance; “Freedom”; “Red Cross”; “Sports for All”; “Autonomous Nationalists”; “Greening our city”			No – 72	With the answer “yes”, some respondents could not remember the names of the organizations, some indicated the names of the ministries of Ukraine, public centers, the football association, political organizations, the department of labor and social protection of the population, etc.
3. Do you have any information about the activities of non-	Yes – 47		No – 72		

1	2		3
governmental organizations in the city?			
4. Have you ever been a member of any non-governmental public organization?	Yes – 9	No – 114	7 of them are under the age of 25; from 26 to 35 – 1 person; from 36 to 50 – 1 person
6. Would you like to become a member of a non-governmental public organization?	Yes – 33	No – 90	Some of the respondents, who do not know anything about the activities of non-governmental organizations, want to be members of such organizations
7. If yes, in what field of activity (human rights, cultural, educational, creative, sports, environmental)?			In descending order: sports, creative, educational, human rights, environmental
8. Are you a client of a non-governmental public organization?	Yes – 9	No – 114	
9. Do you trust non-governmental public organizations?	Yes – 42	No – 81	
10. Are you satisfied with the activities of non-governmental organizations?	Yes – 46	No – 87	
11. In your opinion, do non-governmental organizations influence the formation of positive relations between the authorities and citizens?	Yes – 82	No – 41	Those respondents who have no information about the activities of non-governmental organizations believe that the relationship between the authorities and citizens is being formed in a positive direction
12. Whose interests do you think are represented by non-governmental public organizations?	citizens – 76	Individual person – 45	2 individuals person believe that both
13. Have you heard information from rep-	Yes – 41	No – 82	Although 42 responses were recei-

1	2		3
representatives of any non-governmental public organization regarding the effectiveness of its work? If so, which one?			ved "yes", none of the respondents named such an organization
14. In your opinion, what is lacking for local governments to carry out effective activities in the field of cooperation with citizens?	shame; initiatives; generosity; keeping promises; more communication with citizens and the creation of appropriate departments for this; virtues; courage; justice; honesty; transparency; financial security; reasonable decisions; decency; understanding of citizens; a wish; greed for money; mind; goals; motive.		
15. Would you like to become a community leader?	Yes – 27	No – 96	One of the factors is the unwillingness to take on authority and responsibility
16. How can you motivate you to take an active part in the life of the city?	The value of the work done, material incentives – 7 answers; powers, nothing – 6 answers; cultural events, order, improvement of life and social order, a well-founded action plan – 2 answers; power, suggestions, actions		21 people note that it is possible to motivate, but with what they do not indicate

* A total of 123 people were interviewed.

Source: conducted and compiled by the author

be united on the principles of openness and interaction, introduce a system of monitoring assessments of the quality of their services, such information to the public. Taking this into account, one of the main obstacles that significantly inhibits the development of the domestic non-governmental sector at

the present stage is the lack of institutionalization of the population's civic engagement. As a result, the dominant form of influence of citizens on the processes of public administration remains collective rallies, and not public-partnership interaction in solving social problems [6].

Conclusions. Without diminishing the importance of all factors in the development of the interaction of the researched, it is necessary to separately highlight the provision of transparency and openness of civil society institutions. The purpose of the dialogue in the public administration system can be considered the creation of an effective mechanism of interaction in the direction of solving complex social problems, which is based on mutual understanding and partnership. The main goal of such interaction is to strengthen the mechanisms of civil partnership, in the timely identification and elimination of determinants that can lead to acute conflicts and disorganization in the life of society.

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TO THE ESSENCE OF MODELS OF LOCAL SELF-GOVERNMENT IN THE ERA OF POSTMODERNISM: DECISIONAL ASPECT

Abstract. The article analyzes the models of local self-government in the post-modern era. It is determined that during the long history of mankind many specific models of territorial organization of power in the countries in general have been formed, which are analyzed in detail by, for example, Ukrainian scientists V. Solovykh and E. Solovykh. They emphasize that the territorial organization of power is determined by such basic factors as: a) the administrative-territorial structure of the country (unitary and federal states); b) directly by models of self-government (community (Anglo-Saxon) (Anglo-American), state (continental (French) and mixed model.

It is proved that the separation of powers is an event of a single state power (it remains indivisible) between its main branches in the state, and the distribution of power is the distribution of such powers between central and local executive bodies.

It is noted that conceptually (according to different models) local self-government as a complex social phenomenon has been and remains unchanged, as it is: a) the right to internal management of people's local affairs; b) the right to decide

matters of internal administration under its own laws within the national territory; c) autonomy. Even more accurate and successful is the definition of “local government”: it is “a type of social governance in which the subject and the object of governance coincide, that is, the people themselves manage their affairs, make decisions together and act to implement them”.

It is substantiated that in its conceptual, basic meaning the basic principles of its self-government were and remain unchanged in the models of local self-government, which are enriched, acquire all significance adequate to the needs of time and social practice of organizing human communities.

Keywords: models of local self-government, postmodernism, affairs of internal government, life of human communities.

ДО СУТІ МОДЕЛЕЙ МІСЦЕВОГО САМОВРЯДУВАННЯ В ЕПОХУ ПОСТМОДЕРНІЗМУ: ПОСТАНОВЧИЙ АСПЕКТ

Анотація. Здійснено аналіз моделей місцевого самоврядування в епоху постмодернізму. Визначено, що за багатовічну історію людства сформувалися багато специфічних моделей територіальної організації влади в країнах загалом, які досить детально аналізують, наприклад, українські науковці В. Солових і Є. Солових. Вони роблять наголос на тому, що територіальна організація влади обумовлюється такими основними чинниками, як: а) адміністративно-територіальний устрій країни (держави унітарні і федеративні); б) безпосередньо моделями самоврядування (громадівська (англосаксонська, англо-американська), державницька (континентальна (французька) та змішана модель).

Доведено, що поділ влади — це подія єдиної державної влади (вона залишається неподільною) між основними її гілками у державі, а розподіл владних повноважень — це розподіл таких повноважень між центральними та місцевими органами виконавчої влади.

Зазначено, що концептуально (за різних моделей) місцеве самоврядування як складний суспільний феномен було і залишається незмінним, оскільки це: а) право на внутрішнє управління людьми місцевими справами; б) право вирішувати справи внутрішнього управління за власними законами в межах національної території; в) автономія. Ще більш точним і вдалим є таке визначення поняття “місцеве самоврядування”: це “тип соціального управління, за якого суб’єкт і об’єкт управління збігаються, тобто самі люди управляють своїми справами, спільно приймають рішення та діють з метою їх реалізації”.

Обґрунтовано, що в своєму концептуальному, базовому значенні незмінними в моделях місцевого самоврядування були і залишаються основоположні принципи його здійснення, які збагачуються, набувають все значущості адекватно потребам часу і соціальної практики впорядкування життя людських спільностей.

Ключові слова: моделі місцевого самоврядування, постмодернізм, справи внутрішнього управління, життя людських спільностей.

К СУТИ МОДЕЛЕЙ МЕСТНОГО САМОУПРАВЛЕНИЯ В ЭПОХУ ПОСТМОДЕРНИЗМА: ПОСТАНОВЧНЫЙ АСПЕКТ

Аннотация. Осуществлен анализ моделей местного самоуправления в эпоху постмодернизма. Определено, что за многовековую историю человечества сформировалось много специфических моделей территориальной организации власти в странах в целом, которые достаточно подробно анализируют, например, украинские ученые В. Соловых и Е. Соловых. Они делают акцент на том, что территориальная организация власти обуславливается такими основными факторами, как: а) административно-территориальное устройство страны (государства унитарные и федеративные) б) непосредственно моделями самоуправления (общественная (англосаксонская, англо-американская), государственная (континентальная (французская) и смешанная модель).

Доказано, что разделение властей — это событие единой государственной власти (она остается неделимой) между основными ее ветвями в государстве, а распределение властных полномочий — это распределение таких полномочий между центральными и местными органами исполнительной власти.

Отмечено, что концептуально (при различных моделях) местное самоуправление как сложный общественный феномен был и остается неизменным, поскольку это: а) право на внутреннее управление людьми местными делами; б) право решать дела внутреннего управления по собственным законам в рамках национальной территории; в) автономия. Еще более точным и удачным есть следующее определение понятия “местное самоуправление”: это “тип социального управления, при котором субъект и объект управления совпадают, то есть сами люди управляют своими делами, совместно принимают решения и действуют с целью их реализации”.

Обосновано, что в своем концептуальном, базовом значении неизменными в моделях местного самоуправления были и остаются основополагающие принципы его осуществления, которые обогащаются, приобретают значимости адекватной потребностям времени и социальной практики упорядочения жизни человеческих общностей.

Ключевые слова: модели местного самоуправления, постмодернизм, дела внутреннего управления, жизни человеческих общностей.

Problem statement. Local self-government the complex, multidimensional social phenomenon, has a long history and is constantly undergoing changes and transformations, since countries and societies are radically transformed, people's ways of life are becoming more complex and impro-

ving, relations between states and societies, state power and civil society are fundamentally changing.

The change, transformation and formation of qualitatively new models (systems) of local self-government in the postmodern era (transition to the state of information societies) is due to

a number of objective, fundamental circumstances, among which we single out three, in our opinion, the most significant: 1) radical transformation of the political systems of countries; 2) separation of powers and distribution of powers and the formation of fundamentally new models of public administration; 3) the growing role and importance of the direct participation of citizens in state administrative processes.

Analysis of the recent research and publication. Among the large number of special foreign and domestic publications on this subject, we first of all single out the works of such scientists V. Averianov, N. Arzamaskin, A. Batanov, V. Bordeniuk, A. Galus, D. Dann, E. Diuran, B. Kalynovskyi, V. Kuidida, V. McNeal, V. Malynovskyi, M. Naim, N. Nizhnik, T. Panchenko, V. Pantyukhin, E. Pereguda, V. Pogorilko, M. Pukhtinsky, V. Seregin, A. Skripnyuk, V. Tertichka, N. Urbanati, V. Fedorenko, F. Fukuiama, V. Khalipov, A. Chernenchenko, V. Chirkin, Y. Shemshuchenko, V. crowd, A. Yanchuk and many others.

Since the scientific problematics in this regard are too multifaceted and broad, it is important to focus on its key aspects.

The aim of the article is to analyze the models of local self-government in the postmodern era.

According to the centuries-old history of mankind, many specific models of the territorial organization of power in the countries of whole have been formed, which are analyzed in sufficient detail, for example, by the Ukrainian scientists V. Solovykh and E. Solovykh [2, art. 214–215]. They emphasize that the territorial organization of power is

determined by the following main factors as: a) the administrative-territorial structure the country (unitary and federal states) b) directly by the models of self-government (community (Anglo-Saxon (Anglo-American), state (continental (French) and of mixed model.

Since the scientific problematics in this regard are too multifaceted and broad, it is important to focus on its key aspects.

New models of the territorial organization of power determine the transformation of local self-government, which to a large extent depends primarily on the process and state of separation and distribution of powers. In any state, this process is regulated by constitutions, other normative legal acts. In Ukraine, these are: a) the Constitution of Ukraine, which consolidates the political system of Ukraine; the status and powers of the President of Ukraine, the Verkhovna Rada of Ukraine, the Cabinet of Ministers of Ukraine, the judicial branch of government and local executive authorities [3]. Among the laws of Ukraine, the separation of powers and the distribution of powers are primarily determined by the Laws of Ukraine “On the Cabinet of Ministers of Ukraine”, “On local administrations”, “On the formation of local authorities and self-government” and others. This regulatory framework includes individual Decrees of the President of Ukraine, Decisions of the Cabinet of Ministers of Ukraine and decisions of local authorities in terms of state policy and its practical implementation.

Let us emphasize that the fundamental nature of the peculiarity, the distribution of power and the separation of powers are not one, but, in fact,

two closely related processes that are carried out on the basis of decentralization of state power on the basis of the principle of subsidiarity. The same time, several means and mechanisms are used, the central (fundamental) of which are: a) decentralization of power; b) the use of the principle of subsidiarity in the process of division and functioning of power; c) introduction and use of the mechanism of checks and balances; d) democratization of power and expansion of powers of local self-government; e) development and strengthening of the influence of civil society on power. Other principles and mechanisms are largely derived from those mentioned [1, art. 24].

The division of powers is an event of a single state power (it remains indivisible) between its main branches in the state, and the distribution of powers is the distribution of such powers between central and local executive bodies. Let us emphasize, – this is emphasized by the Ukrainian political scientist T. Panchenko, – that the ideal option for using the principle of subsidiarity in the division of power and the distribution of powers is when: a) the region receives powers that can be better implemented by them; b) the factor of the so-called “subsidiary liability” [4] operates.

A significant factor influencing a radical change in the models of local self-government is, in addition to the decentralization of state power, the democratization of public life, in general and its significant result, the growth of the potential of civil society. By and large, there is a process (and problem) of the relationship between democracy and governance. The remarks of

the Ukrainian manager A. Fedorenko are very accurate in this regard, who, in particular, writes: “The relationship between democracy and governance is viewed through the prism of the categories of form and content. The form is determined by the democratic institutions of society, the content of those in power and administrative activities. Their interdependence is determined: power is a functional feature and is implemented through social management; institutions of democracy is a form of organization and exercise of power and management” [7, art. 10].

It should be noted that conceptually (under various models) local self-government of complex social phenomenon has been and remains unchanged, since it is: a) the right to the internal management of people in local affairs; b) the right to decide matters of internal government according to their own laws within the national territory; c) autonomy [6]. The following definition of the concept of “local self-government” is even more accurate and successful: it is “a type of social management in which the subject and the object of management coincide, that is, people themselves manage their affairs, jointly make decisions and act to implement them” [5, art. 590].

There are components of local self-government, and today, in the context of its transformation, they remain unchanged. First, we are talking about the fundamental principles of such management. First, it is the principle of democracy. Thus, the Constitution of Ukraine (Article 5) says: “The people are the bearers of sovereignty and the only source of power in Ukraine. The people exercise power directly and

through government bodies and local government bodies [3, 4]. We add that this provision has received a certain development in the Law of Ukraine “On Local Self-Government in Ukraine” by the definition of a territorial community-residents of a village or a voluntary association into a rural community of residents of several villages, settlements, cities – as the primary subject of local self-government, the main carrier of its functions and powers ...

The legality in the implementation of local self-government remained unchanged for all the democratization processes in any country. We are talking about the mandatory compliance of those normative legal acts adopted by local authorities with the existing norms in the country of legislation.

The principle of publicity received a similar character. It is ensured by the fact that local self-government bodies should work as openly and transparently as possible, and the territorial community had every opportunity to know as much as possible about what decisions are made and why, how they are implemented, how it affects the lives of citizens, and the like.

It is not easy enough to be implemented, but the principle of collegiality has always existed and exists in local self-government: various collegial (collective) governing bodies (councils, groups, committees, etc.) should be and actively operate in the local self-government system.

It is not easy, but the principle of combining local and state interests has to be realized. This is especially true for the interests and activities of all business entities. Solutions to local problems are the practice of the state strat-

egy for the development of country, ensuring its integrity and sovereignty under any political system of the state - unitary, federal, confederal, etc.

Separately, we can characterize the action of such rather complex principles as: the principle of legal, organized and material and financial independence of territorial community; the principle of state support and guarantees of local self-government; the principle of judicial protection of rights of local self-government.

The principles of local self-government in Ukraine, which are justified by the Constitution (1996) and the corresponding laws of Ukraine, are characterized and are basic for the functioning and improvement of local self-government.

Main conclusions on the topic of the article are:

- the change and transformation of models of local self-government in the postmodern era (transition from post-industrial to information societies) is a natural, objective process, due to radical changes in countries and societies, the increasing role and importance of civil societies in public administration;
- the real improvement of local self-government is carried out in the process of decentralization of power and wide democratization of public relations, as an important component of state social policy;
- in its conceptual, basic meaning, the fundamental principles of its implementation have been and remain unchanged in the models of local self-government, which are enriched, acquire all significance in accordance with the needs of the time and social practice of ordering the life of human communities.

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PRIORITIES FOR THE DEVELOPMENT AND PROTECTION INTELLECTUAL CAPITAL OF THE DIPLOMATIC SERVICE

Abstract. The article deals with the main aspects related to the characteristics and analysis of the development and protection priorities of the intellectual capital of the diplomatic service in Ukraine. The main interpretations of foreign scientists regarding the concept of intellectual capital and its main components are analyzed, including in the context of the intellectual capital of the diplomatic service. An explanation of each component of intellectual capital is given in detail and it is concluded that despite the disagreements in the concept of intellectual capital, foreign scientists equally assess the role and importance of this component in the work, including the diplomatic service. It is determined that human capital occupies the bulk of the intellectual capital of the diplomatic service in Ukraine. The analysis of foreign experience of legislative support for the work of the diplomatic service in the countries of the European Union, in particular in Lithuania

and Bulgaria. It is substantiated that using the models and approaches of foreign countries of the European Union, as examples, it is possible to build a high-quality legislative framework in Ukraine, in particular, it will concern intellectual capital and its role in the work of the diplomatic service. The regulatory framework for the protection of intellectual capital in Ukraine is analyzed in detail, the main forms of protection of intellectual capital rights are highlighted, a detailed description of each of these forms and procedures is provided in case of violation of the intellectual capital rights of civil servants, in particular diplomatic employees of the Ministry of Foreign Affairs of Ukraine. It is separately illustrated that the number of budget employees of the diplomatic service is not planned to increase in the next 2 years (until 2022 inclusive). Based on the analysis and characteristics of the intellectual capital of the diplomatic service, it was concluded that Law № 7322 “On the diplomatic service” requires certain improvements, in particular, the law should include clear rules that ensure the protection of intellectual property of the diplomatic service in Ukraine, taking into account the practice of some countries of the European Union.

Keywords: intellectual capital, diplomatic service of Ukraine, European Union, Ministry of Foreign Affairs of Ukraine, protection of intellectual capital, intellectual capital of diplomatic service.

ПРІОРИТЕТИ РОЗВИТКУ ТА ЗАХИСТУ ІНТЕЛЕКТУАЛЬНОГО КАПІТАЛУ ДИПЛОМАТИЧНОЇ СЛУЖБИ

Анотація. Розглядаються основні аспекти, пов’язані з характеристикою та аналізом пріоритетів розвитку та захисту інтелектуального капіталу дипломатичної служби в Україні. Проаналізовано основні тлумачення зарубіжних вчених щодо поняття інтелектуального капіталу та його основних складових, у тому числі в контексті інтелектуального капіталу дипломатичної служби. Детально зазначено пояснення кожної складової інтелектуального капіталу та зроблено висновок, що незважаючи на розбіжності в понятті інтелектуального капіталу, зарубіжні вчені ідентично оцінюють роль та значення цієї складової в роботі, в тому числі і дипломатичної служби. Визначено, що людський капітал займає основну частину інтелектуального капіталу дипломатичної служби в Україні. Проведено аналіз зарубіжного досвіду щодо законодавчого забезпечення роботи дипломатичної служби в країнах Європейського Союзу, зокрема в Литві та Болгарії. Обґрунтовано, що використовуючи моделі та підходи зарубіжних країн Європейського Союзу, як приклади, можна збудувати якісну законодавчу базу в Україні, яка буде стосуватися зокрема інтелектуального капіталу та його ролі в роботі дипломатичної служби. Детально проаналізовано нормативно-правову базу щодо захисту інтелектуального капіталу в Україні, виокремлено основні форми захисту прав інтелектуального капіталу, надано детальну характеристику кожної з даних форм та порядку дій у випадку порушення права на інтелектуальний капітал державних службовців, зокрема дипломатичних працівників Міністерства закордонних справ України. Окремо проілюстровано, що кількість бю-

джетних працівників дипломатичної служби не планується збільшуватися в найближчі 2 роки (до 2022 року включно). На основі проведеного аналізу та характеристики інтелектуального капіталу дипломатичної служби зроблено висновок, що Закону України “Про дипломатичну службу” № 7322 потребує певних доопрацювань, зокрема до нього мають бути включені чіткі правила, які забезпечують захист інтелектуальної власності дипломатичної служби в Україні, беручи до уваги практику деяких країн Європейського Союзу.

Ключові слова: інтелектуальний капітал, дипломатична служба України, Європейський Союз, Міністерство закордонних справ України, захист інтелектуального капіталу, інтелектуальний капітал дипломатичної служби.

ПРИОРИТЕТЫ РАЗВИТИЯ И ЗАЩИТЫ ИНТЕЛЛЕКТУАЛЬНОГО КАПИТАЛА ДИПЛОМАТИЧЕСКОЙ СЛУЖБЫ

Аннотация. Рассматриваются основные аспекты, связанные с характеристикой и анализом приоритетов развития и защиты интеллектуального капитала дипломатической службы в Украине. Проанализированы основные толкования зарубежных ученых относительно понятия интеллектуального капитала и его основных составляющих, в том числе в контексте интеллектуального капитала дипломатической службы. Подробно указано объяснение каждой составляющей интеллектуального капитала и сделан вывод, что несмотря на разногласия в понятии интеллектуального капитала, зарубежные ученые идентично оценивают роль и значение этой составляющей в работе, в том числе и дипломатической службы. Определено, что человеческий капитал занимает основную часть интеллектуального капитала дипломатической службы в Украине. Проведен анализ зарубежного опыта законодательного обеспечения работы дипломатической службы в странах Европейского Союза, в частности в Литве и Болгарии. Обосновано, что используя модели и подходы зарубежных стран Европейского Союза, в качестве примеров, можно построить качественную законодательную базу в Украине, которая будет касаться в частности интеллектуального капитала и его роли в работе дипломатической службы. Детально проанализировано нормативно-правовую базу по защите интеллектуального капитала в Украине, выделены основные формы защиты прав интеллектуального капитала, предоставлено подробную характеристику каждой из данных форм и порядка действий в случае нарушения права на интеллектуальный капитал государственных служащих, в частности дипломатических работников Министерства иностранных дел Украины. Отдельно проиллюстрировано, что количество бюджетных работников дипломатической службы не планируется увеличиваться в ближайшие 2 года (до 2022 года включительно). На основе проведенного анализа и характеристики интеллектуального капитала дипломатической службы, сделан вывод, что Закон Украины “О дипломатической службе” № 7322 требует определенных работ, в частности в него должны быть включены четкие правила, которые обеспечивают защиту интеллектуальной собственности дипломатической службы в Украине, учитывая практику некоторых стран Европейского Союза.

Ключевые слова: интеллектуальный капитал, дипломатическая служба Украины, Европейский Союз, Министерство иностранных дел Украины, защита интеллектуального капитала, интеллектуальный капитал дипломатической службы.

Problem definition. Intellectual capital of the diplomatic service in Ukraine is very significant, since all the developments, vision and results of the work of the diplomatic service play one of the key roles in international politics, in particular the international politics of the European Union. Intellectual capital protection mechanisms play a significant role in the process of work of the diplomatic service. Therefore, it is very important to have a legal basis for such protection, developed and adopted at the highest, state level. Unfortunately, Ukraine has not shown significant improvement in the area of intellectual property rights protection, while government agencies set a bad example in the context of compliance with legislation in this area. It is the failure to comply with the law that increases the risks of the impossibility of fully protecting the intellectual capital of the diplomatic service in Ukraine, and it is precisely the minimization of this risk that is the main development priority and, in fact, the protection of the intellectual capital of the diplomatic service of Ukraine.

Analysis of recent research and publications. A significant number of scientific publications are devoted to the topic of characterization and analysis of the main priorities for the development and protection of the intellectual capital of the diplomatic service. Considerable attention was paid

to the study of issues related to intellectual capital, in particular its protection in the diplomatic service, was paid by such foreign scientists: E. Brooking, D. Duffy, K.-E. Sveiby, L. Malone, L. Edvinson, D. Long, P. Ray, J. Galbraith and others. Among domestic scientists, the study of this issue is devoted to the works of: S. Illyashenko, T. Poltavets, S. Zakharin, M. Baikov, A. Kazaryan, V. Semynozhenko, L. Melnyk, A. Chukhno, V. Geiets and others.

Despite numerous and important studies, not all aspects of this topical issue have been clarified and substantiated.

The purpose of the article. Characteristics and analysis of priorities for development and protection of intellectual capital of the diplomatic service.

Presentation of the main research material. Emergence of the concept of intellectual capital practically coincides with the beginning of the creation and development of a new economy, where the main resource is precisely the knowledge that can create intellectual capital. The intellectualization of state bodies, in particular the diplomatic service of Ukraine, is becoming an increasingly objective process of expanding the conditions for using the intellectual capabilities of workers, providing labor of an intellectual and innovative nature, ultimately ensuring the fulfillment of the tasks of accelera-

ting the development and protection of intellectual thought.

Despite the lack of consensus on the definition of elements of intellectual capital, the vast majority of foreign scientists and practitioners agree that intellectual capital is a system of certain components, a set of interconnected and complementary elements. It is obvious that the components of intellectual capital are heterogeneous due to the heterogeneity of knowledge itself. Despite the fact that they are all generated by human intelligence, some of them exist in the form of knowledge inseparable from the individuals who possess them, while others, frankly, form the conditions for applying this knowledge to increase productivity and development of diplomatic service in Ukraine [3].

Given the fact that knowledge is heterogeneous, the elements of intellectual capital have their own classification. At the end of the last century K.-E. Sveiby developed an extensive structure of intellectual capital, defining it as an intangible asset. First of all, it should be noted that the author refers to the intellectual capital of three components, namely:

1. individual competence (human capital);

2. internal structure of the institution;

3. external structure of the institution [9].

This study led to further attempts to systematize the factors and elements that create intellectual capital. For example, mostly all researchers agreed with the K.-E. Sveiby, which includes not only human capital, but also external and internal intellectual factors of institutions. An example is the structure of intellectual capital proposed by E. Brooking and E. Mott [12].

The authors acknowledge the contradiction between the concept of intellectual capital and accounting methods that are traditionally used in relation to the calculation of intangible assets. Researchers include market assets, intellectual property and infrastructure assets, and human capital in the intellectual capital of institutions (Fig. 1).

Market assets are intangible assets of the diplomatic service that determine its position in the market (Ministry of Foreign Affairs of Ukraine, various favorable agreements and contracts).

Intellectual property assets are defined as intellectual property belonging to the diplomatic service at the Ministry of Foreign Affairs of Ukraine and

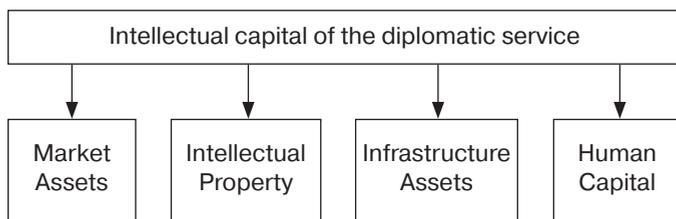


Fig. 1. The structure of the intellectual capital of the company (E. Brooking, E. Mott)

Source: [2]

protected by law (patents, laws, copyrights).

Infrastructure assets are intellectual assets that contribute to the functioning of the diplomatic service at the Ministry of Foreign Affairs of Ukraine (management philosophy, corporate culture, management processes, etc.).

Human assets (human capital) are the knowledge and skills used by the diplomatic service at the Ministry of Foreign Affairs of Ukraine, belonging to ordinary analysts of the Ministry of Foreign Affairs of Ukraine, to advisers directly involved in negotiations and the Minister of Foreign Affairs of Ukraine [1].

In a more systematic form, the scheme of intellectual capital is given by L. Edvinsson and M. Malone. In intellectual capital, they clearly distinguish between two main components: human capital and structural capital, while clearly defining their content (Fig. 2).

The first element is embodied in the civil servants of the diplomatic service at the Ministry of Foreign Affairs of Ukraine and their teams in the form of knowledge, experience, skills, competitiveness, ability to innovate, as well as

in the culture of public administration and internal values.

Human capital, according to L. Edvinsson, is a set of knowledge, practical skills and creative abilities of employees of the diplomatic service at the Ministry of Foreign Affairs of Ukraine, applied to the current tasks solution. Its other components are the culture of work and the general approach to business and moral values. Human capital is the total amount of investment in training and the ability of the employee [9].

In our opinion, the main component of intellectual capital is human capital – a set of knowledge, skills and abilities. Particularly this component of intellectual capital occupies the largest share in the diplomatic service at the Ministry of Foreign Affairs of Ukraine. This group of knowledge, that is possessed by employees, can be demonstrated, but it is difficult to distinguish. The transfer of such knowledge can be carried out through demonstration or training in the workplace, during meetings, negotiations. Such knowledge is difficult to protect. Once transferred, the owner will not be able to control the use of this knowledge. Human resources – the most active and dynamic

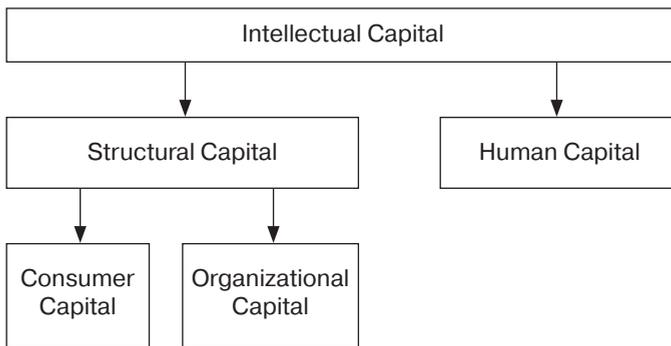


Fig. 2. The structure of the intellectual capital (L. Edvinsson, M. Malone)
Source: [2]

component of intellectual capacity, are the basis of all components of intellectual capital [9].

Nowadays the role of highly educated human personality is growing, which is able not only to perceive previously accumulated scientific knowledge, but also to summarize, analyze, create new knowledge with their further use within diplomatic service at the Ministry of Foreign Affairs of Ukraine.

The Diplomatic Service of Ukraine was established in the post-Soviet period and has retained some of the features of diplomacy that existed before 1990, especially the straightforwardness of the management system; partial blocking of information in circulation and its level of protection, which is unsatisfactory; insignificant connection of the Ministry of Foreign Affairs and the diplomatic service with the services of public administration; as well as financial and human resources issues. The reform of the diplomatic service and the legal regulation of a large number of issues related to the professional activities of civil servants are particularly important and unshakable component of the current state policy in Ukraine. [8].

On 5 of April 2018 the Verkhovna Rada of Ukraine adopted Law № 7322 “On the Diplomatic Service” [2]. The parliamentary majority supported adoption of the law. Regulation of this Law is based on the legal norms of the Vienna Convention (1961) on Diplomatic Relations, the Vienna Convention (1963) on Consular Relations, the Constitution of Ukraine and other acts. The Law on Diplomatic Service consists of 10 sections, transitional and final provisions. A significant shortcoming, in our opinion, is that there is no

justification for the development and, in particular, the protection of the intellectual capital of the diplomatic service in Ukraine.

Such laws are taken as a basis in the vast majority of European countries, where the guideline is the provisions and basic principles of the Vienna Convention of 1961. This Convention is open for signature by all States Parties to the Statute of the International Court of Justice, all UN member states and states invited by the UN General Assembly to be parties to the Convention. In total, they are 179.

The Vienna Convention clearly sets out the basic rules of conduct and the exchange of official ambassadors between the two countries. This convention can guarantee that all diplomats will perform their duties implicitly, without any threat to the influence of the host government, and is considered as the basis for external negotiations and external cooperation. Also, according to the Convention, diplomats must strictly comply with all legal norms of the host country, and in case of a violation of such compliance, the immediate deportation of diplomats from the host country is possible. In case the Convention does not provide an answer to a specific diplomatic problem, fundamental law should be used [8].

The Vienna Convention holds an important place in the Lithuanian diplomatic service. Referring to the Law of Lithuania № VIII-1012 “On the Diplomatic Service” 29 of December 1998, the diplomatic service is an indisputable part of the entire civil service of the country, which is subordinated to the President, the Seimas and the Government of Lithuania. This Law deals

with the establishment of the diplomatic service and its legal functioning, the rights and status of the families of diplomats and the possibility of obtaining social guarantees for them. Diplomatic institutions and diplomatic missions are financed from the state budget of Lithuania. The staff of consular and state institutions has a certain immunity and bonuses, which are specified in the Vienna Convention on Consular Relations. According to Article 18 of the Lithuanian Law on Diplomatic Service, there are a number of established requirements for persons who hold and may be appointed to diplomatic service in Lithuania. A citizen who works as a diplomat must not be older than 62 years and 6 months, but there are also exceptions when older persons may perform as diplomatic representatives of Lithuania for a certain period of time. Such a rule and law is agreed by the President of Lithuania and the Minister of Foreign Affairs [8].

Appointments in the service in Lithuania takes place only in accordance with the results of competitions (competitive basis). A person who wants to apply for the position must be originated from Lithuania and have the citizenship of this country, good reputation, be fluent in at least two foreign languages, and have the right to process state, classified information. Not a single person who is involved in corruption, or who has ever been involved in a criminal offense against his/her country or nationals of the state, will ever have the opportunity to obtain a public position in the Lithuanian diplomatic service. For diplomats there is a probationary period of 1 year, although this period can be reduced, by decision of the Minister of

Foreign Affairs to 3 months if the diplomat shows good results. It should be noted that diplomats do not have the right to be involved in any work during their stay in the civil service [5].

The Parliament of Bulgaria, back in 2007, approved a similar Law as in Lithuania. The law states that diplomats are selected through a public, open competition. Those who are the winners of such a competition are automatically enrolled in the civil service, having the position of assistant and a probationary period of up to 18 months. After one year of work, the new employee must successfully pass the exam, according to the results of which he will receive the highest diplomatic rank – attaché. If the exam is unsuccessful for the first time, it is possible to retake it after 6 months. If the specified exam has not been passed successfully the second time, business relations with such a civil servant are terminated without additional warnings. [8].

To become a diplomatic official, you must have the following qualities and meet the requirements:

1. Be a citizen of Bulgaria or the EU;
2. Fluently speak at least 2 foreign languages;
3. Have a master's degree;
4. Be computer literate;
5. Do not have any chronic mental illness [8].

In accordance with article 34, diplomatic employees have a graduation of their morning, which is granted and shows career merit and career growth, in accordance with the very assessment of the employee's performance of his public duties, as well as professional experience (in years, months) in the public service. To get a higher (next)

diplomatic rank, you must complete an internship at the previous rank, which is mandatory.

It should be pointed out that diplomats are not eligible to be involved with any political party or organization during their time in public service [8].

During the entire duration of the diplomatic service period, the civil servant will also receive allowances or additional bonuses, which are calculated separately from salary. The amount of allowances and bonuses depends on the family of the employee and his position or diplomatic rank. This amount is charged and approved by the Council of Ministers.

Also, during service, an employee can additionally receive compensation that covers, in the host country, the tuition fees of his children. [8].

In the legislation of Ukraine, two main forms of protection of rights and intellectual capital should be distinguished:

1. Jurisdictional;
2. Non-jurisdictional [4].

The jurisdictional form is effective when a civil servant submits appeals to state bodies or a court to obtain protection for violation of his rights. These bodies, in turn, are authorized to take all necessary measures to restore the violated rights of a civil servant. Within the framework of this form of protection, it is also necessary to distinguish separately the judicial and administrative procedures for the protection of violated intellectual capital rights.

According to the judicial procedure, the protection of intellectual capital rights and interests protected by law is carried out by the court. The vast majority of such disputes are heard by

local courts. With the consent of the participants, the dispute between them may be referred to the arbitration court. Disputes arising between individuals are considered by local courts.

The administrative form is the administrative procedure for their protection. In this case, the employee sends an appeal to the appropriate state body, in particular, to the State Department of Intellectual Capital of the Ministry of Education and Science of Ukraine, or to the superior body of the defendant, which, if necessary, can provide such protection.

The non-jurisdictional form of protecting the rights of intellectual (in particular, human) capital assumes that civil servants act independently, without appealing to the court or the relevant competent state bodies to protect their intellectual capital rights.

As an example, there may be a refusal to carry out certain actions, as were not indicated when concluding a license agreement, or even a refusal to fulfill all the provisions of the agreement as a whole.

Defined means of self-defense do not have to be contradictory to the laws of Ukraine and in any moral principles. Moreover, the ways to carry out self-defense must be identical to legislative and legal norms, correspond to the rights that are to be violated, and also lead to precisely the consequences that arose as a result of such a violation. The civil servant chooses exactly what way to protect himself, which is indicated by civil law when concluding an agreement and acts.

The following forms of protection of rights can be attributed to the jurisdictional form of protection:

1. civil form;
2. criminal law form;
3. administrative and legal form [4].

Civil law form of protection of intellectual capital rights is, first of all, legal and material measures that are coercive in nature and provided by law. They are called to assist in the recognition or restoration of violated intellectual capital rights, termination of the offense.

Disputes related to the infringement of intellectual capital rights in Ukraine are considered by general, economic and administrative courts. The case is initiated in court on the basis of a statement of claim (in written form) submitted by the person whose rights have been violated. As a rule, lawsuits against an individual are submitted to court related to the place of residence, and against legal entities – at their location. General civil law methods of protection of rights, which also apply to the protection of intellectual capital rights are:

1. substantiation of rights;
2. substantiation of the deal as void;
3. blocking the violating action;
4. restoration of the violated situation;
5. performance of duty, including compulsorily;
6. changes in the legal form;
7. termination of the legal relationship;
8. compensation for property damage;
9. compensation for intangible damage [4].

The court can protect the rights of intellectual capital in another civil law way, established by an agreement or law. This list is supplemented by provi-

sions that relate exclusively to the violation of intellectual capital rights.

The copyright holder of intellectual capital is given the opportunity to choose the method of protecting violated rights. For example, he has the right, at his discretion, to demand either compensation for damages caused, or recovery in his favor of the income received by the offender as a result of the offense, or compensation. If the non-property rights of intellectual capital are instituted, in particular, elements of human capital, then such moral damage is compensated for in money or otherwise [9].

When determining the amount of losses to be reimbursed to a person whose intellectual capital rights have been violated, as well as to compensate for moral damage, the court must proceed from the essence of the offense, property and moral damage caused to the person who is the owner of intellectual capital rights, as well as from the possible income that could would get this face [10].

Thus, we have a number of regulatory and legal opportunities for the protection of intellectual capital, including with regard to the acquired intellectual capital from the diplomatic service of the Ministry of Foreign Affairs of Ukraine.

It should be noted that the human resource of the diplomatic service of the Ministry of Foreign Affairs of Ukraine, which, as noted earlier, is the fundamental component of intellectual capital, practically does not change from year to year, moreover, it is predicted at the level of 2019 and beyond. (Fig. 3)

The Cabinet of Ministers of Ukraine is working on the draft “National Strategy for the Development of the Sphere

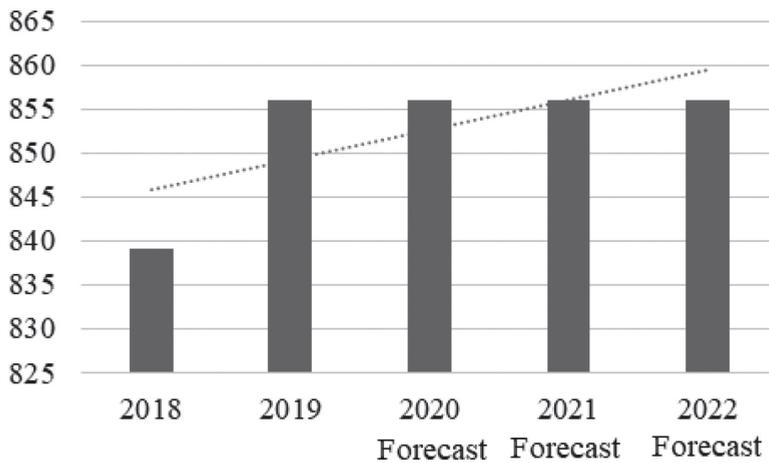


Fig. 3. Dynamics of change in the number of diplomatic staff in state institutions
 Source: [11]

of Intellectual Capital in Ukraine until 2020”, which in the near future will make it possible to raise the economic, legal, institutional and social base to the level of the European Union and will allow full use of intellectual capital products, including in the work of the diplomatic service of Ukraine [12].

The presence of the new national one underlines the desire of Ukraine to strengthen the institution of intellectual capital and moves Ukraine to the legal level of the European Union within the framework of this issue. Work on Nationally. the development strategy of the sphere of intellectual capital is an unconditional continuation of the entire process of improving this sphere of intellectual capital in Ukraine, which took place within the framework of the implementation of the Concept for the development of the state system of legal protection of intellectual capital and is caused by the need for significant changes aimed at using intellectual capital as a strategic resource for increasing the competitiveness of Ukraine’s diplo-

macy and integration of Ukraine into the European Union.

Conclusions. Today, the intellectual capital of the diplomatic service of the Ministry of Foreign Affairs of Ukraine is the basis for high-quality work and, in the end, acts as an aid to the diplomatic service in obtaining the necessary result for Ukraine in negotiations, meetings, discussions. In Ukraine, the activities of the diplomatic service are regulated, in particular, by Law № 7322 “On the diplomatic service”. Unfortunately, this law does not contain descriptions and characteristics that prioritize the development and protection of intellectual, including human, capital of the diplomatic service of Ukraine. Nevertheless, Ukraine has a strong regulatory framework for the protection of intellectual capital rights, the legal resources of which allow a civil servant to protect his rights to human capital. We believe that one of the primary tasks when looking at Law № 7322 “On the Diplomatic Service” is to include in this law specific rules and

regulations for the protection of the intellectual capital of the diplomatic service of Ukraine from various regulatory documents.

Particular attention should be paid to the practice and experience in the protection of intellectual capital in the countries of the European Union. In particular, this applies to Lithuania and Bulgaria. Foreign experience shows that generally accepted international norms have been implemented into national legislation without additional complications, and they confirm their effectiveness.

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WAYS TO IMPROVE THE SYSTEM OF PROVISION ADMINISTRATIVE SERVICES IN UKRAINE

Abstract. Dynamic changes in socio-economic relations, the task of developing Ukraine's competitive advantages in the modern world economy require a serious modernization of the system of provision administrative services, including its transformation into a flexible process that develops and responds adequately to changes and demands of society. The quality of administrative services should be a driving force that can significantly improve the quality of life of citizens.

Given Ukraine's declared intention to move closer to European standards, including in the field of public administration, scientific understanding and streamlining of the system of provision administrative services is a great importance. Rethinking the role of the state in terms of implementing a "service model" of public administration requires improving the mechanisms and technologies of the market. The concept of "total quality management" can serve as an orientation for the activity of public administration.

Modern socio-economic conditions set new goals and objectives for the centers for providing administrative services. Therefore, they forced not only to reconsider the usual, traditional management methods, but also to constantly improve the efficiency of their activities. At the present stage of state formation, it is clear that the successful implementation of the development strategy of any country is impossible without improving the quality of administrative services. One of the effective tools to improve the quality of administrative services is the introduction of the concept of “total quality management” for the provision administrative services to the population.

Thus, improving the system of provision administrative services is one of the priority areas of administrative reform in Ukraine to enter a new stage of statehood. Transformations in the system of state power in Ukraine aimed at ensuring that every citizen not only knows but also has a real opportunity to demand the level and quality of services that public authorities are obliged to provide.

Keywords: administrative services, quality of administrative services, centers for providing administrative services, total quality management, international standards ISO 9000, reforming the mechanism of providing administrative services.

ШЛЯХИ УДОСКОНАЛЕННЯ СИСТЕМИ НАДАННЯ АДМІНІСТРАТИВНИХ ПОСЛУГ В УКРАЇНІ

Анотація. Динамічні зміни в соціально-економічних відносинах, завдання розвитку конкурентних переваг України в сучасній світовій економіці вимагають серйозної модернізації системи надання адміністративних послуг, зокрема перетворення її у гнучкий процес, який розвивається та адекватно реагує на зміни і запити суспільства. Якість надання адміністративних послуг повинна бути рушійною силою, здатною значно поліпшити якість життя громадян.

З урахуванням задекларованого Україною наміру наблизитися до європейських стандартів, у тому числі у сфері державного управління, великого значення набуває наукове осмислення та впорядкування системи надання адміністративних послуг. Переосмислення ролі держави з точки зору впровадження “сервісної моделі” державного управління вимагає удосконалення механізмів та технологій функціонування ринку. Орієнтацією для діяльності органів публічного управління може служити саме концепція “загального управління якістю”.

Сучасні соціально-економічні умови ставлять перед центрами надання адміністративних послуг нові цілі й завдання. Тому вони вимушені не лише переглядати звичні, традиційні методи управління, але й постійно підвищувати ефективність своєї діяльності. На сучасному етапі державотворення зрозуміло, що успішна реалізація стратегії розвитку будь-якої країни неможлива без підвищення якості надання адміністративних послуг. Одним із ефективних інструментів підвищення якості надання адміністративних послуг є впрова-

дження концепції “загального управління якістю” за наданням адміністративних послуг населенню.

Таким чином, удосконалення системи надання адміністративних послуг є одним із пріоритетних напрямів адміністративної реформи в Україні для виходу на новий етап державності. Перетворення в системі публічної влади в Україні повинні бути спрямовані на те, щоб кожний громадянин не тільки знав, але й мав реальну можливість вимагати той рівень і ту якість послуг, які йому зобов’язані надати органи публічної влади.

Ключові слова: адміністративні послуги, якість надання адміністративних послуг, центри надання адміністративних послуг, загальне управління якістю, міжнародні стандарти ISO 9000, реформування механізму надання адміністративних послуг.

ПУТИ УСОВЕРШЕНСТВОВАНИЯ СИСТЕМЫ ПРЕДОСТАВЛЕНИЯ АДМИНИСТРАТИВНЫХ УСЛУГ В УКРАИНЕ

Аннотация. Динамические изменения в социально-экономических отношениях, задачи развития конкурентных преимуществ Украины в современной мировой экономике требуют серьезной модернизации системы предоставления административных услуг, в частности превращение ее в гибкий процесс, который развивается и адекватно реагирует на изменения и запросы общества. Качество предоставления административных услуг должно быть движущей силой, способной значительно улучшить качество жизни граждан.

С учетом задекларированного Украиной намерения приблизиться к европейским стандартам, в том числе в сфере государственного управления, большое значение приобретает научное осмысление и упорядочение системы предоставления административных услуг. Переосмысление роли государства с точки зрения внедрения “сервисной модели” государственного управления требует усовершенствования механизмов и технологий функционирования рынка. Ориентацией для деятельности органов публичного управления может служить концепция “всеобщего управления качеством”.

Современные социально-экономические условия ставят перед центрами предоставления административных услуг новые цели и задачи. Поэтому они вынуждены не только пересматривать привычные, традиционные методы управления, но и постоянно повышать эффективность своей деятельности. На современном этапе развития государства становится ясным, что успешная реализация стратегии развития любой страны невозможно без повышения качества предоставления административных услуг. Одним из эффективных инструментов повышения качества предоставления административных услуг является внедрение концепции “всеобщего управления качеством” по предоставлению административных услуг населению.

Таким образом, усовершенствование системы предоставления административных услуг является одним из приоритетных направлений административной реформы в Украине для выхода на новый этап развития государства. Преобразования в системе государственной власти в Украине должны быть

направлены на то, чтобы каждый гражданин не только знал, но и имел реальную возможность требовать тот уровень и то качество услуг, которые ему обязаны предоставить органы публичной власти.

Ключевые слова: административные услуги, качество предоставления административных услуг, центры предоставления административных услуг, общее управление качеством, международные стандарты ISO 9000, реформирование механизма предоставления административных услуг.

Formulation of the problem. Today the problem of improving the system of administrative services (AS) provision is one of the most pressing in the world, and interest in it is constantly growing. This is because the quality of services determines the priorities in the market, the economic security of the state; largely ensures the sustainable development of civilization, the preservation of the environment, human health and well-being.

Dynamic changes in socio-economic relations, the task of developing Ukraine's competitive advantages in the modern world economy require a serious modernization of the system of provision AS, including its transformation into a flexible process that develops and responds adequately to changes and demands of society. The quality of AS should be a driving force that can significantly improve the quality of life of citizens.

For Ukraine, as for some other Eastern European countries, AS are a qualitatively new form of relationship between the state and citizens. It must note that in recent years the quality and efficiency of AS in places where the population is in direct contact with the state apparatus remains unsatisfactory. Thus, improving the efficiency of public authorities, the quality of their

functions and the provision of AS are the main principles of public administration reform.

Analysis of the recent research and publications. In the domestic and foreign science, there is a significant amount of work devoted to the study of the organization and activities of centers for providing administrative services (CPAS). Since the system of AS in Ukraine is in a state of reform, so a large number of works by scientists is devoted to the problems of determining the quality of AS: V. Bashtannyk [1], T. Burenko [2–4], N. Grabar [5], O. Hrybko [6], A. Zhukovskaya [7], T. Kalita [8], A. Kirmach [9] and others. Thus, certain authors analyze the concepts of “quality” and “efficiency” of AS, the system of evaluation AS, set requirements for quality standards of AS in Ukraine and abroad. Nevertheless, insufficient attention paid to improving the quality of AS and improving their efficiency. Thus, there is an urgent need to consolidate the conceptual framework for further improvement of the functioning of the system of provision AS to European standards.

At the same time, there are no systematic studies of the problem of theoretical approaches and development of practical recommendations for reform-

ming the mechanism of providing AS in Ukraine.

The purpose of the article is to reveal the main ways in improving the system of AS provision in Ukraine through the optimization of public administration mechanisms.

Presentation of the main material.

In the current stage of democratization of Ukrainian society, AS is seen as an important tool for public administration to acquire a qualitatively new content. This content manifests itself not only in the presence of obvious changes in management relations, but also in the implementation in practice of the idea of a service state.

The national model of AS, which is embodied in the Law of Ukraine “On Administrative Services”, contains one of the essential elements of the service concept of public administration, and therefore the further evolution of this institution should be considered as part of a multilevel mechanism of adaptation of the state taking into account the public demand for effective and open government. In this context, the scientific AS provision is an integral part of the system of general social transformation processes. It is clear that this process has not only theoretical but also methodological significance, which, in turn, reflected in the regulations that embody this interpretation of services. Numerous examples of this kind are presented in the European Union, where the freedom to provide and receive services is seen as an important factor in creating a single legal and economic space.

Today there is an objective need to adopt a legal document aimed at regulating the AS provision, in particular

the Code of Ukraine on the provision of AS (CUPAS).

CUPAS should provide:

- first, the creation of a new state institution – the National Agency of Ukraine for Administrative Services (NAUAS), the main functions of which include not only the accumulation of information on the AS provision, a single entity providing AS through its regional units, but also the function of audit and control quality of AS. The strategy of providing AS should be as consumer-oriented as possible and built based on business logic, combined into one concept of service provision. That is, all AS are to be provided by regional divisions of the NAUAS, which are supposed to be intermediaries between all other public authorities;

- secondly, to envisage the conceptual meaning of the concept of “administrative service”, “mechanism for providing administrative service”, “quality standard”, “quality of administrative services”;

- thirdly, to provide a mechanism for providing AS through a single CPAS – the NAUAS. This agency not only accumulates all databases for the purpose of providing AS, but also acts as an intermediary between public authorities and the recipient of the service;

- fourth, changing the concept of the quality system of AS provision to the population.

In order to optimize the processes of the mechanism of providing AS, it is necessary to improve modern mechanisms of public administration, particularly: institutional mechanism, human resources; financial mechanism; regulatory mechanism (Fig. 1).

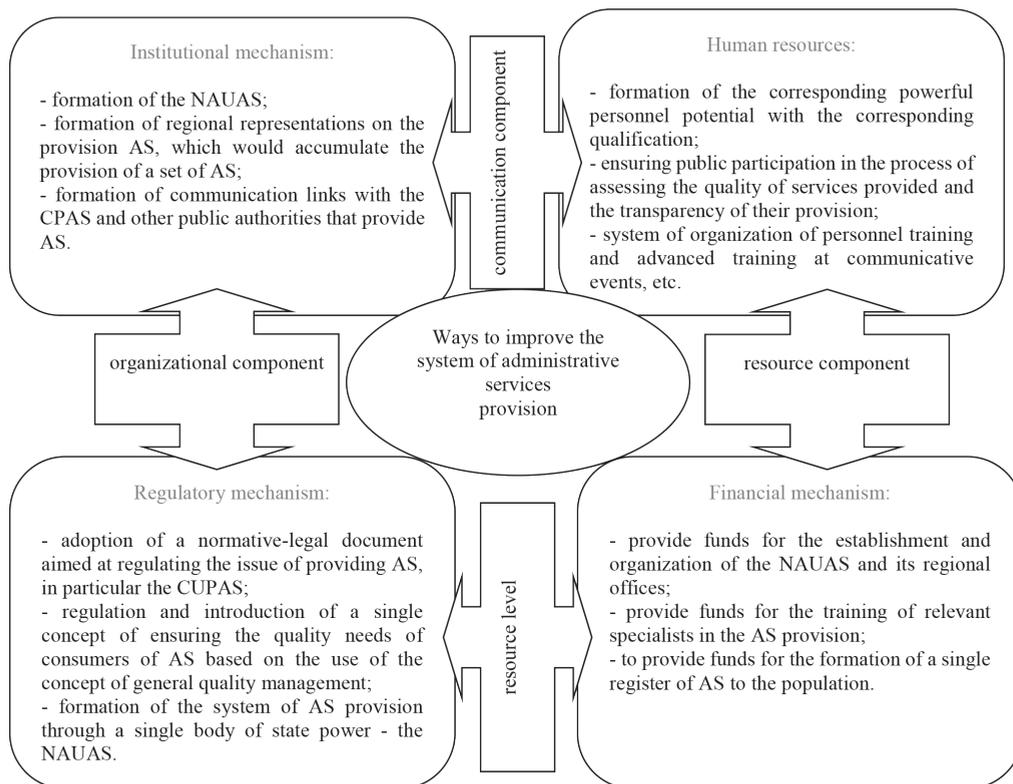


Fig. 1. Theoretical model of improving the mechanism of providing AS
(developed by the author)

The resource level of the model consists of regulatory and financial mechanisms, according to which there is a legislative regulation of the AS provision, in particular the CUPAS; regulation and introduction of a single concept of ensuring the quality needs of consumers AS based on the use of the concept of Total Quality Management (TQM); formation of a system for providing AS through the NAUAS. It is also necessary to provide funds for the establishment and organization of the NAUAS and its regional offices, training and retraining of relevant specialists in AS and forward a budget for the formation of a single register of AS.

The organizational component of the model is to combine regulatory and institutional mechanisms for the legislative consolidation and implementation of the NAUAS and the CUPAS.

The resource component of the model combines financial mechanism and human resources, according to which the personnel potential of the NAUAS and its regional offices formed and funds provided accordingly.

The communication component takes into account the institutional mechanism and human resources: the formation of the NAUAS and its regional offices with appropriate qualified staff, the organization of ongoing training of staff in communication activities.

It must be emphasized that TQM is an approach to the management of the organization, which combines resources, management methods and technical means into a scientifically sound system, the purpose of which is to constantly improve the activities and results of these activities. The concept of TQM covers all departments of the organization, all activities and aims to use material, technical and human resources to most effectively meet the needs of customers, society and employees of the organization. The concept of TQM can be used in the organization of any profile of activity, and, as the international experience shows, promotes increase of quality of results of labor activity [10].

The TQM concept is the basis of many modern service management systems. On the other hand, many provisions of TQM organically incorporated into the ideology of the current generation of international ISO standards. The value of standards is that they allow for the introduction of systematic and process approaches to TQM of AS, in order to ensure the focus of management on consumers of AS and take into account the interests of all stakeholders. ISO 9000 international standards establish the world's only recognized approach to the design and implementation of quality systems.

Therefore, ISO could be considered as a basis for the implementation of TQM in the organization. At the same time, ISO sets the certain minimum requirements that must ensure quality and regulate the relationship between CPAS and the consumer. Among the principles of TQM we define:

- consumer orientation;

- the leading role of the management of enterprises and organizations in solving quality issues;

- involvement of employees of enterprises and organizations in TQM;

- process approach to resource and activity management of enterprises and organizations;

- a systematic approach to managing the activities of enterprises and organizations;

- continuous training of employees, introduction of innovations and improvement of production processes;

- making managerial decisions taking into account specific facts;

- development of partnerships with participants in the process [11].

TQM in the system of AS provision could be called a comprehensive approach to management of CPAS, focused on quality, based on staff participation in all departments and at all levels of the organizational structure and aimed at meeting customer requirements and benefits for members of the organization and society.

In connection with this quality assurance of AS, it is necessary to organize the activities of the Department of Audit and Control over the mechanism of providing AS in the structure of the NAUAS and the formation of a single concept of providing quality needs of consumers of AS.

Thus, the purpose of using the concept of TQM is to reform and modernize the CPAS in Ukraine. However, it is difficult to determine the effectiveness of its implementation. At the same time, there is an evidence that TQM affects the efficiency of AS [12–15].

Optimization of the TQM requires relatively low costs when applying the

concept of continuous improvement. In general, TQM is based on two main mechanisms:

1) quality control, which maintains the required level of quality, i.e. providing the institution with a clear guarantee of service quality;

2) quality improvement is to be continuous and increase the level of guarantees.

The next step in the implementation of a single concept of ensuring the quality needs of consumers of AS is based on the use of the concept of TQM is the recognition of full regulation of all policy management procedures. That is, in addition to defining a clear set of functions, it is also necessary to regulate strictly the implementation of these functions. The principles of service provision should be the basis for such regulation, in particular:

standards — setting, monitoring and publishing clearly defined service standards that users can expect;

publicity — providing customers with complete and accurate information, which should explain simple and accessible explanations of the service delivery process;

consultations — regular and systematic study of the needs of the consumers of AS, analysis of users' opinions and their priorities for improving services and decision-making on service delivery standards;

courtesy — a courtesy to customer service, the AS provision in a convenient form for customers;

complaints — mandatory apology to customers in case of deviations from the standards in the provision services, explanation of the reasons for what happened and a quick search for an ef-

fective remedy to correct deficiencies, establishing a procedure for filing complaints and independent review procedures;

return — efficient and economical provision of services to the public, objective verification and confirmation of indicators against standards.

In this context, attention is to be paid to the needs of consumers, which is realized in the implementation of the concept of TQM. It is to be emphasized that the quality of the service provided depends on whether the system meets the needs or exceeds the expectations of service recipients (see Fig. 2). It must be emphasized that the use of the concept of TQM in relation to the AS provision has significantly different requirements for evaluation technology than traditional concepts of quality management, in particular: developing a strategy focused on results, indicators and evaluations of all processes.

The next direction of improving the mechanism of providing AS is the formation of high-quality human resources of the system of providing AS. Yes, the quality of such potential depends on the efficiency of AS, their quality and objectivity. The main measures of this mechanism include the following:

- formation of the corresponding powerful personnel potential with the corresponding qualification;

- ensuring public participation in the process of assessing the quality of AS provided and the transparency of their provision;

- system of organization of personnel training and advanced training at communicative events, etc.

An important area for improving the mechanism for providing AS is to

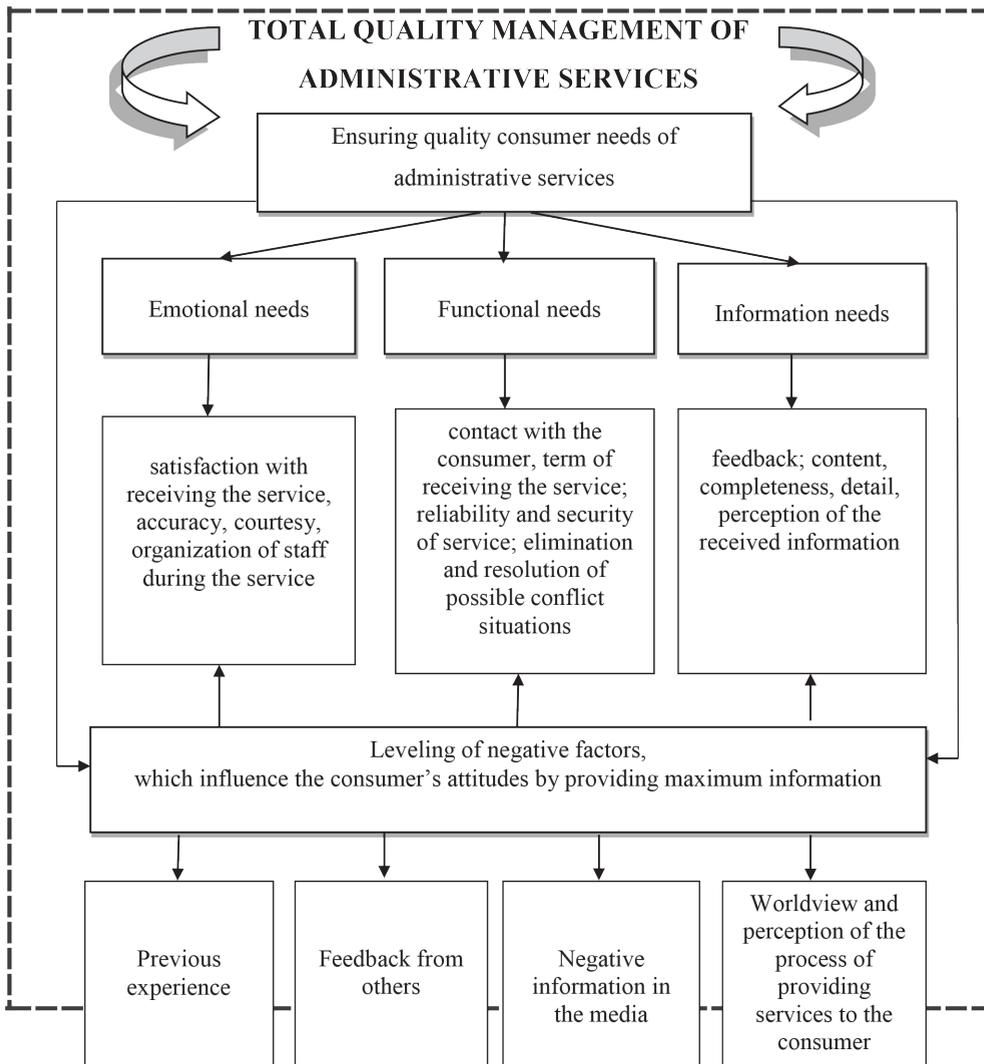


Fig. 2. The concept of providing quality needs of consumers of AS based on the use of the concept of TQM (developed by the author based on the analysis of sources [13; 16; 17])

provide funding for measures aimed at reforming the mechanism for providing AS. The main measures include, in particular:

- to provide funds for the establishment and organization of the NAUAS and its regional offices;
- to provide funds for the training of relevant specialists in the AS provision;

- to provide funds for the formation of a single register of AS to the population.

In addition, it is necessary to provide funds for the formation of the concept of ensuring the quality needs of consumers regarding AS based on the use of the concept of TQM, in particular: training of relevant specialists on

service quality; formation of appropriate tools that would measure the quality of AS; formation of organizational mechanisms to ensure the quality of AS.

Conclusions. Summing up, the main ways to improve the system of AS provision in Ukraine is substantiated:

first, institutional building through the introduction of the NAUAS and the formation of its regional units; formation of communication links with the CPAS and other public authorities that provide AS;

secondly, ensuring high-quality human resources of the system of AS provision through: formation of appropriate strong human resources with appropriate qualifications; ensuring public participation in the process of assessing the quality of services provided and the transparency of their provision; system of organization personnel training and advanced training at communicative events, etc.;

third, improvement of the regulatory mechanism, including: adoption of the CUPAS; regulation and introduction of a single concept of ensuring the quality needs of consumers of AS based on the use of the concept of TQM; formation of the system of AS provision through the NAUAS;

fourth, providing financial capacity for mechanisms for providing AS, including: providing funds for the establishment and organization of the NAUAS and its regional branches; provide funds for the training of relevant specialists in the provision AS; to provide funds for the formation of a single register for the provision AS to the population.

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ASSESSMENT OF THE STATE AND EFFICIENCY OF THE PUBLIC MANAGEMENT AND ADMINISTRATION OF THE COMMUNICATION ACTIVITY OF PUBLIC HEALTH IN UKRAINE

Abstract. An assessment of communication activity in the public management of public health in Ukraine is given. To assess the stages of formation of public health in Ukraine, the relevant normative legal acts, official websites, analysis of the development of communication activities of public health at different

stages of development are defined. The main indicators that can be indicators of the success of communication activities in the country are studied. Such indicators include: actual health indicators (number of strokes, heart attacks, the abandonment of bad habits), communication components accepted by the population (detection of stroke by non-medical workers, street resuscitation, use of personal protective equipment, vaccination) and communication (communication companies are remembered by the population, the level of trust in the sender of information). The actual indicators are studied, and the tendencies to changes of these indicators for the last five years are given. A qualitative and quantitative assessment was made on the basis of objective indicators of communication companies and indicators of the nation's health. It has been determined that the development of the public health institution is just beginning in Ukraine. Normative legal acts (NLA) are insufficient, and the strategy of communication activity is not formed. Among communication companies, communication activities developed with the support of international partners (HIV, Tuberculosis) and those with strong global trends (smoking) were the most effective, but the results of these companies are also difficult to consider satisfactory. It is also determined that most communication companies focus on the situational problem (outbreak of infectious diseases, vaccination, etc.) and there is no long-term communication strategy.

It is also determined that some important public health issues have not been included and are not addressed at the state level (obesity, outpatient intensive care, etc.).

Keywords: public administration, healthcare, communication activities, communication technologies, healthcare communications, public health communications, public health.

ОЦІНКА СТАНУ ТА ЕФЕКТИВНОСТІ ПУБЛІЧНОГО УПРАВЛІННЯ ТА АДМІНІСТРУВАННЯ КОМУНІКАТИВНОЇ ДІЯЛЬНОСТІ ГРОМАДСЬКОГО ЗДОРОВ'Я В УКРАЇНІ

Анотація. Наведено оцінку комунікативної діяльності в публічному управлінні громадським здоров'ям в Україні. Для оцінювання визначені етапи становлення громадського здоров'я в Україні, вивчені відповідні нормативно-правові акти, офіційні вебсайти, надано аналіз розбудови комунікативної діяльності громадського здоров'я на різних етапах розвитку. Вивчені основні показники, які можуть бути індикаторами успішності комунікативної діяльності в країні. До таких показників віднесено: фактичні показники здоров'я (кількість інсультів, інфарктів, відмова від шкідливих звичок), комунікативні компоненти, прийняті населенням (виявлення інсульту не медичними працівниками, вуличні реанімації, використання засобів індивідуального захисту, вакцинація) та комунікативні (комунікативні компанії запам'ятовуються населенням, рівень довіри до відправника інформації). Вивчено фактичні показники, та наведено тенденції до змін цих показників за останні п'ять років. Зроблено якісну та кількісну оцінку на основі об'єк-

тивних показників комунікативних компаній та показників здоров'я нації. Визначено, що в Україні тільки починається розбудова інституції громадського здоров'я. Нормативно-правові акти (НПА) недостатні, а стратегія комунікативної діяльності не сформована. Серед комунікативних компаній найбільшу ефективність мала комунікативна діяльність, розроблена за підтримки міжнародних партнерів (ВІЛ, Туберкульоз), та ті, які мають потужні світові тренди (тютюнопаління), однак результати цих компаній також важко вважати задовільними. Визначено, що більшість комунікативних компаній спрямовані на ситуаційну проблему (спалах інфекційних захворювань, вакцинація тощо), при чому повністю відсутня довгострокова комунікаційна стратегія.

Також визначено, що деякі важливі питання громадського здоров'я не були включені та не розглядаються на державному рівні (ожиріння, позалікарняні реанімації тощо).

Ключові слова: публічне адміністрування, охорона здоров'я, комунікативна діяльність, комунікативні технології, комунікації в охороні здоров'я, комунікації в громадському здоров'ї, громадське здоров'я.

ОЦЕНКА СОСТОЯНИЯ И ЭФФЕКТИВНОСТИ ПУБЛИЧНОГО УПРАВЛЕНИЯ И АДМИНИСТРИРОВАНИЯ КОММУНИКАТИВНОЙ ДЕЯТЕЛЬНОСТИ ОБЩЕСТВЕННОГО ЗДОРОВЬЯ В УКРАИНЕ

Аннотация. Приведена оценка коммуникативной деятельности в публичном управлении общественным здоровьем в Украине. Для оценки определены этапы становления общественного здоровья в Украине, изучены соответствующие нормативно-правовые акты, официальные вебсайты организаций, ответственных за общественное здоровье, дан анализ становления коммуникативной деятельности общественного здоровья на различных этапах развития. Изучены основные показатели, которые могут быть индикаторами успешности коммуникативной деятельности в стране. К таким показателям отнесены: фактические показатели здоровья (количество инсультов, инфарктов, отказ от вредных привычек), коммуникативные компоненты, приняты населением (выявление инсульта не медицинскими работниками, уличные реанимации, использование средств индивидуальной защиты, вакцинация) и коммуникативные (коммуникативные компании, которые запоминаются населением, уровень доверия к отправителю информации). Изучены фактические показатели и приведены тенденции изменений этих показателей за последние пять лет. Сделано качественную и количественную оценку на основе объективных показателей коммуникативных компаний и показателей здоровья нации. Определено, что в Украине только начинается развитие института общественного здоровья. Нормативно-правовые акты (НПА) недостаточны, а стратегия коммуникативной деятельности не сформирована. Среди коммуникативных компаний наибольшую эффективность имела коммуникативная деятельность, разработана при поддержке международ-

ных партнеров (ВИЧ, туберкулез), и те, которые имеют мощные мировые тренды (курение), однако результаты этих коммуникационных компаний тоже сложно считать удовлетворительными. Определено, что большинство коммуникационных компаний направлены на ситуационную проблему (вспышка инфекционных заболеваний, вакцинация), при этом долгосрочная коммуникационная стратегия отсутствовала.

Также определено, что некоторые важные вопросы общественного здоровья не были включены и не рассматриваются на государственном уровне (ожирение, внебольничные реанимации и т. д.).

Ключевые слова: публичное администрирование, здравоохранение, коммуникативная деятельность, коммуникативные технологии, коммуникации в здравоохранении, коммуникации в общественном здоровье, общественное здоровье.

Formulation of the problem. Today, in the Ukrainian medical industry, one can observe a rather rapid development of a new direction — public health. According to the World Health Organization (WHO), public health is one of the key components of a well-functioning healthcare system. The main tasks of public health are primarily to improve the health of each citizen and the population as a whole, prevent disease, increase life expectancy and prolong the active period through organized efforts of the society. [1].

World experience shows that the development of policies and strategies aimed at disease prevention, anti-epidemic measures, healthcare and promotion should be central to public health communication. To successfully implement such a model, the government must communicate with a wide range of stakeholders. This position is fully consistent with the system approach [2; 3].

Although the assessment of the communication activities is important enough to understand public health, it

is very difficult to identify key components for the assessment.

Ukraine started building public health less than ten years ago and today there is still 'initial chaos' in the system, so it is important to understand the level and quality of existing communication activities from the beginning and take the necessary steps to strategically build this crucial area, taking into account the roles of all the stakeholders.

Analysis of recent research and publications. For the Ukrainian scientific space the term 'public health' is quite new and has many different interpretations, but in most cases it reflects a qualitatively new approach to the development of healthcare area. Among domestic scientific developments, the view on the interpretation of the term and the role of public health are covered in the works of I. S. Myroniuk, H. O. Slabkyj, O. O. Kyukalo [4; 5].

Among the important works in which public health is studied should be noted Belinska M. M., who assessing the impact of the public administration on the development of public health in

Ukraine, deals exclusively with issues of economics and welfare, and at the same time not considering the communication component. Accordingly, there is no assessment of the effectiveness of the development of this industry in Ukraine [6].

The works of T. A. Zanfirova and Ya. F. Radysh define the multicomponent nature of public health, but do not reflect such important components as public and communicative, respectively, and there is no assessment of success or effectiveness [7].

Quite a thorough analysis was provided by K. O. Bulavinova, O. Z. Detsyk and Z. O. Tsyhon on the roles of communication strategies, there were considered the stages of development and identified some important points in the development of communication activities in the field of public health in Ukraine, but did not assess the quality of communication activities [8].

Goal. To study the current model of communication activities in the field of public health in Ukraine. To determine objective assessment criteria based on evidence, and assess the communication model that exists in Ukraine. Based on the analysis of the results, suggest ways to improve the model of the public management and administration of communication activities of public health in Ukraine.

Presentation of the main material of the research. First of all, starting the assessment of communication activity, it is expedient to consider it on the basis of a clear definition of the model of such activity inherent in our country. In the modern scientific literature there is still no generalized definition of 'model', but more often the term 'model' means a

system or lines of interaction through communication, dialogue, information or exchange of administrative information [2]. Different countries use either an administrative linear-functional model of communication, aimed at exchanging information in the system of administrative relations. Such a model involves only informing the public about the situation. According to the model, it is expected that the citizens should understand everything and behave in a certain way. The almost opposite model is used by most democracies – the verbalization of new public management and good, or appropriate management, which is based on the transfer of all responsibility for the results of communication to the target group, which is the public. This model is based on the idea of active participation of the population in solving all the problems of the state. In this model, the public is no longer the object of information, but a full-fledged subject of communication and takes responsibility for their own health.

In Ukraine, the development of public health is at an early stage, but three main stages can already be clearly identified:

The first stage of development of the vertical management of the public health system in Ukraine began with the accession of Ukraine as a UN member and signatory of the Association Agreement between Ukraine and the European Union, the European Atomic Energy Community, to the Sustainable Development Goals through the development of relevant national strategic objectives. This document, in Chapter 22, defined Ukraine's commitment to implement measures to protect human

health as a prerequisite for sustainable development and economic growth.

An institution was established to coordinate all actors involved in this process (healthcare system, other ministries and departments, local governments, public and patient organizations and citizens themselves) – State Institution ‘Center for Public Health of the Ministry of Healthcare of Ukraine’ (SI ‘CPH of the MoH of Ukraine’). In November 2016, the Cabinet of Ministers of Ukraine approved the Concept of Public Health System Development, and in 2017, the Cabinet of Ministers of Ukraine approved an action plan to implement the Concept of Public Health System Development.

In the second stage of communication activities, the reform of the public health system for all levels – national, regional and local – was presented. An important issue was the communications of the Public Health Directorate and the CPH with other ministries. To implement the policy and appropriate communication, regional CPHs were established, which brought together the Centers for Medical Statistics, Health Centers, Centers for Monitoring and Assessing the Implementation of Program Measures to Combat HIV-infections/AIDS and Tuberculosis (M&E Center), and laboratory centers of the MoH [9].

It should be noted that neither in the above strategy, nor in the future, there were no clear criteria and indicators of effectiveness of both communication activities and the activities of regional CPHs in general. As can be seen, their communication activities focus either on a situational problem (vaccination, outbreak of infectious diseases) or on

important health issues (HIV, alcohol consumption, cancer prevention) do not take into account the state and local programs of other institutions that exist in parallel.

In the third stage, the issue of insufficient number of specialists in the field and training of medical specialists in relation to communication activities on public health issues was finally raised. An important step was the creation of a Bachelor’s program in ‘public health’ that are implemented both in the newly created departments of public health (Uzhgorod National University, NMAPE named after P. L. Shchupryk, etc.) and in the departments of Social Medicine, Healthcare Organization and Medical Law (Ivano-Frankivsk National Medical University). As well as the expansion of Master’s programs to meet the needs of communication and general competencies in public health of the heads of healthcare facilities. ‘Public health’ education programs have been developed. Also in the third stage, there was a high intensification of various trainings and schools on communication related to public health issues. Or as noted by K. O. Bulavinova in Ukraine, this work is carried out on a volunteer basis, by private training centers or at the expense of international organizations and is in no way related to the systemic vision of the state strategy for communication activities of public health [8]. In the scientific literature, methods and approaches to assess communication activity are aimed exclusively at communication activity in the commercial sphere. Most publications define two groups of parameters: to assess sales growth and its impact on the individual. However, this approach is

not satisfactory for assessing the effectiveness of the communication activities in public health. After all, it is necessary to use objective indicators that are based on the goals and directions of public health in general [10; 11].

Therefore, it is advisable to study the indicators that indicate both the improvement of community health as a whole and the results of the communication companies themselves: actual health indicators (number of strokes, heart attacks, abandonment of bad habits), communication components accepted by the population (detection of stroke by non-medical workers, street resuscitation, use of personal protective equipment, vaccination) and communication (communication companies are remembered by the population, level of trust to the sender of information).

Based on the analysis of the official website SI 'CPH of the MoH of Ukraine' (www.phc.org.ua) it can be noted that the institution in cooperation with international partners implements numerous projects aimed primarily at combating HIV-infections/AIDS, tuberculosis. Among the projects mentioned are: Strengthening the capacity of HIV/AIDS treatment in Ukraine within the framework of the U.S. President's Emergency Plan for AIDS Relief (PEPFAR); Support for the HIV epidemiological surveillance system and the Ministry of Healthcare of Ukraine's laboratory management/improvement system, improving the use of strategic information, and building public health capacity under the U.S. President's Emergency Plan for AIDS Relief (PEPFAR); Accelerating Ukraine's progress in ensuring a sustainable healthcare response to tuber-

culosis and HIV-infection; Providing support to Ukraine in the development of a modern public health system; FHI Healthcare Cooperation with Ukraine; Strengthening of the implementation of the WHO Framework Convention on Tobacco Control in Ukraine.

Within these projects, individual communication components of optimization and advocacy of antiretroviral therapy (ART), improvement of immunization information systems, raising awareness of regional media on the topic of tobacco control have been identified. At the same time, none of the projects contains a multi-level national communication strategy. In addition, many public health issues that are indicators around the world (obesity, stroke, heart attack, mental health) are not reflected on the official website of the SI 'CPH of the MoH of Ukraine'.

With regard to regional units, the goals and missions include educational activities and social communication, adapted to the needs of specific socio-economic groups and designed to promote the improvement of lifestyle and behaviour of the population, the environment [12]. At the same time, the centers themselves are poorly represented on the Internet, and many of them do not even have a website separate from the Department of Healthcare. As for communication tools, social networks are mostly used, most often Facebook, materials on the pages are arranged chaotically and in fragments, mostly own content is missing. Odessa Regional CPH publishes an electronic magazine 'Medical Space', the issues of which are available on their own website (<https://healthcenter.od.ua/online/zhurnal-medychnyj-prostir/>). The

magazine itself serves more as a newsletter.

Communication activities on the prevalence of HIV-infections/AIDS and the factors that contribute to its development are most widely represented in Ukraine. It should be noted that in Ukraine all topics related to the prevalence of HIV-infections/AIDS from prevention to ART advocacy and prevention of stigmatization of these segments of the population are quite well represented. A number of normative legal acts (NLA) have been adopted within the framework of the public administration (Law of Ukraine 'On Counteracting the Spread of Diseases Caused by Human Immunodeficiency Virus (HIV) and Legal and Social Protection of People Living with HIV', Order of the Cabinet of Ministers of Ukraine 'On Approval of the Strategy for Ensuring a Sustainable Response to the Epidemic of Tuberculosis, Including Chemo-resistant, and HIV-infections/AIDS for the Period up to 2020 and Approval of the Action Plan for Its Implementation', Orders of the MoH of Ukraine 'On Amendments to the List of Diseases for Which a Person Cannot Be An Adoptive Parent', 'On Approval of Methodical Recommendations On Providing Legal Assistance to Women From Vulnerable Social Groups', 'On Approval of the Procedure For Providing HIV Prevention Services Among Representatives of High-Risk Groups For HIV Infection', On approval of Amendments to the Standard Regulations on the 'Dovira' Cabinet) introduction of the Medical Guarantees Program: treatment of HIV patients, and determination that ART drugs in Ukraine are available to everyone with

HIV infection and are also provided free of charge.

In accordance with these NLA, a strategy has been developed, that includes communication activities of public health in the main areas: HIV/AIDS prevention among the population of Ukraine, use of personal protective equipment, especially among adolescents and socially irresponsible segments of the population, HIV testing, advocacy of ART therapy, prevention of stigmatization of people living with HIV (PLHIV).

In recent years, numerous communication campaigns aimed at prophylaxis, prevention, detection of HIV/AIDS, ART advocacy and prevention of stigma of PLHIV, with the participation of SI 'CPH of the MoH of Ukraine', regional CPH, international organizations (WHO, UNICEF and USAID and others) NGOs ('100 % of Life', 'Public Health Alliance', Charitable Organization 'Positive Women', Kherison City Public Organization '21st Century', etc.).

According to the WHO, Ukraine is a region with a high prevalence of HIV-infection. According to the data of the SI 'CPH of the MoH of Ukraine' and the UNAIDS estimate, the number of PLHIV in Ukraine reaches 240 thousand people. Only every second HIV-positive person knows about their status and seeks medical help. At the same time, according to Andrushchak M.O. and co-authors, 75 % of HIV-positive people in the world knew about their HIV status (70 % in early 2017); 79 % of those who knew about their HIV status received treatment, 81 % of those who received ART reached an indefinite level of viral load on HIV in the

blood [13]. As of May 1, 2019, 143 766 PLHIV are registered in Ukraine [14], there is a negative trend towards late detection of HIV, which is diagnosed in more than half of people in the 3rd and 4th clinical stages [15].

Analyzing the situation with regard to the trend towards a negative trend in the fight against HIV in Ukraine, Shapka Ye. M. notes that the state pursues a policy of ART advocacy without paying attention to other aspects aimed at reducing the number of HIV infections in Ukraine [16], that according to Horpynych A., despite the great attention paid to the issue of discrimination and stigma of HIV-positive people, these phenomena remain widespread among our society [17], and Ohorenko V. V. and Hnenna O.M. indicate intolerance to PLHIV, even in 17,7 % (17,7 %) of sixth-year medical students [18].

When studying actual health indicators, it is advisable to focus on those that are the main factors of death and disability, and which are most affected by public health communication: obesity, the state of care for strokes, diseases of the circulatory system, abandonment of bad habits.

In Ukraine, 22,1 % of the population is obese, and ranks 14th among European countries in the number of obese people. For comparison, in the Great Britain this figure is 28,4 % for women and 26,2 % for men, and is the worst in Europe [19]. Despite the fact that there is now a global trend to overcome obesity, and communication on this issue is carried out by both medical and non-medical professionals (fitness instructors, influencers, Instagram models), in Ukraine there are no broad communication companies on this issue. The

only event aimed at the public is a plate of healthy nutrition of the Ukrainians developed by the MoH in cooperation with the 'Association of Nutritionists of Ukraine' [20]. However, this initiative is not widely reflected in the information field.

With regard to childhood obesity, according to the State Institution 'Center for Medical Statistics of the MoH', the prevalence of obesity among children in Ukraine is much lower compared to European countries (<http://medstat.gov.ua/ukr/statdan.html>). However, according to I.E. Zabolotna and L.V. Yashchenko, this is not due to the best state of public health and preventive medicine, but to the fact that the study and statistical analysis of the prevalence of overweight among children in Ukraine is not conducted [21]. According to Pomohaibo K. H., pediatric patients for the first time seek medical help for complaints related to the development of complications of obesity [22]. Another important indicator is that according to the WHO in 2001 in Ukraine the number of overweight children was 14,4 %. This indicates that the obesity prevention system in children has a number of shortcomings in the organization, process and results: non-compliance by primary care physicians with the provision of medical care to children, neglect of existing protocols, lack and fragmentation of the normative legal framework, lack of consistency between the regulations of the Ministry of Healthcare and lack of documents defining communication strategy in this matter.

In most countries of the world, the main public health challenges are non-communicable diseases that lead to

disability and death: injuries, strokes, heart attacks. According to official statistics, in Ukraine the cerebrovascular diseases are the second leading cause of death (100 000-110 000 deaths, about 14 % of all deaths). However, it should be noted that the frequency of deaths from these diseases is largely due to the quality and availability of specialized medical care. Thus, it cannot be a clear indicator of the effectiveness of public health, but rather indicates the efficiency or non-efficiency of the healthcare system as a whole.

Stroke is quite indicative in assessing the effectiveness of the communication activities in public health. After all, this disease has clear risk factors: high blood pressure, sedentary lifestyle, bad habits (smoking and excessive alcohol consumption), high blood cholesterol, obesity and diabetes, which can be influenced through communication activities aimed at changing the lifestyle.

In addition, early detection of stroke and appropriate treatment are very important for disability. For early detection of stroke in the United States of America and the European Union information and communication programs are conducted aimed at early detection of stroke by non-medical professionals. The slogan of these programs is 'The Brain is Time'. Due to the early detection of stroke and the availability of qualified medical care in Europe and the USA, up to 80 % of stroke survivors return to a normal lifestyle.

There are 100 000 to 110 000 strokes each year (more than a third of them are in people of working age), and according to the Ukrainian Stroke Association, the real figure is 150 000. 30–40 % of stroke patients die within the first 30

days and up to 50 % within a year of the onset of the disease; 20–40 % of surviving patients become dependent on outside care (12,5 % of primary disability) and only about 10 % return to full life [23]. A study conducted in the southern region showed that by 2015 25–30 % among all stroke emergency calls the patients refused hospitalization. The reasons for refusal were mostly related to poor awareness of the patient and his relatives about modern standards of stroke treatment (13,5 %), and the presence of relatives of doctors or nurses (11,7 %), lack of funds (18,9 %), family circumstances (6,3 %), general serious condition of the patient (4,5 %). Over the past two years, the number of hospitalizations in the presence of stroke has decreased 2,5 times, and the number of patients who were taken to the hospital within the therapeutic window has also increased by 36,3 % [24].

However, the positive changes are more related to the improvement of the availability of stroke care and the communications provided by the National Health Service of Ukraine (NHSU). From 2020, the treatment of acute stroke is included as a priority in the Medical Guarantee Program. Accordingly, the NHSU, as the sender of information, conducts regular communication campaigns on the availability and free of charge of such assistance [25]. At the same time, communications related to purely public health in stroke (ability to recognize the signs of stroke, assistance to patients in rehabilitation, creating an accessible environment) in Ukraine are conducted by public organizations (NGO 'Ukrainian Association for Stroke Control', NGO

‘South Ukrainian Regional Association of Angioneurology’) and international organizations – European Stroke Organization, European Project ‘Angels Initiative’ [26]. One of the few videos in which they teach to detect signs of stroke was created by the Poltava Stroke Simulation Center with the support of the European Project ‘Angels Initiative’.

With regard to communications for the prevention of cardiovascular disease, the situation is about the same. Myocardial infarction is classified by the WHO as one of the most important non-communicable diseases. Nevertheless, according to Koshel I. I. in recent years in Ukraine there has been a decrease in the incidence of acute myocardial infarction with a level of 117,2 per 100 thousand adult population, there were determined some fluctuations in terms of administrative territories, which is 1,55 times. The gender features of myocardial infarction among men are determined, the incidence of acute myocardial infarction (153,3) is 1,75 times higher than in women (87,5), which corresponds to the global trend [27]. In addition, in recent years there has been a tendency to reduce the mortality rate in Ukraine due to myocardial infarction, which is apparently due not to the development of communication strategies aimed at preventing the development of the disease, but the development of a network of Reperfusion centers operating 24 hours 7 days a week 365 days a year (24/7/365). The NHSU has concluded agreements with these centers to provide assistance to the population of Ukraine under the Medical Guarantees Program. The NHSU also conducts appropriate com-

munication campaigns on the possibility and rights of the patient to receive medical care in this area [28]. In addition, according to Sokol K. in Ukraine from AMI, with about 50 thousand patients, 20 % of patients die annually, while in European countries – 5 % [29], and according to the mathematical model of Ruden V. V., Kovalska I. M. [30] there is a tendency to increase, which indicates the ineffectiveness of the existing strategies of communicative and preventive activities aimed at this disease.

According to the existing programs of the SI ‘CPH of the MoH of Ukraine’, the Main communication companies are aimed at giving up bad habits and implementing a safe lifestyle (prevention of TB, HIV, etc.). According to the SI ‘Center for Public Health of the MoH of Ukraine’, 85 000 deaths each year are related to smoking, and more than 14 000 to exposure to secondhand tobacco smoke. In 2019, the national information campaign ‘Tobacco Smoke – An Invisible Killer’, the published report states that due to a successful advocacy campaign that lasted from 2017–2019 to January 2020, a number of pieces of legislation were passed that will triple the excise tax on electric heating products, cigars and introduce a tax on e-cigarettes from 2021. Bill 2813 has also been registered, which increases the number of public places where smoking will be completely banned.

It should be noted that this is the first national information and communication company aimed at combating tobacco. The company has 25 national and more than 60 regional TV channels that broadcast a social video about the harms of secondhand smoke. In ad-

dition, social advertising is located on the streets of the capital and 10 cities of Ukraine. The inclusion of regional centers for public health has made it possible to distribute more than 10 000 posters, 25 000 stickers and leaflets about the dangers of secondhand smoke, especially for children who cannot protect themselves.

Today it is too early to assess the success of the national anti-tobacco company, but it can be noted that in general in 2008–2019 sales of cigarettes in Ukraine decreased from 125 billion to 45 billion cigarettes, i.e. by 80 billion or 64 %. In addition, it was noted that the launch of the anti-tobacco company has led to greater involvement of the citizens, such a share of those who protect the right to a smokeless environment. The study found that among respondents 3,2 % more remarks were made to smokers in inappropriate places (21 % before the company and 24,2 % after the start of the company), 1,3 % of citizens pasted the sign 'No smoking' (2, 2 % and 3,5 %, respectively) and 1,2 % more complained to the relevant authorities (2,1 % and 3,3 %, respectively) [31].

An important indicator of successful public health communication companies can be considered a change in lifestyle in accordance with the communication companies (detection of stroke by non-medical workers, street resuscitation, use of personal protective equipment, vaccination) and communication (communication companies are remembered by the public, level of trust in the sender of information).

According to world statistics, most heart attacks due to non-traumatic diseases occur on the street, out of reach

of medical staff. Thus, Audrey L Blewer and co-authors point to the frequency of outpatient cardiopulmonary resuscitation as an important component of public health. Thus, according to the American Heart Association (AHA), non-medical cardiopulmonary resuscitation (CPR) increases a person's chance of surviving a cardiac arrest out of hospital, but the incidence of such CPR is low in most countries (approximately 40 %) [32].

Despite the high interest of the public in home health education, due to the events with a large number of human casualties and disabilities over the past five years: The Revolution of Dignity, the anti-terrorist operation in the East of the country, the unstable socio-political situation with clashes and confrontations, a large number of emergencies, road accidents and terrorist acts. It is important to note that in 2007 the State Institution 'Ukrainian Scientific and Practical Center for Emergency Care and Disaster Medicine of the MoH of Ukraine' approved the procedures for providing home medical care to persons in emergencies (Order of the MoH of Ukraine of 16.06.2014 No. 398). In addition, the SI 'Ukrainian Scientific and Practical Center for Emergency Medical Care and Disaster Medicine of the MoH of Ukraine' is the main institution that provides organizational and methodological assistance and provides scientific support for the establishment and operation of a single emergency medical care system, which determines that the institution should develop and implement communication activities on home care. In 2013, the institution passed the State Accreditation and was included in the State Register of Scien-

tific Institutions Provided with State Support. However, it should be noted that neither the SI 'Ukrainian Scientific and Practical Center for Emergency Care and Disaster Medicine of the MoH of Ukraine', nor the SI 'CPH of the MoH of Ukraine' conducts any communication activities to train non-medical workers in home care.

Today in Ukraine there are a large number of private institutions that conduct courses and master classes on home care, but there is no single standard of education, nor any measures to accredit the courses in Ukraine. So, different private training centers teach in different programs. Thus, the All-Ukrainian public organization 'All-Ukrainian Council for Resuscitation and Emergency Care' teaches in accordance with the standards of the European Resuscitation Council (ERC), and represents Ukraine in the network of the national resuscitation councils in Europe. 'Special Training Center' LLC teaches in accordance with the standards of the American Heart Association (AHA). Another important actor in the training of home care is the Ukrainian Red Cross Society, whose programs are certified in the reference-center for first aid of the International Federation of Red Cross and Red Crescent Societies. At the same time, most organizations that train non-medical workers in Ukraine (SAR ® Training Center, 'CAB' First Home Care Courses', 44 Training Center, etc.) conduct training according to their own programs, which are in no way tested and inconsistent with the existing NLA in Ukraine. All these organizations are engaged in communication activities mainly aimed at commercial needs and creating demand among

the population for knowledge of home care. Such communication activity is also not coordinated, and is unlikely to give a systemic result. Thus, according to the Ukrainian Foundation 'Health', 82 % of respondents said they would not be able to provide first aid to the victim, because they do not know what to do. Another 62 % will not save because they are afraid of harm and possible liability that may occur as a result of such actions. Also, according to the study, only 1 % can use an automatic external defibrillator, while in Europe this figure is 40%.

Vaccination is a global public health communication problem. Vaccination coverage against diphtheria, pertussis and tetanus is a good marker of the success of immunization programs in the country. All high-income countries have a vaccination coverage rate of over 90%. According to research, well-constructed communication strategies give better results than legal coercion and prohibition. There has been an increase in the number of parents who believe that compulsory vaccination violates their civil rights, leading to a clear reduction in vaccinations in Italy, France and Australia, where the governments have in recent years decided to require vaccination of the children attending public schools [33]. However, as Yudin O. notes, according to the decision of the European Court of Human Rights, the main priority for the state is the protection and preservation of life and health of its citizens, so in certain cases these interests have priority and the state has the right in certain cases to oblige the citizens to undergo medical procedures in order to eliminate the threat of harm to public health [34].

Numerous vaccination awareness campaigns have been conducted in Ukraine recently with the involvement of international partners, but according to the MoH of Ukraine, an outbreak of measles has been going on in Ukraine for almost two years. The highest level of the disease was recorded in the regions with the lowest vaccination rates (Lviv, Ivano-Frankivsk, Zakarpattia, Odessa regions) [35]. It should be noted that the vaccination coverage among the population of Ukraine is rather low.

According to the SI 'CPH of the MoH of Ukraine' from tuberculosis are vaccinated only 33,4 % of children under one year of age, hepatitis B – 26,7 % of children under 1 year, measles, mumps, rubella – 28,3 % of one-year-old children and 30,1 % – children aged 6 years, diphtheria, tetanus are vaccinated only 31,6 % of children under one year, 32,4 % of children aged 18 months, 15,9 % of children aged 6 years, 15,5 % of children aged 16 years, hemophilic infections up to one year – 76,5 % of people, one year – 80,0 % [36].

This attitude towards vaccinations has already resulted in a powerful outbreak of measles in 2017–2019, if the approaches to communication activities in this area are not changed, Ukraine expects a deterioration of the epidemiological situation regarding the vaccine-controlled infections.

According to Chernenko, despite the large number of communication companies, there is still a low culture of the population, which leads to the wrong attitude of people to their diseases, low medical literacy, exaggeration of folk medicine, homeopathy, and so massive refusals of vaccinations [37].

Conclusions from this research and prospects for further exploration in this direction: It should be noted that the communication activity of the public administration of public health is a rather complex material for assessing effectiveness, as it does not have clearly defined measurable indicators that could be compared between different countries and models. Today in Ukraine only the public health system is being created, the central body of the SI 'CPH of the MoH of Ukraine' has already been established and the formation of regional CPHs related to public administration is almost complete, it can be noted that the NLA is mostly present in the regulation and coordination of public health, but in terms of communication activities, the NLAs are insufficient and the communication strategy is not formed. Thus, in the strategy approved by the government, or in the future, there were no clear criteria and indicators of the effectiveness of both communication activities and the activities of the regional CPHs in general. Most communication activities are aimed either at the situational problem (vaccination, outbreak of infectious diseases) or at international health trends (HIV, alcohol consumption, cancer prevention) without the existing communication strategy of the regional CPH and without taking into account the state and local programs of other institutions that exist in parallel.

Among the public health issues, high attention is paid to the spread of HIV/AIDS, smoking and vaccination. However, the results of these interactions are difficult to consider satisfactory (only 50 % of PLHIV are aware of their diagnosis, a high percentage of

those detected in the later stages of the disease, low vaccination coverage, etc.). Many communication companies are conducted without a central strategy and even without state involvement (obesity, prevention of strokes, heart attacks, etc.). Thus, it can be noted that the participation of the state in the creation and development of a strategy for communication activities of public health is minimal and does not meet most of today's challenges.

According to the results of this research and given the fact that the study of the available scientific literature did not reveal research on communication companies that are remembered by the public in public health, promising for further research are questions and analysis of the success of companies, and the main elements that played a role in their memorization, and determine whether they influenced the behaviour of the target audience, as well as communication activities of the public organizations in the public management and administration of public health.

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QUALITY ASSURANCE IN HIGHER EDUCATION IN UKRAINE: AN ASPECT OF STATE REGULATION

Abstract. The article examines the problem of education quality assurance in the conditions of its mass character increasing. It is emphasized that quality management should become the matter of a modern higher educational institution management. The system of external quality assurance should be an organic continuation of the mechanisms of internal quality assurance created by higher education institutions, in accordance with the principle of autonomy of higher education institutions. The main powers of the National Agency for Higher Education Quality Assurance (NAQA) have been defined, which has become an important body for public management of educational changes in higher education with expanded regulatory and control functions in the field of quality assurance, previously performed by the state. These are, in particular, issues of accreditation of educational institutions and educational programs, certification of scientific personnel, accreditation of specialized scientific councils. It is emphasized that the strategic activities of state structures for quality management of higher education are: updating the accreditation process and other procedures for determining the quality of education; modernization of the quality of higher education; formation of standards of higher education with a focus on the needs of students and employers; improving the quality of training of applicants for scientific degrees by creating conditions for effective research activities; promoting academic integrity. The main normative documents that regulate the quality of higher education in Ukraine are evaluated. It is determined that the multilevel management model protects the national education system from the mechanical conception of it as a complex of external to society elements, contributes to the socio-cultural specificity of educational activities. This helps to harmonize the tasks of ensuring the quality end result of the higher education institution functioning and the goal of effectively utilizing the full potential of higher education as an object of public administration in the content of public administration. Therefore, the model of state participation in higher education is being transformed from a managerial one into a supportive one.

Keywords: quality of education, state management of quality, state regulation of quality, standards of higher education.

ЗАБЕЗПЕЧЕННЯ ЯКОСТІ ВИЩОЇ ОСВІТИ В УКРАЇНІ: АСПЕКТ ДЕРЖАВНОГО (ДЕ)РЕГУЛЮВАННЯ

Анотація. Досліджено проблему забезпечення якості освіти в умовах її масовізації. Наголошено, що управління якістю має стати наративом управління сучасною вищою школою. Система зовнішнього забезпечення якості має бути органічним продовженням створених закладами вищої освіти механізмів внутрішнього забезпечення якості, відповідно до принципу їх автономії.

Визначено основні повноваження Національного агентства із забезпечення якості вищої освіти, яке стало важливим органом публічного управління освітніми змінами на ланці вищої освіти із розширеними регуляторними та контрольними функціями у сфері забезпечення якості вищої освіти, які виконувала раніше держава. Це, зокрема, питання акредитації закладів освіти та освітніх програм, атестація наукових кадрів, акредитація спеціалізованих вчених рад. Підкреслено, що стратегічними напрямками діяльності державних структур з управління якістю вищої освіти є: оновлення процесу акредитації та інших процедур визначення якості освіти; модернізація якості вищої освіти; формування стандартів вищої освіти з орієнтацією на потреби студентів і роботодавців; підвищення якості підготовки здобувачів наукових ступенів шляхом створення умов для ефективної дослідницької діяльності; сприяння академічній доброчесності. Надана оцінка основним нормативним документам, які регулюють якість вищої освіти в Україні. Визначено, що модель багаторівневого врядування убезпечує національну освітню систему від механічного уявлення про неї як комплекс зовнішніх до суспільства елементів, сприяє врахуванню соціокультурної специфіки освітньої діяльності. Це допомагає гармонійному поєднанню у змісті державного управління завдань забезпечення якісного кінцевого результату функціонування вищої школи та (над) завдання ефективного використання усього потенціалу вищої освіти як об'єкта управління у суспільних цілях. Відтак модель участі держави у сфері вищої освіти з керівної трансформується у підтримуючу.

Ключові слова: якість освіти, державне управління якістю, державне регулювання якості, стандарти вищої освіти.

ОБЕСПЕЧЕНИЕ КАЧЕСТВА ВЫСШЕГО ОБРАЗОВАНИЯ В УКРАИНЕ: АСПЕКТ ГОСУДАРСТВЕННОГО (ДЕ) РЕГУЛИРОВАНИЯ

Аннотация. Исследована проблема качества образования в условиях его масовизации. Отмечено, что управление качеством должно стать нарративом управления современной высшей школой. Система гарантий качества должно быть органичным продолжением созданных высшими учебными заведениями механизмов внутреннего обеспечения качества в соответствии с принципом их автономии. Определены основные полномочия Национального агентства по обеспечению качества высшего образования, которое стало важным органом публичного управления образовательными изменениями в высшем образовании с расширенными регуляторными и контрольными функциями в сфере обеспечения качества, которые ранее выполняло государство. Это, в частности, вопросы аккредитации учебных заведений и образовательных программ, аттестация научных кадров, аккредитация специализированных ученых советов. Подчеркнуто, что стратегическими направлениями деятельности государственных структур по управлению качеством высшего образования является: обновление процесса аккредитации и других процедур определения качества образования; модернизация качест-

ва высшего образования; формирование стандартов высшего образования с ориентацией на потребности студентов и работодателей; повышение качества подготовки соискателей научных степеней путем создания условий для эффективной исследовательской деятельности; содействие академической честности. Дана оценка основным нормативным документам, которые регулируют качество высшего образования в Украине. Определено, что модель многоуровневого управления защищает национальную образовательную систему от механического представления о ней как комплексе внешних к обществу элементов, способствует учету социокультурной специфики образовательной деятельности. Это помогает гармоничному сочетанию в сфере государственного управления задач обеспечения качественного конечного результата функционирования высшей школы и (над) задачи эффективного использования всего потенциала высшего образования как объекта управления в общественных целях. Поэтому модель участия государства в сфере высшего образования из руководящей трансформируется в поддерживающую.

Ключевые слова: качество образования, государственное управление качеством, государственное регулирование качества, стандарты высшего образования.

Formulation of the problem. The quality assurance activities of the European Higher Education Area are based on two related goals: accountability and improvement, which together build confidence in the activities of the higher education institution. Accountability means being able to measure the basic parameters of a higher education institution's activities, which contributes to the legitimization of effective practices in quality activities.

Analysis of recent research and publications. The problem of quality assurance in higher education has become many domestic scientists' research subject. According to I. Kapralova, public administration in higher education should have social protection mechanisms capable of ensuring the guarantees of access to high-quality education based on the implementation

of the of higher education basic principle as a public good [1, p. 8]. V. Bykov submits, that the need to respond to human needs and societal challenges affirms a new educational paradigm in society, which is about ensuring equal access to high-quality education for all those who have desire, necessity and opportunity to learn throughout life [2, p.18].

According to T.O. Lukina, firstly, education quality management must ensure the quality of all parameters of the educational process and educational preparation of a higher education institution graduate, as a final result of the education system activity, meeting its educational needs. Secondly, it should ensure the most efficient use of investment and resources as well as the effective functioning of the education system as a social system [3, p. 945].

According to T. Skiba, the tendency to increase the differentiation of higher education institutions by the quality of their educational services is noticeable in Ukraine. At present, there is an increasing demand for national higher education systems made by public authorities, employers, graduates of higher education institutions and society in general, which can be seen in the activities of various institutions that translate the interests of external entities into the higher education system. Moreover, the value of autonomy for higher educational institutions themselves lies in the ability of the institution to determine its own direction of activity without excessive interference by the state [4, p. 183].

The purpose of the article is to identify the basic principles of quality assurance in higher education as a direction of public administration in the field of education.

Outline of the main research material. The fifth section of the law of Ukraine “On Higher Education” is devoted to ensuring the quality of education. According to Article 16, paragraph 1, the quality assurance system of higher education in Ukraine consists of: 1) a system of providing higher education institutions with the quality of educational activity and the quality of higher education (internal quality assurance system); 2) systems of external quality assurance of the educational activity of higher education institutions and the quality of higher education; 3) quality assurance systems of the National Higher Education Quality Assurance Agency and independent institutions for the evaluation and quality assurance of higher education.

Formation of the modern configuration of the external quality assurance system in higher education in Ukraine began in the 1990s and, in particular, was regulated by the Laws of Ukraine “On Education” (1991, 1996) and “On Scientific and Technical Activities” (1991). Appropriate approaches to the process of quality assurance in higher education were systematized in the Law of Ukraine “On Higher Education” adopted on January 17, 2002 (expired on 06/09/2014). The mechanisms of external quality assurance in higher education in these documents were licensing and accreditation procedures. The function of external quality assurance (in the form of attestation and getting of scientific degrees) of scientific and scientific-pedagogical personnel of higher qualification was actually provided by the Higher Accreditation Commission of Ukraine established by the Presidential Decree of 25.02.1992. This institution was abolished on December 9, 2010, and the Certifying Commission of the relevant ministry is entrusted with the appropriate functions.

According to the principles of the autonomy of educational institutions and the requirements of the Bologna process, the primary responsibility for the quality of higher education rests with each individual higher educational institution (the institution is granted autonomy), and the possibility to check the quality of the education system within a national framework should be provided. The proclaimed autonomy of educational institutions of Ukraine and the provision of high quality educational services require for a long time supporting measures of continuous

innovation activity of higher educational institutions, encouragement of initiative at the level of the institution, groups of institutions [5].

In accordance with ISO 8402-86, the quality system consists of the institutional framework, responsibility, procedures, processes and resources that ensure the overall quality management. The basic requirement for the establishment of the European Higher Education Area is to improve the quality and relevance of education. The authors of state standard of technical conditions ISO 9000: 2007 define the following principles of quality management [6, p. 93]: 1) orientation to customer expectations (in the case of higher education, the state, society, business communities, or individual consumers need to be specified); 2) leadership that implies unity and broad involvement in achieving the goals of the team; 3) process approach (managing activities and resources as a process); 5) systematic approach to management (management of interconnected processes); 6) continuous improvement of all activities; 7) decision-making is evidence-based (based on extensive empirical data that updates educational statistics as a tool for annual assessment of a higher educational institution).

Today, the implementation of the European Higher Education Area activities, the realization of the academic mobility right has several obstacles, in particular, socio-economic instability in Ukraine. In the National Strategy for the Development of Education in Ukraine until 2021, it is stated that the development of education should take a preventive and continuous character, respond flexibly to the world processes

and tendencies of the Ukrainian society development. High quality education is a determining factor in ensuring a sustainable democratic development of society.

A fundamentally new stage in the external quality assurance system development in higher education in Ukraine began with the adoption of the new Law on Higher Education on July 1, 2014. The development of new higher education standards should be a strategic priority that would ensure the reforming of the national higher education system in accordance with the principles of the European Higher Education Area. However, according to the Government's Mid-Term Priority Action Plan for 2020, as at 1 January 2017, only 102 higher education standards were developed at the bachelor's and 28 at the master's levels, and none had been formally yet approved. It is planned that by 2020 125 bachelor's degree standards, 127 master's degree standards and 117 PhD levels will be developed and approved.

According to article 10 of the Law on Higher Education, the standard of higher education is a set of requirements for the content and results of the educational activity of higher education institutions and scientific institutions for each higher education level within each specialty. Standards are developed for each level of higher education within each specialty in accordance with the National Qualifications Framework and are used to determine and evaluate the quality of content and results of educational activities of higher educational institutions (scientific institutions). Based on the educational program, the autonomy of the higher

educational institution involves the development of its curriculum and the introduction of specialization within the licensed specialization for each specialty. Higher education standards for each specialty are developed by the central executive authority in the field of education and science, taking into account the proposals of sectorial state bodies to which the institutions of higher education belong, and branch associations of employers' organizations and approve them in agreement with the National Agency for Higher Education Quality Assurance.

The National Agency for Higher Education Quality Assurance is a permanent collegial body authorized to implement public policy in the field of quality assurance in higher education (Article 17). Among the main competencies of the National Agency for Higher Education Quality Assurance is the formation of requirements for the quality assurance system of higher education, the development of regulations on the accreditation of educational programs and its implementation; coordination of educational standards and higher education standards developed for each specialty by the Ministry of Education and Science of Ukraine; formation of criteria for the educational activity quality assessment; development of requirements for the level of scientific qualification of those, who obtain scientific degrees; development of regulations on accreditation of specialized scientific councils; accreditation of independent quality assessment and quality assurance institutions; participation in the procedure established by law in the formation of indicators of the state order for the training of spe-

cialists from higher education at higher education levels and specialties, taking into account the medium-term forecast of the need for specialists in the labor market; preparation and promulgation of the annual report on the quality of higher education in Ukraine and its compliance with the tasks of sustainable innovative development of society (Article 18) [7].

According to the law of Ukraine "On Higher Education", the National Agency for Higher Education Quality Assurance is called upon to replace the Accreditation Commission, which has the competence to monitor the observance of state educational standards. The Agency is an important body for public management of educational change at the higher education level [8]. The National Agency for Higher Education Quality Assurance, as a collegial body, has assumed a large part of the regulatory and supervisory functions in the field of higher education quality previously performed by the state. These include, in particular, the issues of accreditation of educational institutions and educational programs, certification of scientific personnel, accreditation of specialized scientific councils.

Within the terms of reference of the National Agency for Higher Education Quality Assurance there is also a direction related to the accreditation of independent assessment institutions and quality assurance of higher education, that is, non-governmental organizations (agencies, institutions, bureaus), which, according to the legislation, can assess the educational program, learning outcomes for development the recommendations of highly educational institution in organizing the system of

quality assurance of higher education and submitting proposals to the National Agency for accreditation of the educational program [7].

Among the strategic directions of the National Agency for Higher Education Quality Assurance activities by 2020 are: updating the accreditation process and other procedures for recognizing the education quality; modernization of quality assurance of higher education; formation of higher education standards with a focus on the needs of its recipients and employers; ensuring the training quality for scientific degree recipients by creating the conditions for effective research activities; academic integrity promotion.

According to European standards, the external quality assurance system should be a continuation of the internal quality assurance mechanisms established by the highly educational institutions, in accordance with the principle of their autonomy. The pursuit of the national highly educational institution to comply with the Law of Ukraine "On Higher Education" on the creation of an effective internal assessment of the education quality, including the definition of principles and procedures for the higher education quality assurance, should be highly appreciated; monitoring, reviewing educational programs; annual evaluation of higher education applicants, scientific workers and teachers; ensuring professional development of the scientific-pedagogical staff; providing the necessary resources to organize the educational process; prevention and detection of academic plagiarism, etc. Today, the issue of creating ways to help ensure the continued functioning of internal and exter-

nal quality assurance systems in higher education is of primary importance.

External quality assessment should meet the achievement of higher education goals, agreed with the main stakeholders, be valid and open, be carried out by independent experts and clear criteria. European standards [9] focus on the need to develop a well-defined public quality assurance policy as a component of strategic management. In the national realities, it is essential that students more actively participate in education quality assessment. Another issue is to ensure a high level of professional competence of the scientific-pedagogical staff, which for a number of national highly educational institutions is transformed into formal ratings and "redirection" of responsibility for providing professional development to teachers.

According to S. Moroz, involvement of the scientific-pedagogical staff and students in the higher education quality management process is a powerful tool that can, on the one hand, improve the standards of providing educational services by national highly educational institution, as well as enhance the effectiveness the State orders for training of specialists with higher education [6, p. 94]. Moreover, adherence to the principle of involving scientific and pedagogical staff and students in higher education quality management can only provide a tangible result when each participant of the process will have the opportunity to influence the development of the highly educational institutions development strategy, as well as periodically participate in the implementation of higher education quality control.

Quality assurance, in the terms of the international quality standard (ISO 9000), requires the development of a set of planned and systematic activities that need to be undertaken to give higher education shareholders the assurance that educational products and services meet certain quality requirements. The concept of “quality” covers those characteristics of products and services that are associated with the ability to meet certain social and personal needs according to their purpose. Thus, in order to improve the quality of higher education and training, it is necessary to provide for assessing the quality of specialists and comparing their results with some standard, i.e. standards, system of certification criteria.

The task of the state is to assist the highly educational institution in building such quality assurance systems that could guarantee the quality of professionals required by customers. This problem remains relevant because the graduates’ requirements for education determine the goals of the educational process. The higher educational institution activity in the direction of providing “the quality of graduating students” should be considered successful if it provides educational services and training which: meet the well-defined needs of “higher education shareholders” (in terms of the International Quality Standard of the ISO 9000 series); meet the requirements of the labor market; meet higher education standards; do not contradict the legislation of Ukraine; are offered to every member of society at competitive prices.

In today’s fast-changing world, a highly educational institution which is under intense transformations is both

an object and a subject of change. European educational policy theorists emphasize the need to further enhance the subjectivity of higher educational institutions, teachers and students as active and responsible participants in the change process around the world. However, this should be facilitated by the state. An educational change aimed at improving the quality of education will have the greatest prospects of being realized if the sources of the necessary resources for its implementation are clearly identified, transparent, open, and understandable to all [11].

According to S. Shevchenko, the quality of higher education is not only the availability of professional knowledge, but also the nature and level of education in general, organizational culture, role and functional readiness of highly educational institution graduate to professional activity, his ability to recognize and understand diverse problems, their rational and creative solution [12]. The problem of education quality in Ukraine is of particular socio-economic and prospect-oriented importance.

Based on the analysis of progressive foreign experience, we can identify the following principles of an effective system of education’s state regulation:

- 1) Clarity, perspicuity and legitimacy of the national education system development purpose;
- 2) Long-term strategic planning and implementation of education development programs;
- 3) Active creation and activity of education quality assessment collegial bodies;
- 4) a broad collegial approach to managing education and ensuring its

interaction with the economy and the public on this basis.

Regulation is the part of the management process and is one of its functions that is closely linked to the functions of planning and organization, as well as way to achieve the objectives.

Conclusion. Quality management should be the narrative of modern highly educational institutions governance. In the process of forming the model of public administration in modern Ukraine, in addition to the above mentioned features, the innovative aspect should be also taken into account (it mainly affects the quality of education in its management) and the regional factor of education.

All European countries are now more interested in controlling the quality and development of higher education through the organization of effective governance in highly educational institutions, gradually expanding their autonomy as well as areas of responsibility. In practice, this is reflected in the creation and development of structures that mediate between the state and highly educational institutions. Data on the level and quality of education are playing an increasing role in investment decisions.

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GENESIS OF ESTABLISHMENT AND DEVELOPMENT OF PUBLIC-PRIVATE PARTNERSHIP IN THE FIELD OF ECONOMY

Abstract. The article discusses scientific views on the genesis of the formation and development of public-private partnership in the field of economics. It has been proved that on the territory of Ukraine, the development of relations between the state and business, today, is at an early stage, including, since the institutional basis for the implementation of an effective public-private partnership has not yet been created. This situation necessitates scientific substantiation of the content of public-private partnership and its importance for the development of public relations, as well as the methods and forms of its implementation. It is determined that for the private sector, the XXI century has become an impetus for the acquisition of the status of an equal partner of the state for full participation in solving the country's strategic tasks for the development of the socio-economic sphere. The process of expanding cooperation between the private and public sectors in many countries of the world should be one of the ways out of the crisis state of the economy, an important step in its gradual recovery and the introduction of new anti-crisis plans.

It has been substantiated that the first mention of public-private partnership was the emergence of such a form of privatization as ransom — the process of

transferring to a private person from the state the right to collect taxes, as well as other fees and payments for a certain period and with appropriate conditions.

The ransom system is based on the transfer of the exclusive right to receive all types of income from certain activities, or from the use of certain benefits, from the state to a private person or organization, on a returnable basis. The greatest positive impact of the lease system was in the direction of tax collection through: a large number of shortcomings in the functioning of the then public administration system, weakness of the fiscal system, lack of accurate information about the subjects of tax payment in public authorities. At the same time, the participation of individuals increased the efficiency of the collection process and the speed of filling the treasury.

Keywords: public-private partnership, economy, mechanisms of state regulation, ransom system, concession.

ГЕНЕЗИС СТАНОВЛЕННЯ ТА РОЗВИТКУ ДЕРЖАВНО-ПРИВАТНОГО ПАРТНЕРСТВА У СФЕРІ ЕКОНОМІКИ

Анотація. Розглядаються наукові погляди на генезис формування та розвитку державно-приватного партнерства у сфері економіки. Доведено, що на теренах України розвиток відносин між державою та бізнесом, на сьогоднішній день, знаходиться на початковій стадії, оскільки ще не створено інституціональну основу для здійснення ефективного публічно-приватного партнерства. Така ситуація спричинює необхідність наукового обґрунтування змісту державно-приватного партнерства та його значення для розвитку суспільних відносин, а також способів та форм його реалізації. Визначено, що для приватного сектору ХХІ ст. стало поштовхом щодо набуття статусу рівноправного партнера держави для повноправної участі у розв'язанні стратегічних завдань країни щодо розвитку соціально-економічної сфери. Процес розширення співробітництва між приватним та державним сектором у багатьох країнах світу має бути одним із шляхів виходу з кризового стану економіки, важливим кроком поступового її відновлення та впровадження нових антикризових планів. Обґрунтовано, що першою згадкою про публічно-приватне партнерство була поява такої форми приватизації, як відкуп — процес передачі приватній особі від держави права на стягнення податків, а також інших зборів та платежів на певний період і з відповідними умовами.

Відкупна система базувалась на передачі виключного права на одержання усіх видів доходів від певної діяльності, або від користування певними благами від держави до приватної особи, або організації на основі повернення. Найбільший позитивний вплив система відкупів мала у напрямі збору податків через: велику кількість недоліків у функціонуванні тогочасної системи публічного адміністрування, слабкість фіскальної системи, відсутність в органах публічної влади точної інформації про суб'єктів сплати податків. При цьому, участь приватних осіб збільшувала ефективність процесу збору та швидкість наповнення казни.

Ключові слова: державно-приватне партнерство, економіка, механізми державного регулювання, відкупна система, концесія.

ГЕНЕЗИС СТАНОВЛЕНИЯ И РАЗВИТИЯ ГОСУДАРСТВЕННО-ЧАСТНОГО ПАРТНЕРСТВА В СФЕРЕ ЭКОНОМИКИ

Аннотация. Рассматриваются научные взгляды на генезис формирования и развития государственно-частного партнерства в сфере экономики. Доказано, что на территории Украины развитие отношений между государством и бизнесом, на сегодняшний день, находится на начальной стадии, поскольку еще не создано институциональную основу для осуществления эффективного государственно-частного партнерства. Такая ситуация вызывает необходимость научного обоснования содержания государственно-частного партнерства и его значения для развития общественных отношений, а также способов и форм его реализации.

Определено, что для частного сектора XXI век стал толчком к приобретению статуса равноправного партнера государства для полноправного участия в решении стратегических задач страны по развитию социально-экономической сферы. Процесс расширения сотрудничества между частным и государственным сектором во многих странах мира должен быть одним из путей выхода из кризисного состояния экономики, важным шагом постепенного ее восстановления и внедрения новых антикризисных планов. Обосновано, что первым упоминанием о публично-частном партнерстве было появление такой формы приватизации, как откуп — процесс передачи частному лицу от государства права на взывание налогов, а также других сборов и платежей на определенный период и с соответствующими условиями.

Откупная система основана на передаче исключительного права на получение всех видов доходов от определенной деятельности, или от пользования определенными благами от государства к частному лицу, или организации на возвратной основе. Наибольшее положительное влияние система откупов имела в направлении сбора налогов через: большое количество недостатков в функционировании тогдашней системы публичного администрирования, слабость фискальной системы, отсутствие в органах публичной власти точной информации о субъектах уплаты налогов. При этом, участие частных лиц увеличивало эффективность процесса сбора и скорость наполнения казны.

Ключевые слова: государственно-частное партнерство, экономика, механизмы государственного регулирования, откупная система, концессия.

Staging of the problem. Today, a promising direction of transformations in Ukraine, in the economic sphere, is the gradual reform of the economic management system. An effective way to increase the efficiency of the use of

state property is the development of partnerships between the state and the private sector, which will help to attract additional resources in the public sector of the economy, including investments. Under such conditions, the pooling of the available resources of the state and business, their potential capabilities, should take place, which will lead to the effective use of such resources, to minimize the risks of their equal distribution between the public and private sectors [1, p. 10]. Analysis of recent research and publications.

A detailed analysis of the institutional conditions for the functioning of public-private partnerships has received a lot of attention in domestic research in the field of public administration. The problem of the development of public-private partnership, in a historical perspective, was considered in the scientific heritage of such scientists as I. Brailovskiy [2], I. Dubko [3], V. Kruglov [4], M. Liovochkin [5] and others.

Given the large number of research studies in the scientific and theoretical direction on public-private partnerships, it can be noted that some aspects of the historical development and tradition of interaction between the state and business still require further study and comprehensive analysis. The study of the historical aspects of this interaction will be useful for a better understanding of the functioning of public administration mechanisms for attracting capital, managerial experience, technical innovations, that is, those resources that a private partner has, in order to effectively implement socially significant projects.

Purpose of the article – to analyze and systematize scientific views on the genesis of the formation and development of public-private partnership in the economic sphere.

Presentation of the main material. A fairly important indicator of the state of society's vital activity is the level of interaction between business and government, therefore, the relationship between them directly affects the nature of power, and technology, and the management style.

In the leading countries of the world, public-private partnership is quite often practiced as a specific form of institutional interaction between the public and private sectors, which is a prerequisite for the existence and effective development of a market economy [6].

On the territory of Ukraine, the development of such relations between the state and business, today, is at an initial stage, including, since the institutional basis for the implementation of an effective public-private partnership has not yet been created. This situation necessitates scientific substantiation of the content of public-private partnership and its importance for the development of public relations, as well as the methods and forms of its implementation [7, p. 10].

The directions of modern development of the economic sphere cause the importance of determining the level of intervention of public authorities in the process of functioning of markets in order to objectively identify its conceptual problems, as well as to find the optimal and effective ways to solve them through the interaction of public authorities and the private sector.

Public-private partnership is a strategic, organizational and institutional association of public authorities and representatives of the business community to ensure the implementation of socially important projects in various spheres of activity and industries, the implementation of which involves the joint investment of assets of tangible and intangible origin.

For the private sector, the XXI century has become an impetus for acquiring the status of an equal partner of the state for full participation in solving the country's strategic tasks for the development of the socio-economic sphere. The process of expanding cooperation between the private and public sectors in many countries of the world should be one of the ways out of the crisis state of the economy, an important step in its gradual recovery and the introduction of new anti-crisis plans. One of the most successful forms of such cooperation and the formation of partnerships is precisely public-private partnership. The spread of this type of partnership in the world system is explained by the need to use complex organizational, production and management technologies, as well as by the government's desire to attract large-scale financial resources of the business society in order to solve socially significant problems of the development of the socio-economic sphere.

We can consider public-private partnership as a convenient way to solve the set tasks in the face of a shortage of public funds by introducing new progressive and modern mechanisms of interaction between the public and private sector, as well as by attracting business society investments into the public sphere [8, p. 317–318].

The process of reforming property relations in Ukraine requires not only a scientific and theoretical substantiation of the mechanism for introducing new forms of management, but also the formation of forecasts of future changes in various sectors of the economy. In this context, it is important to conduct a generalized analysis of the aspects of the historical development of public-private partnerships in the economic sphere, the results of which will be a meaningful basis for researching the current situation regarding the functioning of public-private partnerships, as well as for forming effective recommendations for the future.

The first mention of public-private partnership was the emergence of such a form of privatization as a lease — the process of transferring to a private person from the state the right to collect taxes, as well as other fees and payments for a certain period and with appropriate conditions.

The ransom system is based on the transfer of the exclusive right to receive all types of income from certain activities, or from the use of certain benefits, from the state to a private person or organization, on a returnable basis. The greatest positive impact of the lease system was in the direction of tax collection through: a large number of shortcomings in the functioning of the then public administration system, weakness of the fiscal system, lack of accurate information about the subjects of tax payment in public authorities. At the same time, the participation of individuals increased the efficiency of the collection process and the speed of filling the treasury.

It is necessary to draw attention to the fact that the use of the ransom system was a necessary measure due to the imperfection of the public administration system. The tax collector (private person) had to deposit a certain amount of funds from the collection of taxes in a certain territory into the treasury on the basis of a documented power of attorney with representatives of public authorities. At the same time, he kept a part of the collected amount for himself.

The emergence of the ransom system dates back to the 6th century BC.

In the Persian Empire, for this time period, the transfer of powers to collect property from the state to banking houses, which received payment for their work, was characteristic. Ancient Egypt and Ancient Greece, in the 6th century BC, also practiced a system of leases, in addition, a characteristic feature was that all indirect payments, in particular, customs and income from the use of land plots and mining of ore [9, p. 31].

In the provinces of Ancient Rome, the right to collect various types of taxes was transferred (part of the amounts received was transferred at the mercy of annual auctions), the right to use land, including for the search and development of minerals, the right to manage banks, ports, stations from the state to a private person [4].

So, the ancient world is characterized by the addition of private individuals to the management of state-controlled objects, on which, in principle, today, the idea of modern public-private partnership is based.

In the XIII–XIX centuries, corsairs (or privateering) also became wide-

spread, which is one of the prototypes of public-private partnerships.

In 1288, the first attempt to regulate the corsair was recorded. The then Aragonese king approved a condition according to which the corsairs were to obtain patents and make a security deposit, which was a guarantee of their non-aggression in order to rob the ships of their compatriots, as well as the absence of hostilities during the truce and in neutral territories.

Legislative documents of the period of the XIV–XV centuries of the leading countries of Europe determined a similar position regarding the peaceful coexistence of corsairs and ordinary citizens, and the requirement for the oath to be taken by pirates about not causing harm to their compatriots and allies was added.

Therefore, this type of public-private partnership existed until the middle of the 19th century [9, p. 32–33].

In my opinion, in the process of the formation of the statehood of Great Britain and its acquisition of the status of a maritime country, the joint use of private and public initiatives (the same corsair) took an important place, which also became one of the prototypes of public-private partnership. A striking example is the Spanish-British War of the late 16th and early 17th centuries. Then, Elizabeth, in order to reduce the influence of Spain in Holland, as well as to attract the distribution of the wealth of the territories of the New World, actually combined her own efforts and the efforts of her subjects in order, through effective cooperation, to find ways to achieve the set tasks.

One of the most effective forms of cooperation between the state and the

private sector is considered to be a concession, which is still used today as one of the forms of public-private partnership functioning.

The first mentions of the use of concessions in practice were in England, France and the United States in the 17th century. The essence of concessions was revealed as the assignment of rights to non-governmental organizations (domestic or foreign) for certain types of economic activity under appropriate conditions. Although, back in the Middle Ages in European countries, the term “concession” was used, meaning the official transfer of state property to private individuals. So, in Great Britain in 1209, a church minister, that is, a private person, organized the construction of a bridge over the River Thames. This was done with the permission of the king and, accordingly, with ensuring the right to collect money from citizens for using the bridge [10, p. 8].

It can be stated that for a long time there was an interest in such interaction between the state and individuals, in particular, in its investment component: in 1552, a canal was built in France with mutually beneficial cooperation between the public and private sectors for the benefit of society on the basis of a concession.

One example of a successful public-private partnership was the construction of the world-famous Eiffel Tower in Paris. Also, with the use of the mechanism of public-private partnership, the construction of the Eurotunnel under the English Channel between France and Great Britain was completed [11, p. 30].

In the process of applying the mechanisms of public-private partnership in

France, the construction of new fortified cities, the arrangement of settlements and the development of new lands was carried out. In the period of the XVI–XVII centuries, the practical application of a specific form of interaction between the public and private sectors was widespread: the right to perform public works was transferred from monarchs to private entrepreneurs (so-called entrepreneurs). It could be works on covering roads, construction and arrangement of river and canal channels, street lighting, garbage collection, provision of public transport services, mail delivery.

One of the most ambitious concession agreements in France at the stage of their development was the construction of the Southern Canal, which combined the Atlantic and the Mediterranean.

In the field of mining, France also had experience in introducing public-private partnership mechanisms, in particular, under the leadership of Napoleon. Then, in the Civil Code, a provision was made on the obligation to conclude a concession agreement between the state and an individual in the implementation of mining on a private territory [12, p. 519–520].

Other leading European countries also adopted the successful experience of applying concession agreements. So, the issuance of state concessions in Great Britain was already practiced in the 17th–18th centuries: lighthouse services throughout the country, as well as the East India Company, which operated the colonies in India, operated on the principles of public-private partnership.

After the construction of the Oxford Canal in Great Britain, a state repre-

sentative signed a concession agreement with a private entrepreneur [3, p. 6] on the transformation of the canal into a transport hub for transporting agricultural products, coal, etc.

For Germany, in the middle of the 19th century, the mechanisms of public-private partnership became the impetus for the development of cooperative construction. In the context of close interaction between the state and non-profit institutions, the latter, in turn, imposed certain restrictions on the conduct of their own entrepreneur

The interaction of the public and private sectors in Germany began to play a special role at the end of the last century, in particular, in the process of implementing large-scale projects for the restoration and reconstruction of urban infrastructure in the provinces. Later, the formation of the so-called development agencies began, the main task of which was the restoration of abandoned lands. Such organizations brought together representatives of the public sector (public authorities) and private organizations (trade associations, landowners and others) [13, p. 184–185].

The practical application of the principles of public-private partnership in Austria began in the 19th century. It was then that part of the railway network, stretching over rather large areas of the country, was built under a concession agreement.

For the United States, public-private partnership mechanisms, at the beginning of their formation in the country (XVII century), had their own specifics and local traditional features: transactions that transferred the rights to use land, water bodies, the right to

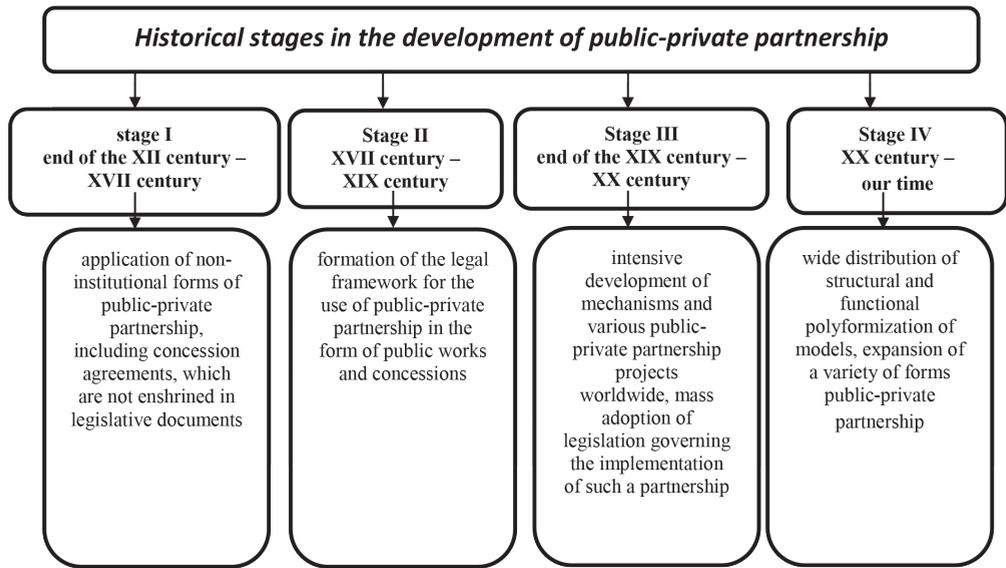
build roads, water pipelines, etc. were concluded between state governors and immigrant representatives.

Interaction between the state and a private investor in Mexico led to the acceleration of the construction of a water pipeline, which provided a large number of the population with drinking water. In this case, the ratio of financial investments of the private (private investor) and public sectors (city budget) was 67 % of the cost and, accordingly, 33 %. Thanks to the attraction of private investment in the country's infrastructure, at the end of the 18th century, the first toll road was built.

A number of scientific studies reveal information that the formation of public-private partnerships began in the 18th century. Y. Kyulin believes that in matters of infrastructural support, public authorities and other state organizations were faced with the task of defining the framework of their own restrictions.

M. Sazares noted that in Spain the formation of the mechanism of public-private partnership began in the 18th century. At that time, it was the representatives of the cities who were involved in the implementation of public works. The theoretical and practical foundations laid down at that time gave impetus to positive results and full agreement on the methods and principles of interaction between the state and representatives of the private sector [14].

In the period of the XIX–XX centuries, in many European countries, concession agreements were also used as the most common form of public-private partnership in the process of



Historical stages of development of public-private partnership

building railways and developing public utilities infrastructure.

Conclusions. So, the analysis of the historical stages of the development of public-private partnership in the world allows us to propose the periodization of its stages (Figure).

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SAFETY CONCEPTS: PURPOSES AND OBJECTIVES FOR THE PUBLIC

Abstract. The article considers the concepts of national security, national interest, the concept of general security, the concept of societal security, the UNDP report “New dimensions of human security”, the concept “Human Security”, the National Security Strategy of Ukraine “Human Security – Country Security”, etc.

It was found that the need for security is objective, since all people are impressionable, regardless of their physical characteristics, possession of wealth, power, and other resources. The need for security cannot be met. It is always present and requires constant attention to itself, since in different situations people are trapped by a variety of threats. Security is implemented at the individual, collective (group), state and public levels.

Based on the analysis of security concepts, a shift in priorities in the concept of security has been clarified from the idea of militarized protection of state borders to the idea of increasing the security of everyday life of a person as a universal request for the observance of human rights and freedoms, a request for freedom from violence, persecution and fear.

It has been established that the state of security is associated with the implementation of the function of protecting the vital interests of the individual, society and the state, or its results. At the same time, safety is considered as a result of a complex process of ensuring safety, how the task of maintaining the optimal parameters of the object's vital functions, foreseeing and countering various threats is continuously being implemented.

It has been proved that activities to ensure security, counter threats provide for the creation of a complex security system, which is achieved through systematic activities to prevent, eliminate and eliminate external and internal threats with the help of interstate organizations, public authorities, state, public and other organizations and associations, citizens involved in ensuring security.

It has been established that ensuring the safety of human life depends on the level of legal culture, the consciousness and responsibility of each member of society, the interaction of public authorities with civil society to organize preventive measures against the emergence of potential threats.

Keywords: safe environment, safety, life safety.

БЕЗПЕКОВІ КОНЦЕПЦІЇ: МЕТА ТА ЗАВДАННЯ ДЛЯ ГРОМАДСЬКОСТІ

Анотація. Розглянуто концепції національної безпеки, національного інтересу, загальної безпеки, соціетальної безпеки, доповідь ПРООН “Нові виміри безпеки людини”, концепцію “Human Security”, Стратегію національної безпеки України “Безпека людини – безпека країни” та ін.

З’ясовано, що потреба в безпеці має об’єктивний характер, оскільки всі люди вразливі, незалежно від їх фізичних даних, володіння багатством, владою, іншими ресурсами. Потребу в безпеці неможливо задовольнити повністю. Вона присутня завжди і вимагає постійної до себе уваги, оскільки у різних ситуаціях людей підстерігають найрізноманітніші загрози. Безпека реалізується на індивідуальному, колективному (груповому), державному та громадському рівнях.

На підставі аналізу концепцій безпеки з’ясовано зміщення пріоритетів у цій сфері – від ідеї воєнізованої охорони державних кордонів до ідеї підвищення безпеки повсякденного життя людини як універсального запиту на дотримання прав і свобод людини, запиту на свободу від насильства, переслідувань та страху.

Встановлено, що стан безпеки асоціюється із здійсненням функції захисту життєво важливих інтересів особистості, суспільства і держави або з її результатами. При цьому безпека розглядається як результат складного процесу забезпечення безпеки, як безперервно реалізується завдання, пов’я-

зане з підтриманням оптимальних параметрів життєдіяльності об'єкта, передбаченням і протидією різним загрозам.

Доведено, що діяльність із забезпечення безпеки, протидії загрозам передбачає створення складної системи забезпечення безпеки, яка досягається через системно організовану діяльність щодо запобігання, усунення та ліквідації зовнішніх і внутрішніх загроз за допомогою міждержавних організацій, органів публічної влади, державних, громадських та інших організацій та об'єднань, громадян, які беруть участь у забезпеченні безпеки.

Встановлено, що забезпечення безпеки життєдіяльності людини залежить від рівня правової культури, свідомості та відповідальності кожного члена суспільства, взаємодії органів публічної влади з громадянським суспільством для організації превентивних заходів щодо виникнення потенційних загроз.

Ключові слова: безпечне середовище, безпека, безпека життєдіяльності.

КОНЦЕПЦИИ БЕЗОПАСНОСТИ: ЦЕЛИ И ЗАДАЧИ ДЛЯ ОБЩЕСТВЕННОСТИ

Аннотация. Рассмотрены концепции национальной безопасности, национального интереса, общей безопасности, социетальной безопасности, доклад ПРООН “Новые измерения безопасности человека”, концепцию “Human Security”, Стратегию национальной безопасности Украины “Безопасность человека — безопасность страны” и др.

Выяснено, что потребность в безопасности имеет объективный характер, поскольку все люди уязвимы, независимо от их физических данных, обладания богатством, властью, другими ресурсами. Потребность в безопасности невозможно удовлетворить. Она присутствует всегда и требует постоянного к себе внимания, поскольку в разных ситуациях людей подстерегают самые разнообразные угрозы. Безопасность реализуется на индивидуальном, коллективном (групповом), государственном и общественном уровнях.

На основании анализа концепций безопасности выяснено смещение приоритетов в этой сфере — от идеи военизированной охраны государственных границ к идее повышения безопасности повседневной жизни человека как универсального запроса на соблюдение прав и свобод человека, запроса на свободу от насилия, преследований и страха.

Установлено, что состояние безопасности ассоциируется с осуществлением функции защиты жизненно важных интересов личности, общества и государства или ее результатам. При этом безопасность рассматривается как результат сложного процесса обеспечения безопасности, как непрерывно реализуется задача, связанная с поддержанием оптимальных параметров жизнедеятельности объекта, предвидением и противодействием разным угрозам.

Доказано, что деятельность по обеспечению безопасности, противодействия угрозам предусматривает создание сложной системы обеспечения безопасности, которая достигается через системно организованную деятель-

ность по предотвращению, устранению и ликвидации внешних и внутренних угроз с помощью межгосударственных организаций, органов публичной власти, государственных, общественных и других организаций и объединений, граждан, участвующих в обеспечении безопасности.

Установлено, что обеспечение безопасности жизнедеятельности человека зависит от уровня правовой культуры, сознания и ответственности каждого члена общества, взаимодействия органов публичной власти с гражданским обществом для организации превентивных мер относительно возникновения потенциальных угроз.

Ключевые слова: безопасная среда, безопасность, безопасность жизнедеятельности.

Formulation of the problem. A person, his life and health, honor and dignity, inviolability and security are the highest social value in Ukraine. The implementation of this provision of the Constitution of Ukraine is the main goal of the state policy of national security. Problems of ensuring the safety of human life have been and will always be. They objectively affect all aspects of our life and have a multifaceted nature.

Various aspects of human safety and human activity constitute one of the main subjects of research in many scientific disciplines. So, for example, in psychology, within the framework of A. Maslow's concept [1, art. 12], the concept of "safety" is considered as one of the vital needs of a person. Moreover, in everyday consciousness, the idea of security is more likely at the level of feelings, sensory images, than at the level of reflection.

As noted I. M. Gryshchenko, while studying the program of activities of the Cabinet of Ministers of Ukraine, "an increasing number of researchers of the security problem in the analysis of threats come to the conclusion that the spectrum of threats is reaching the

supranational level, referring to the threats associated with paying attention to cultural characteristics, deteriorating the state of the environment. Wednesday" [2, art. 33].

Life safety ceases to be controlled, therefore, it is relevant to study the issues of life safety in the aspect of analyzing the National Security Strategy of Ukraine and other security concepts.

Analysis of recent research and publications. Now there are a large number of scientific works devoted to the issues of ensuring a safe environment for the life of citizens. Both the works of the thinkers of the past Plato [5], Aristotle [6], as well as modern research by scientists I. Gryshchenko [2, 10], I. Gryshov [9], A. Kovaleva [8], A. Reznikov are aimed at studying the spectrum of security issues. B. Parakhonskyi, G. Yavorskyi [11] and others, who prove that safety is one of the fundamental values of human existence. However, the issues of creating a safe environment for citizens' life in conceptual security documents have not been sufficiently studied.

This work is directly related to scientific research of the Department of

Public Administration and Management of Innovation Activities of the National University of Bioresources and Environmental Management of Ukraine, carried out within the framework of the research topic “Theoretical Foundations and Mechanisms for Implementing Innovative Processes in Public Administration” (SR № 118U100146).

Formulation of the objectives of the article. The purpose of the article is to study the consolidation of the issues of creating a safe environment for citizens’ life in the regulatory documents of Ukraine.

To achieve the goal, the following tasks have been identified:

- to analyze the main safety issues of the concept;
- to investigate the life safety system.

Presentation of the main research material. The origins of understanding the concept of “security” can be found already in the philosophical and political thought of ancient authors, in particular in the philosophy of Stoicism. Quite broadly, the results of understanding security problems are presented in the works of philosophers of the Enlightenment, as well as their predecessors and followers, in particular in the works of C. Montesquieu, J. J. Russo and others.

As a product of political consciousness, the concept of “security” appears in Western European socio-political thought. Security as a fundamental value and human rights was first considered within the framework of the Western world during the revolutionary period of its history. The most important legal acts marked the political

victory of the third estate of the commercial and craft strata of Western society, and directly proclaimed security as one of the inalienable natural human rights. In the Bill of Rights of 1689, Adopted in England, in the American Declaration of Independence of 1776, and in the French Declaration of the Rights of Man and Citizen of 1789, directly or indirectly, security was considered a natural human right along with freedom, property and resistance to oppression.

The serious destructive consequences that the wars and revolutions of the XIX–XX centuries brought to Europe, made a significant impact on the evolution of human consciousness and further changes in the understanding of security. Security began to denote not only the state of an individual, but also the state of a separate state and even the international community of states.

Based on the results of the report “New Dimensions of Human Security” (1994), UNDP empirically compiled a perspective shift of priorities in the concept of security – from the idea of militarized protection of state borders to the idea of increasing the security of everyday human life as a universal request for the observance of human rights and freedoms, a request for freedom from violence, persecution and fear [2, art. 36].

An analysis of the evolutionary processes of human history reveals a number of regularities that characterize the safety function:

- social progress does not eliminate and does not abolish the danger to the existence of an individual, society, state;

- the growth of the power of people over nature is accompanied by an increase in the scale of threats to humanity;

- with the differentiation of society and the complication of its organization, the spectrum of social dangers also expands; social threats are not invariable and are modified along with the development of society;

- security systems are an integral attribute of complex social systems and organizations;

- underestimating or ignoring security problems at all levels of social organization not only results in some kind of loss, but ultimately inevitably leads to a drop in viability (competitiveness) and even the death of its corresponding elements (subjects) [3, art. 28].

Activities to ensure security, counter threats to many social facilities provide for the creation of a complex security system. In this regard, the concept of “security” can be considered as a system-organized activity to prevent, eliminate and eliminate external and internal threats. With regard to the state and society, the security system is formed by the legislative, executive and judicial authorities, state, public and other organizations and associations, citizens taking part in ensuring security in accordance with the law, as well as legislation regulating relations in the field of security.

Despite this, the concept of “security” can be considered as a complex of ideas, in which there is a moment of comparison of characteristics that reflect the real and desired state of a person, society or state. From the point of view of this approach, the concept of “safety” can be understood as a process

and result of this process. The state of security is associated with the implementation of the function of protecting the vital interests of the individual, society and the state, or its results. At the same time, safety is considered as a result of a complex process of ensuring safety, how the task of maintaining the optimal parameters of the object’s vital functions, foreseeing and countering various threats is continuously being implemented.

Within the framework of the procedural approach to security, changing conditions, algorithms and stages (stages) of the implementation of security measures in any circumstances are distinguished. In addition, this approach allows us to consider the concept of “security” as a complex of ideas that arise on the basis of certain social relations, characterized by mutual trust, the absence of aggressive and harmful aspirations of the parties.

For example, in Ukraine, domestic violence and sexual crimes against minors are widespread. Scientist S. M. Avramenko describes how to ensure the safety of minors who have become victims of sexual crimes [4, art. 279].

In addition, the concept of “security” can be viewed as a value and goal, for the realization of which a person, society or state takes certain actions. In this case, the concept of “safety” is derived from the analysis of natural human needs, the satisfaction of which acts as the goal of his life. People tend to feel their safety or danger based on alarming signals and perception of the sense organs, instinctual reactions of the body, intuition, that is, safety (danger) in this regard is the value of the subjective idea of individuals about the

absence (presence) of threats to their existence. It helps you to adjust your line of behavior and avoid dangers. The ability to live without exposing oneself to various risks and dangers is highly valued in human society. This means that security takes the form of intrinsic value and realizes itself in the individual and public consciousness.

It is characteristic that this value has a universal character and is recognized as fundamental by all people, regardless of their race, nationality, gender, age, social status, although, of course, there is a certain range of opinions reflecting the degree of advantages of various categories of people. It is often conditioned by the influence of a particular situation. In peaceful conditions, in abundance, in a measured and calm life, the value of security fades into the background and is not actualized. Social upheavals, disasters, wars, terrorist acts exacerbate its significance, and make it one of the most demanded by people and society.

Security – the absence of threats in all spheres of life, contributes to sustainable human development and depends on the level of legal culture, consciousness and responsibility of each member of society, the achievement of which is possible through the interaction of public authorities with civil society and an increase in the number of preventive measures [7, art. 144].

The need for security is objective in nature, since all people are impressionable, regardless of their physical data, possession of wealth, power, and other resources. It is implemented not only at the individual, but also at the collective (group), state and social levels. It should be emphasized, however, that, unlike

many other needs, the need for security cannot be met. It is always present and requires constant attention to itself, since in different situations people are faced with a variety of dangers.

Depending on who is the subject or object of security – an individual person, a social group, society as a whole, a state or a community of states, the following main levels of security are distinguished:

- 1) personal or individual security;
- 2) societal (public safety, public safety);
- 3) national security, state security;
- 4) international or collective security;
- 5) worldwide or global, security.

As an intermediate level between the individual and society (or between the individual and the state), the level of group security or community security is distinguished.

A regional level can be distinguished between the national and international levels, or between the international and global levels. In addition, regional security is also said about the state of security in one of the parts of the state or within the ethno-cultural region, uniting the territories of several states at once.

The national security concept provides for the implementation of measures related to ensuring the security of the state in several main areas.

Among them are:

- 1) ensuring the physical existence of the state and its citizens, territorial inviolability and integrity of the state from internal and external threats;
- 2) provision, creation of guarantees against external interference in the internal affairs of the state;

3) prevention of potential and unforeseen threats to the way of life of the state and its citizens.

National interest concept. The concept of “national interest” was formed in the 1930. For the first time, the concept of “national interest” was included in the content of the Oxford Encyclopedia of Social Sciences in 1935. The priority in the development of this concept belongs to the American theologian R. Niebuhr and the American historian C. Bird. However, a surge of interest in working out the problem of national interest falls on the post-war years (after World War II). In 1948. Morgenthau’s work “in defense of national interest” was published. Since that time, interest in the problem of national interest not only did not fade away, but increased more and more.

Within the framework of the concept of national interest, the following are distinguished as its components:

- 1) vital and secondary interests;
- 2) constant and variable interests;
- 3) long-term and opportunistic interests.

The formation of national interest is a long historical process in which economic, social, national-psychological and other factors are intertwined. The main component of national interest is the desire for the self-preservation of the state, which ensures the self-preservation of the nation.

General security concept. The emergence and active discussion of some of the most important aspects of the concept of common security takes place in the early 1980. However, the main provisions of this concept were formulated somewhat later – at the turn of the 1980s – 1990s. The theoretical de-

bate over general security began with an article by the American professor Richard Ullman of Princeton University, “Redefining Security” (1983). From his point of view, the greatest threat to national security is posed by those actions that threaten a sharp decrease in the quality of life of the population of a given state in a relatively short period of time and can affect a sharp decrease in the range of political alternatives at the disposal of the country’s government or private non-governmental organizations within the state.

Within the framework of the Concept of Common Security, the claims of the nation state for an exclusive position in the field of ensuring security, both external and internal, are disputed. Supporters of the concept of common security note that the role of individual groups of citizens, local governments, non-governmental and supranational organizations, national and international public thought in ensuring security is no less significant than the role of the nation state.

So A. Kovalev [8] and I. Gryshova [9] in their scientific improvements indicate the priority of environmental safety in the agricultural policy of Ukraine. IM Gryshchenko proves that “for the proper operation of the local self-government system, it is advisable for citizens to analyze the behavior of potential candidates for work in the local self-government system, paying special attention to the orientation of these people towards” [10, art. 154] a comprehensive vision of ensuring security on the entrusted territory.

In general, the idea of the minimum sufficient security includes several aspects:

1) an idea of physical safety related to the preservation of human life, his health, protection from hunger, adverse environmental influences, social and political violence threatening human life and health;

2) the idea of economic security, including an assessment of affordability, rewards employment, provides satisfaction not only to basic needs, but also the formation of insurance savings for exceptional cases;

3) the idea of social security associated with assessing the status of a person in society, his protection from threats to physical and economic security, which is formed both by formal and informal public institutions and by the state;

4) the idea of ethnocultural security, including the assessment of the safety of the ethnic identity of the individual and the community with which the person identifies himself, the assessment of the possibility of cultural development, is shared by the person with the community;

5) the idea of safety, the dignity associated with the assessment of humanistic safety integrity, the cost of safety for a person, with the assessment of measures to suppress individuality for the sake of ensuring safety.

Societal security concept. The main idea of the concept of societal security is the declaration of the priority task of protecting the system of benefits from threatening external influences.

Within the framework of the concept of societal security, several main threats to security are distinguished:

1) pressure on the comfort of the social environment formed by a well-off, but aging population from a significant

and growing mass of young but poor migrants;

2) strengthening of their own environmental problems in the developed countries of the world due to ineffective management of technological processes in neighboring regions;

3) the penetration of organized crime into the West from the neighboring poor states of Eastern Europe, Asia, Africa and Latin America;

4) the impact of the consequences of ethnic conflicts on the state of security in the developed countries of the world;

5) the spread of terrorism.

1. According to research by I. M. Gryshchenko at the interstate level, security mechanisms are lined up in accordance with the directions presented in the annual report under the United Nations Development Program (UNDP) entitled "New Dimensions of Human Security", published in 1994. This report voiced the idea that humanity it is time to move from the old understanding of global security (primarily nuclear security) to a new understanding of the interpretation of the concept of global security, namely, the interpretation of global security as a set of measures to protect each individual person. This is how the concept of "Human Security" was born, which is based on the following principles:

2. The principle of universality means that unemployment, terrorism, environmental pollution, drugs, crime, human rights violations are the problems that every person faces, regardless of his citizenship.

3. The principle of transboundary indicates that hunger, disease, drug trafficking, ethnic conflicts are not restrained by state borders.

4. The principle of ensuring security must be understood in the sense that the primary issue is the provision of preventive security measures, and not any kind of intervention.

5. The principle of human centrism is to focus on the observance of human rights and freedoms, ensuring his health and well-being [2, art. 39].

Today, the fundamental document defining the priorities of Ukraine's national interests and ensuring national security is the National Security Strategy of Ukraine "Human Security Country Security", adopted in September 2020.

It defines that the main goal of the state policy of national security is "a person, his life and health, honor and dignity, inviolability and security" [12].

This strategy is based on three main principles:

1) deterrence, which ensures the development of defense and capabilities to prevent armed aggression against Ukraine;

2) sustainability the ability of society and the state to quickly adapt to changes in the security environment and maintain sustainable operation;

3) interaction aimed at the development of strategic relations.

And the priorities of Ukraine's national interests and ensuring national security are determined: upholding independence and state sovereignty; restoration of the territorial integrity of Ukraine; social development, primarily the development of human capital; protection of the rights, freedoms and legitimate interests of citizens of Ukraine.

In the near future, various security issues of Ukraine's strategy will be submitted for consideration and appro-

val, including: Human Development Strategy; Strategy of public safety and protection of Ukraine; Biosafety and biosecurity strategy. These and other strategies should form a comprehensive mechanism for ensuring a safe living environment for Ukrainian citizens.

In turn, any action aimed at protecting the state, society or an individual person assumes a certain responsibility. After all, responsibility is an important principle of a legal, social state, it provides for the obligation, in particular of those elected to local governments, to be responsible for the consequences of their actions during the term of office.

Conclusions. The analysis of safety concepts provided an opportunity to establish that human security is a multidimensional state, for the characterization and assessment of which it is necessary to take into account not only individual and personal indicators, physical conditions of life, but also the conditions due to the determinism of human existence and development on the part of society and the state, world community.

A number of security concepts, including the concept of national security, the concept of national interest, the concept of general security, the concept of societal security, the UNDP report "New dimensions of human security", the concept of "Human Security", the National Security Strategy of Ukraine "Human Security – Country Security" and others constitute a system for ensuring the safety of life and should be implemented in order to minimize threats that cannot be avoided and prevent threats from the occurrence of situations that pose a danger.

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PECULIARITIES OF IMPLEMENTATION BY STATE AUTHORITIES OF STATE POLICY IN THE SPHERE OF CULTURE AT THE REGIONAL LEVEL

Abstract. Culture as an independent sphere of cultural construction comprehends a wide range of state and public bodies, enterprises, institutions, organizations. The priority directions of the development of the sphere of culture are determined by target nationwide programs. Today the sphere of culture in Ukraine requires not only an increase in budget funding, but also a significant improvement in the efficiency of processes. National policy at the regional level aims to create conditions for increasing the competitiveness of regions as a basis for their dynamic development and eliminating significant interregional differ-

ences. In general, cultural organizations, as a rule, are not able to cover the costs required for one consumer from the income received from him.

Organizations in the cultural sphere operate in the absence of competition, which causes the risk of reducing the quality of the services offered. It should be understood that due to the specifics of the functioning of the cultural sphere, many processes in it proceed spontaneously, are outside the limits of state regulation, relying on the laws of social self-organization of people. At the same time, some aspects of cultural activity are fully subject to state regulation and management, and are in dire need of external stimulation.

In this regard, within the framework of public administration of the cultural sphere, a disharmony arises between the desire of public authorities to administer cultural activity, its excessive regulation and deregulation, democratization, which is aimed at non-governmental organizations, many creative teams and creative workers. A regional cultural project is a fundamentally important form of self-expression and self-realization.

Keywords: state power, state policy, the sphere of culture, the sphere of culture, management systems.

ОСОБЛИВОСТІ РЕАЛІЗАЦІЇ ОРГАНАМИ ДЕРЖАВНОЇ ВЛАДИ ДЕРЖАВНОЇ ПОЛІТИКИ В СФЕРІ КУЛЬТУРИ НА РЕГІОНАЛЬНОМУ РІВНІ

Анотація. Культура як незалежна сфера культурного будівництва досягає широке коло державних і громадських органів, підприємств, установ, організацій. Пріоритетні напрями розвитку сфери культури окреслюються цільовими загальнодержавними програмами. Сьогодні сфера культури в Україні вимагає не тільки збільшення бюджетного фінансування, а ще й суттєве покращення ефективності процесів. Національна політика на регіональному рівні має на меті створити умови для підвищення конкурентоспроможності регіонів як основи для їх динамічного розвитку та усунення значних міжрегіональних відмінностей. Загалом, організації сфери культури, як правило, не в змозі покривати витрати, які потрібні на одного споживача, за рахунок доходів, отриманих від нього.

Організації сфери культури функціонують в умовах відсутності конкуренції, що викликає ризик зниження якості пропонованих сервісів. Потрібно розуміти, що в силу специфіки функціонування сфери культури багато процесів у ній протікають стихійно, знаходяться поза межами державного регулювання, спираючись на закони соціальної самоорганізації людей. Водночас деякі аспекти культурної діяльності цілком підлягають державному регулюванню і управлінню, гостро потребують зовнішнього стимулювання.

У зв'язку з цим у межах державного управління сфери культури виникає дисгармонія між прагненням органів державної влади до адміністрування культурної діяльності, її зайвої регламентації і дерегулюванням, демократизації, на яку орієнтовані неурядові організації, багато творчих колективів

і творчі працівники. Регіональний культурний проект є принципово важливою формою самовираження та самореалізації.

Ключові слова: державна влада, державна політика, сфера культури, системи управління.

ОСОБЕННОСТИ РЕАЛИЗАЦИИ ОРГАНАМИ ГОСУДАРСТВЕННОЙ ВЛАСТИ ГОСУДАРСТВЕННОЙ ПОЛИТИКИ В СФЕРЕ КУЛЬТУРЫ НА РЕГИОНАЛЬНОМ УРОВНЕ

Аннотация. Культура как независимая сфера культурного строительства охватывает широкий круг государственных и общественных органов, предприятий, учреждений, организаций. Приоритетные направления развития сферы культуры определяются целевыми общегосударственными программами. Сегодня сфера культуры в Украине требует не только увеличения бюджетного финансирования, но и существенного улучшения эффективности процессов. Национальная политика на региональном уровне имеет целью создать условия для повышения конкурентоспособности регионов как основы для их динамичного развития и устранения значительных межрегиональных различий. В целом, организации сферы культуры, как правило, не в состоянии покрывать расходы, необходимые на одного потребителя, за счет доходов, полученных от него.

Организации сферы культуры функционируют в условиях отсутствия конкуренции, что вызывает риск снижения качества предлагаемых сервисов. Нужно понимать, что в силу специфики функционирования сферы культуры многие процессы в ней протекают стихийно, находятся за пределами государственного регулирования, опираясь на законы социальной самоорганизации людей. В то же время, некоторые аспекты культурной деятельности вполне подлежат государственному регулированию и управлению, остро нуждаются во внешнем стимулировании.

В связи с этим, в рамках государственного управления сферы культуры возникает дисгармония между стремлением органов государственной власти к администрированию культурной деятельности, ее излишней регламентацией и дерегулированием, демократизацией, на которую ориентированы неправительственные организации, много творческих коллективов и творческие работники. Региональный культурный проект является принципиально важной формой самовыражения и самореализации.

Ключевые слова: государственная власть, государственная политика, сфера культуры, системы управления.

Formulation of the problem. The state cultural policy acquires special significance given the urgent need to reduce the administration of cultural processes at various levels, to create a model of effective interaction in the de-

velopment of regions between the center and local elites.

Analysis of recent research and publications. Ukrainian and foreign researchers paid attention to the problems of cultural development of society in different historical periods, in particular: M. Castells, C. Landry, F. Matarasso, A. Perotti, V. Bibler, M. Kagan, S. Krymskyi, M. Mamardashvili, and Mole, A. Flier.

Some theoretical aspects of the functioning of culture are considered by E. Baller, J. Lally, K. Mannheim, P. Sorokin and others.

Theoretical and methodological foundations and definitions of certain aspects of state regulation of the cultural sphere are contained in the works of domestic and foreign scientists: V. Andrushchenko, V. Bakumenko, A. Batishchev, I. Voronov, L. Vostryakov, A. Grytsenko, L. Guberskyi, D. Dzvinchuk, V. Dzož, I. Dziuba, S. Drozhzhina, A. Zadykhailo, S. Zdioruk, V. Karlova, M. Kiryushka, S. Kindzerskyi, A. Lazora, P. Nadolishnyi, P. Petrovskyi, M. Poplavskyi, M. Proskurina, A. Svidzinskyi, V. Tertichkyi, S. Chukut and others, who played an important role in the formation of the concept of this graduation work.

The research hypothesis is based on the assumption that a holistic study of the essence and features of the implementation of state policy in the field of culture in modern conditions will determine the main directions of its optimization, means and mechanisms of implementation, adequate to the processes and trends observed in the cultural life of Ukrainian society.

The aim of the study is to determine and scientifically substantiate the main

directions of state policy in the field of culture on the basis of a system analysis and the peculiarities of its implementation on the example of oblast Ivano-Frankivska.

For the purpose of the study, the following tasks are defined:

- to analyze the legal framework for the implementation of the state policy in the field of culture (hereinafter referred to as DPSK) in Ukraine;

- to substantiate the theoretical foundations of the modern paradigm of public administration in the field of culture;

- to analyze the institutional prerequisites for the implementation of the DPSK in the context of decentralization changes;

- Determine the organizational and legal mechanism for the implementation of the DPSK at the regional level;

- to reveal the socio-economic potential for the implementation of the effective implementation of DPSK in oblast Ivano-Frankivska;

- to analyze the state of realization of social and cultural identity in society;

- to identify the possibilities of applying the features of the models and approaches of world cultural policy in domestic practice;

The object of the research is the state policy in the sphere of culture in Ukraine.

The subject of the research is the features and ways of implementing the state policy in the field of culture in the oblast Ivano-Frankivska.

Research methods. To solve the set research tasks, the following cognition methods were used:

- analysis and synthesis – to substantiate the need and disclose the es-

sence of the implementation of state policy in the field of culture, as well as to examine the modern legal and regulatory framework of Ukraine, which regulates the functioning of this area;

- economic and statistical analysis – to determine trends in the development of the cultural sphere of Ukraine and study its current state at the regional level;

- logical and historical – to analyze the development of the concepts of “state policy”, “sphere of culture” in scientific works on public administration, history of culture, cultural studies, management, philosophy;

- structural and functional – to study the organizational structure of governing bodies in the sphere of culture; comparative analysis – to compare the characteristics of the cultural policy of Spain, Italy, France and Germany.

Presentation of the main material.

Culture as an independent sphere of cultural construction comprehends a wide range of state and public bodies, enterprises, institutions, organizations and institutions of the SC.

The foundations of the current Ukrainian legislation establish the legal, economic, social and organizational foundations for the development of the cultural sphere (hereinafter referred to as SC) in Ukraine, regulate relations in the field of creation, dissemination, protection and use of cultural values and are aimed at:

- the introduction of the sovereign rights of Ukraine in the SC;

- revival and prosperity of the culture of the Ukrainian nation and the cultures of national minorities living in Ukraine;

- ensuring creative freedom, unhindered decomposition of cultural processes.

The priority directions of development of the middle class are determined by target nationwide programs that are approved by the Verkhovna Rada of Ukraine (Art. 85 of the Constitution of Ukraine) [1].

The implementation of the DPSK, legal, economic and social guarantees for its implementation, the system of social protection of cultural workers is expected by the Verkhovna Rada of Ukraine. The executive bodies ensure the implementation of cultural policy; with the participation of public associations, consider and finance national programs to improve the development of culture; create conditions for the revival and development of the culture of Ukrainian society, the cultures of national minorities living on the territory of Ukraine, etc. [1, art. 42].

The main directions of DPSK depend on the realities of the socio-economic life of the country, as well as the solution of problems.

The study of the current state of cultural development in Ukraine allows us to attribute to the main tasks:

- a) ensuring an adequate level of funding for the SC;

- b) creation of a legal framework in the field of culture that meets the needs of the modern world;

- c) protection of cultural heritage;

- d) increasing the role and prestige of the profession of a cultural worker [2, art. 256–257].

The main trends in the development of modern SC in Ukrainian society are most often called:

- deepening the integration of national culture with European and world spatial culture;
- limiting state participation in supporting SC in market and economic conditions;
- increasing gap in the level of cultural development between individual regions of the state [3].

The disadvantages include:

- financing on a residual basis;
- lack of awareness of the importance of the IC at the level of strategic management;
- the declarative nature of the legislative framework, and the protection of the national and cultural space in the context of globalization is noted as problems;
- conceptual and programmatic uncertainty of cultural policy at different levels of government;
- non-uniformity of procedures for providing cultural services;
- low level of material and technical and personnel support, etc. [4].

In Ukrainian realities, it is recommended to use elements of existing management systems, with the “American” – tax incentives for individuals and corporations that support culture, tax incentives for non-profit art organizations, actions, individual artists, with the “British” – to increase spending on culture in state budgets from “French” – control of state structures in the process of allocating and distributing funds, with the help of local authorities [5].

The choice of strategic mechanisms for the management of a SC through an analysis of the impact on the economic and social results of a SC of the external and internal environment

should be based on the principle of concretizing the object and establishing a mechanism for the influence of the aggregate conditions of influence on the results of its functioning in the long term.

The main goal of this principle is to accurately take into account the sectoral properties of cultural organizations, the content and composition of the solved socio-economic problems, allows you to objectively establish the relationship between the socio-economic results of its activities and the characteristics of each individual element of the enterprise environment.

The influence of state bodies on the subject of management is manifested through the use of tax incentives, which are provided for by the state tax system, state funding, through the budget system and other legislatively defined forms, as well as the use of the possibilities of the institution of state property.

The main such influence is the recognition of legislative and rule-making activity, in which it finds practical application in public policy, thereby creating a close connection between this element of the environment of direct influence and the political environment, as an integral factor of indirect influence.

Considering the objective characteristics of the tasks of SC, which, as a rule, are mainly of a social nature, and the specifics of the activities of cultural institutions, as educational organizations and business entities that have a significantly non-commercial breed, it is worth noting that, for the vast majority of reasons, the activities of state bodies have a decisive influence on the results of their current activities and,

above all, the goals of this work, in the long term.

The state of affairs is evidenced, first of all, by the fact that the dominant form of ownership in most industries in a SC is the state form of ownership, and the main legal form of organizations is a united enterprise, therefore, we can say that executive authorities at different levels receive the right to directly participate in the management of such objects [6, art. 251].

Today, a SC in Ukraine requires not only an increase in budget funding, but also a significant improvement in the efficiency of processes by introducing strategic management methodology, entails a constant change in approaches to managing economic and social processes, as well as significant changes in the organization of activities of business entities and the industry as a whole.

The problematic nature of the management of strategic SC is primarily due to the fact that only the sphere itself is a multicomponent system, which includes a large number of different economic entities and relations between them, moreover, the culture of the state is multinational and consists of many subcultures and actively changes over time [7, art. 108].

Of course, the strategy for managing a SC should be combined with the only state strategy for socio-economic development, while closely interacting and complementing other strategies of the social block to ensure the processes of social integration in society and improve the quality of life of the local population.

The strategic goals of modern state policy require significant changes in the infrastructure of the middle class,

granting greater independence to state institutions, creating conditions for active interaction of the state, commercial and non-profit sectors with interests related to the development of culture [8, art. 5].

Having significant economic and intellectual potential, Ukraine as a whole, as well as the regions, in particular in terms of a comprehensive assessment of economic efficiency, living standards and environmental safety, as well as the competitiveness of business entities, lags far behind Western and Central European countries.

Uneven regional development and the standard of living of the local population create conditions for social tension in society, threaten the territorial integrity of the country, slow down the dynamics of socio-economic indicators, slow down market transformations and reduce their effectiveness.

Therefore, the national policy at the regional level aims to create conditions for increasing the competitiveness of regions as the basis for their dynamic development and eliminating significant interregional differences.

Determination of the priority goals and objectives of the implementation of the DPSK is not least associated with an adequate assessment and understanding of the main trends of post-industrial development, both on a global scale and at the regional level. The SC also regulates the life of society based on value preferences of cultural norms of behavior.

The aspect of governance plays a special role in public administration in a SC and in the conduct of the DKP, since it is at the state level that basic information about the cultural needs of

the local population is concentrated. As it seems now, taking into account the specifics of the totality of branches of SC, there is an obvious need for socio-economic reconstruction, the development of new approaches to organizing interaction between the state and society, and adjustment of management models.

In the modern DPSK in Ukraine, the tendency towards decentralization of the management of the SC is of primary importance. At the managerial level, this is reflected in the coordinated distribution of competencies between different levels of government. They are responsible for the development of new models for the implementation of DPSC, taking into account local socio-economic and cultural characteristics, cultural preferences of the population and united territorial communities. Therefore, the task of the government is to conduct national policy and coordinate the activities of different regions.

Decentralization in a SC also leads to the creation of other independent structures – the private and non-profit sectors. Today, public, national-cultural, religious, commercial and other structures are involved in the creation and implementation.

The main task of this work is aimed at studying the principles of implementing the state policy for the development of SC at the regional level and problems associated with the development of SC at the regional level. In the process of studying the foundations of the implementation of the DPSC at the regional level, it is important to take into account certain features that are inherent in cultural industries and affect their functioning in the modern world.

Rapid innovative development, a sharp increase in high-tech innovations, the introduction of advanced scientific and technological achievements leads to an increase in labor productivity in the economy, in many of its segments it reduces costs and prices.

In general, SC organizations, as a rule, are not able to cover the costs necessary for one consumer from the income received from him. It follows that cultural organizations, not least due to the performance of socially significant functions.

In contrast to the private benefits of using the services of cultural institutions are accompanied by externalities, not only people benefit from the use of cultural goods, but also other sectors of society. At the same time, there are cultural events where, for certain volumes of production, the marginal income exceeds the marginal costs and from this profit is generated [9, art. 173].

In particular, we are talking about additional commercial services within or based on the work of institutions of SC. These are the activities of cafes, restaurants, shops, stalls, special workshops, consultation and information centers, advertising projects, renting out certain areas. The economic assessment of such services is, in fact, similar to the assessment of the activities of commercial structures.

The activity of cultural institutions is also characterized by the presence of a monopoly on the local market. In most cases it is not economically viable to create, for example, several small theaters, art museums and concert halls in small towns. This is due, in part, to the fact that average costs will be higher

than marginal costs, which is a barrier to entering the local market.

That is, the organizations of a SC work in the absence of competition, causing the risk of reducing the quality of the services offered. It should be understood that due to the specificity of the functioning of a SC, many processes in it proceed spontaneously, are outside the boundaries of state regulation, relying on the laws of social self-organization of people. At the same time, some aspects of cultural activity are fully subject to state regulation and management, and are in dire need of external stimulation.

In this regard, within the framework of state management of SC, disharmony arises between the aspiration of state authorities to administer cultural activity, its excessive regulation and deregulation, democratization, which is aimed at non-governmental organizations, many creative teams and creative workers.

On the one hand, the direct participation of the state is very necessary, since many projects simply cannot be implemented without state assistance for economic, political, legal and other reasons.

On the other hand, excessive state interference can lead to the dependence of cultural activities on the authorities, political structures, changes in the content of cultural life, restriction of freedom of creativity and self-expression, and finally, to cultural degradation.

Accordingly, an urgent management task is to find the optimal balance between state participation in the activities of a SC and the presence of the most complete freedom of cultural creativity, independent of the political or ideological guidelines of the ruling

circles. After all, effective management of a SC is designed to create favorable organizational, legal and economic conditions for cultural activities.

In addition, one of the main issues in the management of SC at the regional level at present is the establishment of an optimal balance of market and non-market mechanisms. In a SC, organizations of various forms of ownership and legal status, both state and non-state, operate on various economic and legal grounds, private individuals.

SC is mainly characterized by multi-channel funding, in particular from the state budget, through the allocation of funds from public, including charitable organizations, business structures, patrons and sponsors. Of course, in a modern mixed economy, a model in which the state completely replaces market instruments is not an effective one. It is preferable when the state creates framework conditions for their influence, allowing sufficient freedom of market relations [9, art. 174].

Within the framework of public funding, the SC of its implementation can be estimated, project, program-targeted, and various combinations of these methods can also be used.

State assistance in financing SC helps to set prices at a level corresponding to the ability of consumers to pay for the services of SC institutions.

The participation of the state in the development of SC is also expressed in direct and indirect methods of regulation, the production of cultural services by public sector institutions, various benefits and subsidies.

The MCYS of Ukraine is engaged in the development of the basic principles of the state policy of the SC develop-

ment. The priority tasks of regional policy in the SK are:

- state support for the development of culture in all regions of Ukraine;
- implementation of regional strategies for cultural development;
- preservation and optimization of the basic network of cultural institutions;
- improving interaction with regional cultural bodies;
- support for the development of amateur art and traditional culture;
- assistance in the preservation and development of cultural infrastructure in rural areas and small towns [10].

An important role in the cultural development of regions, the establishment of cooperation between regions in the SC, an increase in the role of the Ukrainian language and Ukrainian-language cultural practices is played by the development of amateur art, the preservation and popularization of folk traditions. The implementation of these tasks is largely facilitated by cultural and artistic events held in various cities and regions of Ukraine with the financial support of the MCYS of Ukraine. As the best European experience shows, negative consequences are possible on the way to decentralization, the main ones of which may be:

- uncertainty by regional authorities of priorities in the provision of cultural services, especially to socially unprotected sections of the local population;
- insufficient capacity of local authorities to manage technical services;
- lack of interconnections between power structures of various levels;
- deterioration in the quality of services in the absence of a clear regulation system;

- imperfection of the reporting system for the implementation of national tasks;

- an increase in the likelihood of corruption [11 art. 150]. The implementation of the DPSK at the regional level is, on the one hand, an essential component of the strategy of social and cultural development of Ukraine, which is being implemented in accordance with the general objectives of the DKP; on the other hand, this policy acts as an independent sphere of project activity with the goal of comprehensive support and popularization of the cultural identity of each region, its historical monuments, language, religion, folklore, folk art, creating conditions for the development of the cultural life of this territorial community. SC is a multi-level system that is able to communicate with the population and state authorities, public organizations, business structures, and art associations. The SC has real opportunities for the citizens of the region to exercise their rights and civil liberties, solve cultural problems and improve social reality. A regional cultural project is a fundamentally important form of self-expression and self-realization. New socio-economic realities and the contradictory nature of reforms have restored project activities at the regional level as a means of improving sociocultural reality. Using the project potential of the SC at the regional level allows- develop and use the mechanisms of its self-development;

- to model and forecast the priority directions and types of cultural activities;

- to promote the use of the historical experience of people;

- to optimize the spiritual life of society;
- to create a favorable socio-cultural environment necessary for human development. It is in the united territorial community, the region that the development strategy of the SC is born, which takes into account the specific features of the territories themselves, their historical and cultural traditions, the interests and needs of various groups of the local population.

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Вид видання: журнал
 Статус видання: вітчизняне
 Мова (мови) видання: українська мова; українська, російська
 Вид видання за міжнародною класифікацією: наукове
 Обсяг, кльованість: 25-30 ум. друк. арк. (формат А4), 12 разів на рік.
 Сфера розповсюдження та категорія читачів: юридична
 Іздателю надано повноваження на видачу свідоцтва про державну реєстрацію друкованого засобу масової інформації.
 Засновник (співзасновники): Інститут державного управління, права, соціології, економіки та філософії Національного університету «Київська академія управління»
 Прогнанний нді (особої уваги): Міністерство юстиції України
 Міністр юстиції України Денис МАЛЮСЬКА

НАУКОВІ ПЕРСПЕКТИВИ



Журнал
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 щомісячно

«Наукові перспективи» - це друкований журнал категорії «Б» із галузей наук: державне управління, право та економіка.

Виданню присвоєний Міжнародний стандартний серійний номер ISSN 2708-7530.

Всім статтям присвоєно свій унікальний номер DOI із префіксом 10.32689.

Наукове видання включено до міжнародної пошукової системи Google Scholar та до міжнародної наукометричної бази даних Research Bible.

Міжнародна науково-практична конференція

«Сучасні аспекти модернізації
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Термін подачі матеріалів закінчується
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ДЕТАЛЬНІШЕ

Сертифікат конференції може вважатися документом, який підтверджує участь у роботі наукової конференції в країні, яка є членом ОЕСР та/або ЄС згідно Порядку присвоєння вчених звань науковим і науково педагогічним працівникам, затвердженого Наказом Міністерства освіти і науки України від 14.01.2016 № 13



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Для того, щоб прийняти участь необхідно надіслати матеріали на електронну адресу: naukovi.perspektivi@ukr.net

Майбутнє наукове видання стане результатом праці колективу авторитетних авторів, об'єднаних спільною ідеєю представити підсумки своїх досліджень на міжнародній та вітчизняній арені. До участі у написанні колективної монографії запрошуються науковці, викладачі, аспіранти та ін.

Запрошуємо до публікації Ваших наукових здобутків.

**З повагою,
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Scientific publications

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