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THE NETWORK OF INSTITUTES AND
SCHOOLS OF PUBLIC ADMINISTRATION
IN CENTRAL AND EASTERN EUROPE

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DEAR COLLEAGUES!

The collection “Public management” has undergone a significant way of becoming and development among the national scientific professional editions from public administration. On the pages of the collection, were published works of prominent scholars in the field of public administration. Today the collection acquaints readers with the best world practice in the formation of public administration, optimization of public service in the conditions of administrative-territorial reform, etc. Collection in the constant search of talented authors and ideas for expanding democracy, decentralization of power, development of service purpose and transparency of public administration.

Now science is rapidly developing and needs new ideas, fundamental discoveries. I was pleased to hear that in the Specialized Academic Council D 26.142.04 IAPM from the defense of theses for obtaining the degree of a doctor (candidate) of public administration, a specialty 25.00.05 “Public Administration in the field of state security and public order protection” was included. The head of the specialized scientific council is the editor-in-chief of the collection “Public man-



agement”, the outstanding scientist Romanenko Ye. O.

I wish collection talented authors, socially important materials, grateful readers, and Chief Editor, editorial board – health, happiness and creative inspiration. It would be desirable that the collection should also carry out a high state mission – the communicative polyphony of the public sphere for the unity of the personal and general social interests of Ukraine.

**Sincerely,
Professor of the Department of Public Administration
of the Taras Shevchenko National University of Kyiv,
Doctor of Science in Public Administration,
Professor, Honored Worker of Science,
and technology of Ukraine**

H. P. Sytnyk

DEAR COLLEAGUES!



The collection “Public management” is the single in Ukraine specialized periodical publication from public administration in which all articles are published in English.

During the publication, the latest scientific and practical data on the development of public administration in Ukraine were presented on the pages of the collection. In recent years considerable progress has been made in the

study of the prospects for the development of the concept of human rights, its status in society, the development of new approaches to the anti-crisis policy of regional development of the country, the formation of the role of the scientific expert environment and other independent institutions for understanding of state-management processes.

In the nearest plans of the publication is the coverage of new scientific achievements of the organization of the works of public authorities in Ukraine, the strengthening of the role of the journal in the process of training specialists in public administration, the development of disciplines for the formation of a modern understanding of socio-political processes, etc., the publication of lectures and reviews of the most pressing problems of increasing the role the public in solving urgent problems of development of Ukraine, etc.

Allow me to express my gratitude to the authors of the scientific materials published in this issue and to invite all our readers to actively research with the publication of research results in our collection.

**Sincerely,
Chief Editor, Doctor of Science
in Public Administration, Professor,
Honored Lawyer of Ukraine**

A handwritten signature in dark ink, appearing to read 'Y. O. Romanenko'. The signature is fluid and cursive, written over a faint, illegible background.

Y. O. Romanenko

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THE PUBLIC INVESTMENT POLICY IN THE SYSTEM OF FACTORS OF ECONOMIC DEVELOPMENT OF UKRAINE

Annotation. The essence of the state investment policy and principles of its implementation are described in the article. The state of state investment policy is investigated and measures of the state aimed at improving the implementation of effective investment policy are presented.

It is noted that the state investment policy is a series of activities of the relevant state authorities in the direction of the effective implementation of investment processes in order to ensure sustainable economic development of the country, and the main elements of which can determine the goal and objectives, the economic effect expected from its implementation, the composition of the priority areas and investment objects and principles of formation and implementation of investment policy.

It has been determined that the main goal of the state investment policy being implemented is to attract investments in volumes that ensure the implementation of production diversification processes and an expanded economic rebuilding, and the result of an effective state investment policy is to create conditions for the transition to an investment-innovative model of economic development that is impossible without dynamic development legislation to stimulate investment. Rational investment attraction contributes to GDP growth.

It has been established that the main goal of investment management is to provide the most effective ways to implement an investment strategy and create a favorable investment climate, in the process of implementing which investment management is aimed at solving a number of critical tasks, such as ensuring high rates of economic development in the country, creating a high-tech investment complex, increasing technical level of the production apparatus, maximization of income from investment activities, minimizing investment risks, finding ways to accelerate investment programs, creating competitive export industries, ensuring financial stability in the country in the process of carrying out investment activities, positive structural changes in the economy, overcoming maladjustments, structural and technical imbalances in the economy.

It has been concluded that thanks to a well-thought-out investment policy, states can carry out the structural restructuring of the economy, increasing its level of international competitiveness and increasing export potential.

Keywords: investment policy, state investment policy, principles of investment policy.

ДЕРЖАВНА ІНВЕСТИЦІЙНА ПОЛІТИКА В СИСТЕМІ ФАКТОРІВ ЕКОНОМІЧНОГО РОЗВИТКУ УКРАЇНИ

Анотація. Розкрито сутність державної інвестиційної політики та принципи її здійснення. Досліджено стан проведення інвестиційної політики держави та наведено заходи держави в напрямі покращення реалізації ефективної інвестиційної політики.

Зазначено, що державна інвестиційна політика є одним із заходів відповідних органів державної влади в напрямі ефективного здійснення інвестиційних процесів з метою забезпечення сталого економічного розвитку країни, основними елементами якої можна визначити мету і завдання політики, економічний ефект, що очікується від її реалізації, склад пріоритетних сфер і об'єктів інвестування та принципи формування та реалізації інвестиційної політики.

Визначено, що головна мета державної інвестиційної політики полягає у залученні інвестицій в обсягах, що забезпечать реалізацію процесів диверсифікації виробництва та розширеного відтворення економіки, а результатом ефективної державної інвестиційної політики є створення умов для переходу до інвестиційно-інноваційної моделі розвитку економіки, який неможливий без динамічного розвитку законодавства, для стимулю-

вання інвестицій. Раціональне залучення інвестицій сприяє зростанню ВВП.

Встановлено, що основною метою управління інвестиційною діяльністю є забезпечення найбільш ефективних шляхів реалізації інвестиційної стратегії та створення сприятливого інвестиційного клімату, в процесі реалізації якої інвестиційне управління спрямоване на розв'язання низки найважливіших завдань, таких як забезпечення високих темпів економічного розвитку країни, створення високотехнологічного інвестиційного комплексу, підвищення технічного рівня виробничого апарату, максимізація доходів від інвестиційної діяльності, мінімізація інвестиційних ризиків, визначення шляхів прискорення інвестиційних програм, створення конкурентоспроможних експортних виробництв, забезпечення в країні фінансової стабільності в процесі здійснення інвестиційної діяльності, позитивних структурних змін в економіці, подолання диспропорцій, структурно-технічної незбалансованості економіки.

Доведено, що завдяки продуманій інвестиційній політиці держави можуть здійснювати структурну перебудову економіки, підвищуючи її рівень міжнародної конкурентоспроможності та збільшуючи експортний потенціал.

Ключові слова: інвестиційна політика, державна інвестиційна політика, принципи інвестиційної політики.

ГОСУДАРСТВЕННАЯ ИНВЕСТИЦИОННАЯ ПОЛИТИКА В СИСТЕМЕ ФАКТОРОВ ЭКОНОМИЧЕСКОГО РАЗВИТИЯ УКРАИНЫ

Аннотация. Раскрыта сущность государственной инвестиционной политики и принципы ее осуществления. Исследовано состояние проведения инвестиционной политики государства и приведены меры государства в направлении улучшения реализации эффективной инвестиционной политики.

Отмечено, что государственная инвестиционная политика является рядом мероприятий соответствующих органов государственной власти в направлении эффективного осуществления инвестиционных процессов с целью обеспечения устойчивого экономического развития страны, и основными элементами которой можно определить цель и задачи, экономический эффект, который ожидается от ее реализации, состав приоритетных сфер и объектов инвестирования и принципы формирования и реализации инвестиционной политики.

Определено, что главная цель осуществляемой государственной инвестиционной политики заключается в привлечении инвестиций в объемах, обеспечивающих реализацию процессов диверсификации производства и расширенного воссоздания экономики, а результатом эффективной государственной инвестиционной политики является создание условий для перехода к инвестиционно-инновационной модели развития экономики, который невозможен без динамического развития законодательства, для

стимулирования инвестиций. Рациональное привлечение инвестиций способствует росту ВВП.

Установлено, что основной целью управления инвестиционной деятельностью является обеспечение наиболее эффективных путей реализации инвестиционной стратегии и создание благоприятного инвестиционного климата, в процессе реализации которой инвестиционное управление направлено на решение ряда важнейших задач, таких как обеспечение высоких темпов экономического развития страны, создание высокотехнологического инвестиционного комплекса, повышение технического уровня производственного аппарата, максимизация доходов от инвестиционной деятельности, минимизация инвестиционных рисков, нахождение путей ускорения инвестиционных программ, создание конкурентоспособных экспортных производств, обеспечение в стране финансовой стабильности в процессе осуществления инвестиционной деятельности, позитивных структурных изменений в экономике, преодоление диспропорций, структурно-технической несбалансированности экономики.

Сделан вывод, что благодаря продуманной инвестиционной политике государства могут осуществляться структурную перестройку экономики, повышая ее уровень международной конкурентоспособности и увеличивая экспортный потенциал.

Ключевые слова: инвестиционная политика, государственная инвестиционная политика, принципы инвестиционной политики.

Problem statement. The problems of investment for modern economic science and political science are the most important, since not only the state of production, socio-technical state of the economy, but the whole process of stabilization and progress of the states depends on the efficiency of the state's investment policy as a whole. The state investment policy ultimately pursues the goal of optimizing various economic interests in the course of formation and use of financial, material and other resources and is considered as a system of various measures of public authorities in order to intensify the investment activity to achieve the result (economic, social) or address the problems.

Analysis of recent research. The state investment policy is researched by many foreign and domestic scientists. Among the latter, the special mention should go to I. Blank, V. Bazylevych, A. Galchynsky, V. Mischenko, T. Mayorov, A. Peresada, V. Shevchuk, and others.

The objective of the study. The paper is aimed at definition of the essence of the state investment policy in the context of modern trends of Ukrainian economic development.

Results. For any economy, it is important to achieve macroeconomic stability, which is impossible without a clear and balanced investment policy. The essence of state investment policy is to find the ways towards expansion

of the production potential implementation.

Thus, O. Sheverdina proposes to define investment policy as “a component of the economic policy of the state, which includes a set of legal, administrative and economic measures, is carried out in order to expand and intensify the investment processes, as well as to regulate the capital investments in order to control the restructuring of production, its technical and technological updating and modernization” [1].

According to O. Koyuda and V. Grynyova, the state investment policy is “the definition of structural and quantitative needs in investment resources, increase in the sources of financing, selection of priority areas of financing and formation of an effective proposal for attracting the investments” [2].

We believe that state investment policy is a series of measures of the relevant public authorities aimed at effective implementation of investment processes in order to ensure sustainable economic development of the country.

The main elements of state investment policy can be defined as follows:

- objective and tasks of the policy;
- economic effect expected from its implementation;
- composition of priority spheres and objects of investment;
- principles of formation and realization of investment policy [3].

According to the Law of Ukraine “On Investment Activity” [4], “the objects of investment activity may be any property, including fixed assets and working capital in all branches and sectors of the national economy, securities,

special-purpose contributions, scientific-technical products, intellectual property, other objects of property, as well as property rights ... The subjects (investors and parties) of investment activity may be individuals and legal entities of Ukraine and foreign states, as well as the states”.

The main objective of the implemented state investment policy is to attract investments in volumes which will ensure the realization of production diversification and expanded reproduction of the economy. Given the involvement of all subjects of market infrastructure into the investment process, the implementation of such a policy should be a catalyst for entrepreneurial activity, which will create broad opportunities for business development, creation of new and expansion of existing production facilities, and increase the filling of the state’s consolidated budget with taxes.

Taking into account the tasks of the state investment policy, it is possible to form a system of principles, the observance of which contributes to the formation of an effective state investment policy, which should be divided into the general principles to be followed in developing the main areas of such policy, and the principles to be followed in assessing its implementation. The general principles of state policy in the investment area should be as follows [3]:

- practical need to achieve the goal and its scientific validity;
- set goals should be transparent, understandable and desirable for the population as well as for groups with special economic interests;
- any objective of state regulation of the economy can be set and achieved

only in conjunction with all other goals according to its place in the system of priorities of objectives;

- creation of an effective coordination mechanism and close cooperation between the parties to the implementation of the policy;

- substantiality, consistency, publicity and predictability of the state investment policy;

- priority of state support of the sectors strategically important for the state, which ensure the functioning of the whole national economy, innovation breakthrough, development of social infrastructure, and ecological safety;

- rejection of the practice of excessive interference into the operation of the market sector, stimulation of the attraction of private capital to solve the key tasks of socio-economic development of the country.

The principles to be followed when evaluating the state investment policy implementation are as follows:

- principle of investment process decentralization — all investment processes which can be carried out without the obligatory participation of the state as a partner shall be transferred for implementation to private companies and individuals, to create all prerequisites for this and provide certain state guarantees, if necessary;

- principle of controllability — the constant control over the use of public funds and funds of local budgets allocated as part of the complementary investment policy of the state for the realization of the necessary projects;

- principle of adaptability — constant correction of tactical measures of the state's investment policy due to the economic development of society. Stra-

tegic benchmarks of mentioned policy should remain stable, since the permanent changes in legislation do not contribute to improving the country's investment climate;

- principle of effectiveness — continuous monitoring of the state's investment policy efficiency and correction of measures in case of ineffective implementation of the mentioned program and failure to receive the expected effects of its implementation;

- principle of continuity — process of improving the investment policy of the state is endless, and upon completion of the stage of achieving the stated goals it is required to develop new directions of the country's investment climate improvement;

- principle of interaction harmonization in the course of implementation of the state's investment policy, an important role is played by the interaction between the public authorities and local self-government.

The result of an effective state investment policy is creation of the conditions for the transition to an investment-innovation model of economic development, which is impossible without the dynamic development of legislation, and stimulation of investments. The rational attraction of the investments promotes the GDP growth.

Currently, the investment sphere of our country is characterized by insufficient financing of the country's economy, except for several branches, mainly connected with the export of raw materials and energy resources. The real sector of the economy suffers from chronic lack of investments.

This is precisely why the state investment policy should become one

of the priorities in functioning of the country's economy, ensuring its sustainable development.

The main purpose of investment activity management is to provide the most effective ways towards the implementation of investment strategy and creation of favorable investment climate. In the course of realization of this main goal, the investment management is aimed at solving the following important tasks [5]:

- ensuring high rates of economic development of the country through effective investment activity;
- creation of high-tech investment complex able to meet the needs of the economy in investment products and services of decent quality;
- raising the technological sophistication of the productive facilities;
- maximization of income from investment activity;
- minimization of investment risks;
- finding the ways to accelerate the investment programs;
- creation of competitive export production, which will ensure the effective foreign economic relations of Ukraine;
- ensuring of financial stability in the country in the course of the investment activities, positive structural changes in the economy, overcoming of disproportions, structural and technical imbalances of the economy.

Activation of attraction of investments into priority areas of operation shall be carried out by means of certain instruments — investment, financial-credit, tax leverages in proportion to the strategic goals of Ukraine's development. The effectiveness of these instruments can be measured by analysis

of the dynamics and structure of investing in the national economy in the context of implementation of the strategic goals of its development.

According to the Strategy for Sustainable Development "Ukraine-2020", "in order to support the investment activity and protect the rights of investors, it is necessary to ensure effective protection of the right to private property, including protection by the judicial authorities, to harmonize with the legislation of the European Union the provisions of the Ukrainian legislation on the protection of the rights of domestic and foreign investors and creditors, protection of economic competition, to introduce the incentive mechanisms of investment activity based on the best world practice" [6].

The main indicators of investment activity are, first of all, the positive growth rates both in general and in categories (private and foreign investments); increase in the number of investment projects as a whole, as well as in certain industries and territories; an increase in the share or scope of inclusion into a business turnover of a particular type of resources.

Among the weaknesses in the implementation of the state investment policy, the following should be stated: unstable political situation which is a prerequisite for attracting the investments into the country, the lack of incentive legislation in the investment and tax sector, in the area of public-private partnership, low level of capitalization of enterprises, which reduces their financial and investment opportunities, high degree of dependence of the state budget on transfers, the low level of professional competence

(lack of highly-qualified personnel), etc. [7].

However, at present, the state takes certain measures aimed at improving the investment policy. Thus, according to the report of the Ministry of Economic Development and Trade, the steps were taken in 2016 towards the stable development of the Ukrainian economy and intensification of investment activity, namely:

- protection of investors' rights – measures are taken to join Ukraine in the OECD Declaration on International Investments and Multinational Enterprises;

- development of public-private partnership – improved procedure for calculation of the concession payments, introduced international practice of preparing the public-private partnership projects in identifying the mechanisms for fair distribution of risks between the intergovernmental and private partners, simplified procedure for providing the state partner by private partner with the information on the implementation of the contract entered into as part of public-private partnership, more effective mechanisms for cooperation between the state and the territorial communities (state partners) and private partners as part of public-private partnership are created, work on reforming of the Ukrainian concession legislation commenced;

- concerning the improvement of the state (capital investment) investment management system – approved new transparent procedures for project selection, composition of the Interdepartmental Commission, as well as a list of requirements set for state investment projects;

- development of investment infrastructure – work on the implementation of the Law of Ukraine “On Industrial Parks” stipulating the state support for the development of industrial parks [8] continues.

The country's investment climate may be improved by various measures, including ensuring a clear legal framework for investment activity, macroeconomic and political stability, introduction of tax and customs privileges, grants, subsidies, subventions and budget loans for the development of priority sectors of the economy, overcoming the bureaucratic barriers, corruption, ensuring a legal protection of investments, improvement of information support and investment infrastructure.

In terms of strategic contents and practical execution, the policy of regulating the foreign direct investment inflows in Ukraine should effectively coordinate the complex combination of the interests of foreign and national investors. The officially recognized forms of support for the national economy and national private business are less risky for the economy, as they are subject to control by the public and expert professional organizations than the “manual” regulation which is completely in the shade [9].

In order to attract new investors, the policy and institutional principles of support for investments require consolidation. A more detailed strategy and action plan are necessary to achieve the result. After the liquidation of the State Agency for Investments and National Project Management, more attention should be paid to the state support of foreign and domestic investors through the provision of business services and

information support. The state should consider the launching of a structure responsible for the investment promotion with clear functions and appropriate funding. Creation of a user-friendly and regularly updated on-line portal developed specifically for potential and already operating investors in the country would help investors to get information and raise their awareness about the recent legislative and regulatory amendments and future opportunities.

Conclusion and prospects for further research. Thus, due to well thought-out investment policy, the states can implement the restructuring of the economy, enhancing its international competitiveness by increasing the export potential.

However, it is important that the instrumental content of the investment policy is not only declared as possible for use, but is actually applied at the macro and meso-economic levels in the context of the sectors and territories identified by the strategic priorities of the state economic policy.

The state's investment policy should be first and foremost balanced and effective. The study we have conducted indicates that currently the state takes some steps aimed at improving and perfection of the investment climate in Ukraine, but they are not sufficient for stable economic development. At present, the investment policy development receives new opportunities which should be adapted to the chosen European integration course of foreign policy.

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FEATURES OF GOVERNMENTAL REGULATION IN THE SPHERE OF EDUCATIONAL SERVICES OF UKRAINE

Abstracts. The article reveals the problem of state regulation of higher education in Ukraine. First of all, attention is focused on the process of European integration when choosing the features and directions of development of higher education in the country.

The author examines the concept of public administration and the concept of education in the light of the ongoing process of reform in the field of educational services, in particular – higher education in Ukraine. It is noted that public administration is designed to meet the educational needs of society, thereby achieving the strategic goals of its development and the economy as a whole. At the same time, education acts as an object of executive power and is characterized by inte-

gration with the entire social system, which in turn requires the implementation of state regulation for its organization.

The article focuses on the fact that public administration should be directed at regulating the organization of the educational process, controlling the quality of education, as well as establishing the procedure for licensing and state accreditation of institutions of higher education. Thus, the author points to the important role of higher education management in Ukraine.

The author also determines and studies the executive authorities in the field of public administration of education, names their functions and basic powers in relation to the provision of educational services in the country. Defining the tasks of state educational authorities, the author conducts a comparative analysis with European countries and the characteristics of their institutional and functional state of public administration of the higher education system.

In conclusion, the author notes the main problem areas in the domestic experience of public administration of the higher education system, calling among them the lack of autonomy of higher education institutions and the low level of activity of public advisory bodies, which are designed to create recommendations for the development of the country's higher education system, thereby making it more effective and quality.

Summing up, the author determines that for the implementation of the organizational and legal mechanism of public administration of higher education it is necessary to consistently perform organizational and legal actions that rely on objective laws and are aimed at reforming the education system.

Keywords: education system, higher education, public administration, quality of education, education reform, the process of European integration.

ОСОБЛИВОСТІ ДЕРЖАВНОГО РЕГУЛЮВАННЯ У СФЕРІ ОСВІТНІХ ПОСЛУГ УКРАЇНИ

Анотація. Розкрито проблему державного регулювання вищої освіти України. Акцентується увага на процесі євроінтеграції під час вибору особливостей та напрямів розвитку вищої освіти в країні.

Розглядаються поняття державного управління й освіти як процесу реформування, що відбувається у сфері освітніх послуг, зокрема – вищої освіти України. Визначено, що державне управління покликане задовольняти освітні потреби суспільства для досягнення стратегічних цілей його розвитку та економіки загалом. При цьому освіта виступає об'єктом виконавчої влади та характеризується інтеграцією з усім суспільним устроєм, що, своєю чергою, вимагає виконання державного регулювання за її організацією.

Акцентується увага на тому, що державне управління має спрямовуватися на регулювання порядку організації навчального процесу, контролювати якість освіти, а також встановлювати порядок ліцензування та державної акредитації закладів вищої освіти. Тим самим наголошується на важливій ролі управління вищою освітою в Україні.

Зокрема, визначено та вивчено органи виконавчої влади у сфері державного управління освітою, їх функції та основні повноваження щодо надання освітніх послуг у країні. Визначаючи завдання державних органів управління сферою освіти, здійснено порівняльний аналіз з європейськими країнами та особливостями їх інституційного та функціонального стану державного управління системою вищої освіти.

Окреслено проблемні місця у вітчизняному досвіді державного управління системою вищої освіти, а саме — відсутність автономності закладів вищої освіти та низький рівень діяльності громадських консультативних органів, покликаних створювати рекомендації щодо розвитку системи вищої освіти в країні, що сприятиме її ефективності та якості.

У підсумку визначається, що для реалізації організаційно-правового механізму державного управління вищою освітою необхідно послідовно здійснювати організаційні та правові дії, які спираються на об'єктивні закони і спрямовані на реформування системи освіти.

Ключові слова: система освіти, вища освіта, державне управління, якість освіти, реформування освіти, процес євроінтеграції.

ОСОБЕННОСТИ ГОСУДАРСТВЕННОГО РЕГУЛИРОВАНИЯ В СФЕРЕ ОБРАЗОВАТЕЛЬНЫХ УСЛУГ УКРАИНЫ

Аннотация. Раскрывается проблема государственного регулирования высшего образования Украины. В первую очередь акцентируется внимание на процессе евроинтеграции при выборе особенностей и направлений развития высшего образования в стране.

Рассматриваются понятия государственного управления и образования как текущего процесса реформирования в сфере образовательных услуг, в частности — высшего образования Украины. Отмечается, что государственное управление призвано удовлетворять образовательные потребности общества для достижения стратегических целей его развития и экономики в целом. При этом образование выступает как объект исполнительной власти и характеризуется интеграцией со всем общественным строем, что в свою очередь требует исполнения государственного регулирования за ее организацией.

Акцентируется внимание на том, что государственное управление должно направляться на регулирование порядка организации учебного процесса, контролировать качество образования, а также устанавливать порядок лицензирования и государственной аккредитации заведений высшего образования. Тем самым указывается на важную роль управления высшим образованием в Украине.

Кроме того определены и изучены органы исполнительной власти в сфере государственного управления образованием, их функции и основные полномочия по отношению к предоставлению образовательных услуг в стране. Определяя задачи государственных органов управления сферой образования, проводится сравнительный анализ с европейскими странами и особен-

ностями их институционального и функционального состояния государственного управления системой высшего образования.

В заключении отмечаются основные проблемные места в отечественном опыте государственного управления системой высшего образования, называя среди них отсутствие автономности заведений высшего образования и низкий уровень деятельности общественных консультативных органов, которые призваны создавать рекомендации по развитию системы высшего образования в стране, тем самым делая его более эффективным и качественным.

В итоге, определяется, что для реализации организационно-правового механизма государственного управления высшим образованием необходимо последовательно совершать организационные и правовые действия, которые опираются на объективные законы и направлены на реформирование системы образования.

Ключевые слова: система образования, высшее образование, государственное управление, качество образования, реформирование образования, процесс евроинтеграции.

Problem statement. The last decade in our country is characterized by significant socioeconomic changes and political reforms that have affected virtually all spheres of society. This also applies to higher education, where these changes take place very dynamically and at a high pace.

Today, Ukraine is on the path of European integration and is trying to actively participate in the development of the European educational space. That is why in this issue an important place is occupied by public administration bodies in the field of educational services. And this is especially true of their effective functioning, their peculiarities of interaction with each other, competent and correct definition of goals for innovative development of higher education, which in turn affects the activities of all institutions of higher education. The activity of research-

ers, sociologists and managers in the problems of reforming and functioning of the educational services in the field of studying state regulation is to increase the role of education and the reproduction of realistic socio-cultural public life, as well as in the economic and intellectual development of our state.

Analysis of recent publications on research issues. The question of the analysis of the current state of the system of state administration of higher education in Ukraine is highlighted in the scientific works of K. Andriychuk, S. Grigansky, V. Viktorov, S. Dombrovsky, D. Dvinkchuk, V. Kremen, V. Lugovoi, I. Sikorsky, V. Sichenka, A. Skidina and others.

Purpose of the article. In studying organizational, legal and other provisions and theoretical conclusions that characterize the specifics of the sphere

of educational services as an object of public administration, to determine the peculiarities of state regulation of this sphere as one of the perspective directions of the state educational policy.

Presenting the main material of research. The latest policy of Ukraine in the context of reforming the educational system is expressed in various innovations that appear in innovative projects and programs for the development of the field of educational services of higher education, and pursues the main goal of improving the quality of educational services provided by modern schools [1].

Among the peculiarities of the implementation of higher educational services in the conditions of the reform of the domestic market of education, one should note the departure from the state administrative regulation in the relations between social actors, and in contrast, the application of methods of economic and regulatory regulation and their interaction at different levels. From this position, state regulation of the sphere of educational services is viewed more effectively than public administration, because it corresponds best to the socioeconomic significance of the educational sector in the modern society.

For the disclosure of tasks in this article, it is necessary to determine the content of the basic definitions of “state regulation” and “education”.

State regulation in the educational sphere is a complex of socioeconomic, regulatory, organizational and other methods of directing influence on agents of the educational space, in order to provide favorable conditions for meeting educational needs and achiev-

ing strategic goals of social development. This interpretation of state regulation in the context of considering educational issues is rather widespread and does not cause a serious discussion in the scientific community [2].

And education is a complex of interconnected industries that provide social and cultural services related to education, transfer and acquisition of knowledge, as well as the development of professional skills in work.

The Law of Ukraine “On Education” says that education is a deliberate process of education and training in the interests of man, society, and the state, which is accompanied by a statement of achievements. At the same time, this law states that obtaining education is the achievement and confirmation of a certain educational level and is certified by the relevant document.

Thus, among the responsibilities of the state, the need to support various forms of education and self-education is emphasized. Moreover, education, being an object of executive power, is characterized by deep integration with the whole social system. In the sphere of education, one third of the population is employed as consumers of educational services [3].

So, we can say that education is an area that traditionally has a high level of state regulation, therefore, the nature of the main part of relations in the field of education is administrative-legal. In other words, the rules of administrative law regulate the organization of the educational process, control the quality of education, and establish the procedure for the establishment, licensing and state accreditation of educational organizations. In addition, the

rules of administrative law determine the order and management of state or municipal educational organizations, the regulation of relations between the educational activities of executive authorities.

In our country, higher education authorities are involved in the management of higher education at different levels. Today in the hands of the state there are the main levers of influence on the educational sphere, namely, the higher importance belongs to the state administration of higher education. Such a process has the organizing, purposeful and regulatory influence of the state on the system of higher education, which has a function of executive and regulatory nature. This management takes place in the process of implementing state power through specially authorized bodies that apply state power and perform certain management functions, which streamlines public relations in the field of higher education, achieves the goals and improves the structure and organization of the educational process [4].

Summarizing the above, it is worth saying that it is the public administration that is assigned the main role in the management of higher education in our state, which is provided by the various levels of government, which have an internal organization and which have appropriate powers in relation to institutions of higher education, as well as public administration.

One of the main points is that there should be a clear legal framework for the activities of state bodies of government. Today, such a legal basis in our country is the laws and regulations, namely, the Constitution of Ukraine,

the Law of Ukraine "On Education", "On Higher Education", the National Doctrine on the Development of Education, as well as the decrees of the President of Ukraine and the Verkhovna Rada resolution for the sake of Ukraine, the Cabinet of Ministers of Ukraine, which are aimed at regulating the sphere of higher education.

To bodies which have been granted the function of management of higher education in accordance with Art. 11 of the Law of Ukraine "On Education" include: the Ministry of Education and Science of Ukraine, the ministries and departments of Ukraine, which are subject to institutions of higher education, the Higher Attestation Commission of Ukraine, local bodies of executive power and bodies of local self-government and subordinate management, departments of education. The Act also covers the responsibilities of state executive bodies that manage education. Also, the decrees of the President of Ukraine and resolutions of the Cabinet of Ministers, both normative and individual, influence the industry. For each educational and profile level, the Cabinet of Ministers of Ukraine approves the state standards, which specify requirements for the content, volume and level of education and professional training in our state. It is these standards that are used to assess the educational and profile levels of citizens, regardless of the form of the received education. Once every 10 years, state standards may be subject to revision and re-approval. The Ministry of Education and Science of Ukraine is the main state and central body, which has the right to manage the whole industry.

In accordance with Art. 12 of the Law of Ukraine “On Education” and Regulation № 773/2000 on the Ministry of Education and Science of Ukraine are assigned the following tasks:

- to participate in the definition of state policy in the field of education and science, as well as in the training of highly skilled personnel, to develop programs for the development of education in general and state education standards;

- to establish state standards of knowledge on each subject;

- to determine the minimum standards of financial and logistical support of institutions of higher education;

- to carry out educational and methodological guidance and control over observance of state standards of education, as well as state inspection;

- to conduct state accreditation of institutions of higher education regardless of the forms of ownership and subordination, to issue licenses and certificates to them;

- develop draft regulations for institutions, which will be further approved by the Cabinet of Ministers of Ukraine;

- to carry out the management of state institutions of higher education of Ukraine.

Higher education institutions are also subordinated to the ministries and central executive authorities, which, together with the Ministry of Education and Science of Ukraine, carry out state policy in the field of education, science and professional training of highly skilled personnel. At the same time, the data of ministries and other central authorities subordinate to institutions of higher education take acts within their competence. They are ob-

ligatory for the local authorities of the state executive power and local self-government bodies, as well as subordinated educational management bodies and higher education institutions of a defined profile, regardless of ownership [5].

The work of the Higher Attestation Commission of Ukraine, provided in accordance with Art. 13 of the Law of Ukraine “On Education”. She organizes and conducts the certification of scientific and scientific and pedagogical staff, conducts leadership on the award of scientific degrees and assigns scientific degrees to a senior researcher. Local state administrations and local self-government bodies are given the authority to form education management bodies, which in turn are directed at the management of institutions of higher education that are owned by communal property, the organization of teaching and methodological support of universities, improvement and improvement of professional qualifications of pedagogical workers, as well as their retraining and conduct certification, control the established requirements regarding content, level and volume of education, carry out attestation of teaching municipal institutions that are in communal ownership.

Today, the Ministry of Education and Science of Ukraine is responsible for reforming education in our country, providing an appropriate level of education that will be competitive in Europe and in the world, as well as achieving world standards in order for graduates of Ukrainian higher education institutions to meet the level of skills and knowledge and their employment in various spheres of domestic

production, and their diploma was recognized abroad [6].

If we consider the European experience in terms of the institutional and functional component of public administration in the system of higher education, the following should be noted. Among the majority of European countries, and this applies to our state, all responsibility for the higher education sector lies with the profile ministry or the central governing body, in different countries it is called differently. In the UK it is called the Department of Higher Education, Innovation and Arts, in Norway and Finland – the Ministry of Education and Science, in France – the Ministry of Higher Education and Research.

To regulate the higher education sector, many regional-level functions in the management of institutions of higher education are assigned to intermediary agencies, public administration bodies, and a sufficiently large range of competences are granted to institutions of higher education that already have the appropriate autonomy [7].

In the analysis of our domestic experience of public administration, a higher education system, we cannot yet boast such a result. In our country, on a legislative level, the autonomy of institutions of higher education is determined, but in reality we do not observe this. Also in the system of governance of the field of higher education and in order to take into account possible interests included public advisory bodies, which should include: the Public Humanitarian Council under the President of Ukraine, the Public Council under the Ministry of Education and Science. One of the important units in the struc-

ture of public bodies that have a significant impact on the higher education sector is the Union of Rectors of Higher Education Institutions. structurization is characteristic of their activities, but it is worth noting that it is still not quite high enough and not effective enough because their recommendations do not find a place in the practical implementation of public administration by the system of higher education.

Conclusions and prospects for further research. Summarizing the above, one should say that the implementation of the organizational and legal mechanism is possible only with the consistent implementation of organizational and legal actions, which will be based on objective laws and basic principles, and will have a purposefulness and functional definition with the use of appropriate methods, which will be aimed at achieving the goal.

In order to achieve the objectives of public administration, in addition to organizational and legal regulation, it is necessary to provide the field of higher education with resources that are important to include financial, personnel, logistical and informational. If we consider the branch of higher education in the context of the mechanisms of public administration, budget financing will be the most important lever of the influence of our state on the whole system of education in general and on separate educational institutions.

Therefore, for the effective functioning of the entire education system and the possibility of its continuous development, an important point is the proper organization of funding for educational institutions by the state and its full support.

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PUBLIC-PRIVATE PARTNERSHIP AS A TOOL FOR DEVELOPMENT OF TERRITORIES

Abstract. The article establishes that sustainable territorial development is impossible without the partnership of public authorities and business. It is noted that Public Private Partnership (PPP) is an institutional and organizational alliance between authorities and business for the purpose of realization of socially significant projects in various spheres of activity. It is revealed that this transfer of business is part of the powers, responsibilities and risks associated with the implementation of investment projects that have traditionally been implemented through budget financing. The attention was paid to the forms of public private partnership. The current state of realization of local public private partnership projects is analysed, actual problems have been identified and directions of financing of development of territories have been clarified. It is proved that the partnership between the authorities and the private sector is aimed at increasing the efficiency of the implementation of infrastructure projects at the local level, solving important issues of local importance and meeting the needs and interests of the territorial community in obtaining quality services. There are listed spheres and sectors of application public private partnership. There are mentioned advantages of the use of public private partnership. The statistical data and the dynamics of realization of projects implemented on the basis of public private partnership are presented. An example of the use of public private partnership, as an instrument for the development of territories, is presented. Attention is paid to the institutional environment of the implementation of public private partnership projects. The expediency of harmonization of concession legislation with the legislation on public private partnership and implementation of best international experience in legal regulation in Ukraine is substantiated. The necessity of development of public private partnership as an instrument of development of territories in the conditions of realization of the decentralization of power relations reform is pointed out.

Keywords: Public Private Partnership (PPP), projects and development of the territory.

ДЕРЖАВНО-ПРИВАТНЕ ПАРТНЕРСТВО ЯК ІНСТРУМЕНТ РОЗВИТКУ ТЕРИТОРІЙ

Анотація. Встановлено, що сталий територіальний розвиток неможливий без партнерства органів публічної влади й бізнесу. Зазначено, що державно-приватне партнерство — це інституційний та організаційний альянс між владними органами і бізнесом з метою реалізації суспільно значущих проектів у різних сферах діяльності. З'ясовано, що це передача бізнесу частини повноважень, відповідальності та ризиків щодо реалізації інвестиційних проектів, які традиційно впроваджувалися за рахунок бюджетного фінансування. Приділено увагу формам державно-приватного партнерства. Проаналізовано сучасний стан реалізації місцевих проектів державно-приватного партнерства, виявлено актуальні проблеми та розкрито напрями вдосконалення фінансування розвитку територій. Доведено, що партнерство органів влади і приватного сектору спрямоване на підвищення ефективності впровадження інфраструктурних проектів на місцевому рівні, вирішення важливих питань місцевого значення, задоволення потреб та інтересів територіальної громади щодо отримання якісних послуг. Перелічені сфери і сектори застосування державно-приватного партнерства. Зазначено переваги застосування державно-приватного партнерства. Наведено статистичні дані і динаміка реалізації проектів, що реалізуються на засадах державно-приватного партнерства. Також наведено приклад застосування державно-приватного партнерства як інструменту розвитку територій. Акцентовано увагу на інституційному середовищі реалізації проектів державно-приватного партнерства. Обґрунтовано доцільність гармонізації концесійного законодавства із законодавством про державно-приватне партнерство, імплементації кращого міжнародного досвіду до правового регулювання в Україні. Наголошено на необхідності розвитку державно-приватного партнерства як інструменту розвитку територій в умовах реалізації реформи децентралізації владних відносин.

Ключові слова: державно-приватне партнерство, проекти, розвиток території.

ГОСУДАРСТВЕННО-ЧАСТНОЕ ПАРТНЕРСТВО КАК ИНСТРУМЕНТ РАЗВИТИЯ ТЕРРИТОРИЙ

Аннотация. Установлено, что стабильное территориальное развитие невозможно без партнерства органов публичной власти и бизнеса. Отмечено, что государственно-частное партнерство — это институциональный и организационный альянс между властью и бизнесом в целях реализации общественно значимых проектов в разных сферах деятельности. Выяснено, что это передача бизнесу части полномочий, ответственности и рисков по реализации инвестиционных проектов, которые традиционно внедрялись за счет бюджетного финансирования. Уделено внимание формам государственно-частного партнерства. Проанализировано нынешнее состояние реализации

местных проектов государственно-частного партнерства, выявлены актуальные проблемы и раскрыты направления улучшения финансирования развития территорий. Доказано, что государственно-частное партнерство направлено на повышение эффективности инфраструктурных проектов на местном уровне, решение важных вопросов местного значения, удовлетворение потребностей и интересов территориальной общины в получении качественных услуг. Перечислены сферы и секторы применения государственно-частного партнерства. Раскрыты преимущества применения государственно-частного партнерства. Приведены статистические данные и динамика реализации проектов, реализуемых на принципах государственно-частного партнерства. Также приведен пример применения государственно-частного партнерства как инструмента развития территорий. Акцентируется внимание на институциональной среде реализации проектов государственно-частного партнерства. Обоснована целесообразность гармонизации концессионного законодательства с законодательством о государственно-частном партнерстве, имплементации положительного международного опыта в правовое регулирование в Украине. Указано на необходимости развития государственно-частного партнерства как инструмента территорий в условиях реализации реформы децентрализации властных отношений.

Ключевые слова: государственно-частное партнерство, проекты, развитие территории.

Problem statement. It is difficult for local authorities to effectively implement the Social and Economic Development Program of territorial communities. Budget financing is not enough to implement capital construction projects, maintenance of roads, purchase of equipment and equipment, modernization of housing and communal services, institutions of social and humanitarian spheres: education, health care, social protection of the population, culture, provision of high-quality services to the population. This indicates the relevance of public private partnership, because sustainable territorial development is impossible without the cooperation of state executive authorities, local governments and business.

Analysis of recent researches and publications. Some issues concerning the development of public private partnerships are highlighted in the works of national scientists [1; 2; 4–6; 8], and others. Nevertheless, Public Private Partnership (PPP) as an instrument for financing development of territories requires additional research.

Purpose of the article. The article analyses the current state of realization of local public private partnership projects, identifies actual problems and reveals the areas of improving the financing of the development of territories.

Presentation of the main material. It has been established that Public Private Partnership (PPP) is an institutional and organizational alliance between the authorities and business for

the purpose of implementing socially significant projects in various fields of activity: from the development of strategically important industrial sectors and research and development to the provision of public services to the population [1]. Public private partnerships allow the private sector's financial resources to be invested in social infrastructure, making it easier for public authorities to fulfil their public service obligations. That is, the transfer of business is part of the powers, responsibilities and risks associated with the implementation of investment projects that have traditionally been implemented through budget financing.

According to B. O. Vynnytskyi, M. I. Lendiel, B. P. Onyshchuk and other scientists, protection of state and communal interests is guaranteed through the institutional framework, provisions of regulations and concluded agreements [2, p. 13]. The partnership between the authorities and the private sector is one of the ways to increase the efficiency of implementation of infrastructure projects at the local level, addressing important issues of local importance, and meeting the needs and interests of the territorial community in providing high-quality public services. The use of public private partnerships allows local authorities to reduce budget expenditures, accelerate the process of building and commissioning social infrastructure, implement innovative technologies and use innovative abilities and efficient working methods. At the same time, bodies of state power and bodies of local self-government create tax and other privileged conditions for business, perform administrative and control functions.

It should be noted that domestic legislation contains a wide range of areas and sectors of public private partnership, in particular [3, p. 4]:

- Search, exploration of mineral deposits and their extraction, except those carried out on the basis of production-sharing agreements;
- Production, transportation and supply of heat and the distribution and supply of natural gas;
- Construction and/or operation of motorways, roads, railways, runways at aerodromes, bridges, road overpasses, tunnels and subways, sea and river ports and their infrastructure;
- Mechanical engineering;
- Collection, purification and distribution of water;
- Healthcare;
- Tourism, rest, recreation, culture and sports;
- Ensuring the functioning of irrigation and drainage systems;
- Waste management, except for collection and transportation;
- Production, distribution and supply of electric energy;
- Real estate management;
- Provision of social services, management of a social institution and institution;
- Production and implementation of energy saving technologies, construction and overhaul of residential buildings completely or partially destroyed as a result of hostilities on the territory of the antiterrorist operation;
- Installation of modular buildings and the construction of temporary housing for internally displaced persons;
- Provision of services in the field of education and health care;

- Management of architectural monuments and cultural heritage.

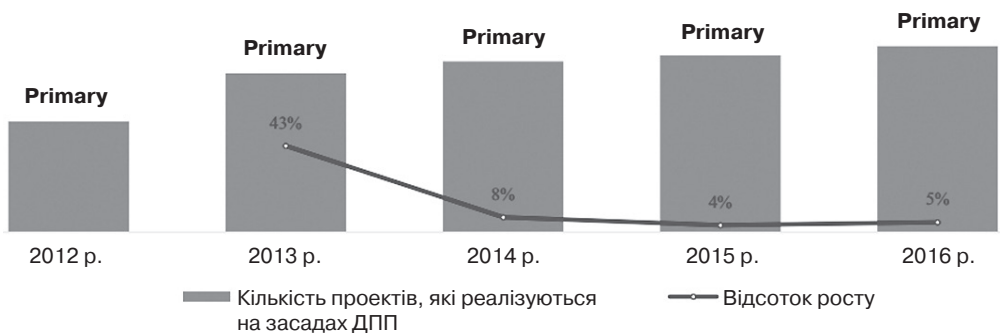
Public private partnerships can take many forms depending on the degree of involvement and the level of risk that they assume as contracts for the execution of works and the provision of public services, the supply of products for the needs of the territorial community, etc., and the activities of joint ventures. The most common forms are concession, leasing and lease in the international practice of public private partnership.

Having examined the features of each form of public private partnership, it has been discovered that concessions, joint ventures, or mixed ones are the most appropriate tools for structuring the legal relationship between a private partner and a central or local executive body and a local self-government body to attract investment. The current legislation establishes a clear procedure and conditions for the selection of the concessionaire unlike the order of determining the private party in other forms of public private partnership. A sufficiently detailed regulation of concession relations provides a sufficient level of legal certainty and allows full implementation of concession projects. Contractual lease relations (leasing) and joint activities can be considered as a mechanism for attracting private investment in the event that the project does not involve significant investments and large-scale construction. Property management does not involve the implementation of payments and, as a rule, does not involve a significant amount of investment in assets transferred under such an agreement. The investment agreement is not sufficient-

ly regulated in the current legislation, which makes it problematic for structuring large investment projects [4, p. 37].

It was established that public private partnerships should be used to accelerate technical re-equipment and increase resource and energy efficiency of housing and communal services and modernize infrastructure. Among the main problems in housing and communal services, which require urgent resolution, include: aging of housing stock and lack of funds for its reconstruction; monopoly and underdevelopment of market mechanisms, unjustified increase in the cost of low-quality public utilities; depreciation of fixed assets; obsolete technologies; insufficient innovation potential; mismatch of a significant part of employees of housing and communal enterprises with modern management requirements; and passivity of the population, etc. The imperfection of the housing and communal services management system, the unsatisfactory technical and economic state of communal enterprises, and the delay in housing and communal sector reform led to the fact that the enterprises of the sector cannot work effectively in market conditions, and to provide consumers with the services of an appropriate level and quality [5, p. 38–39].

The statistics of the Ministry for Economic Development for 2012–2016 indicate an increase in the interest of the private and state parties in such cooperation (see Fig. 1). Concessions prevail among the agreements concluded. We note that the data are given without concession agreements that were implemented on the territory of the



Dynamics of realization of projects implemented on the basis of public private partnership (PPP)

Crimea (as of January 1, 2014, 63 projects were implemented) and Donetsk and Loans Oblasts (9 projects), since the objects under which the agreements were concluded are on the territory of uncontrolled Ukrainian authorities [6, p. 18].

According to the data of central and local executive bodies in Ukraine, as of January 7, 2018, 192 agreements were concluded, 66 of which (41 concession agreements, 24 joint activity agreements and 1 PPP agreement), 126 agreements are not implemented (4 agreements expired, 9 agreements terminated and 113 agreements not fulfilled). The said projects are implemented in the following spheres of economic activity: collection, purification and distribution of water (31 contracts, representing 47,0 % of the total); production, transportation and supply of heat (8–12,1 %); waste treatment (7–10,6 %); construction and/or operation of motorways, roads, railways, runways at aerodromes, bridges, road overpasses, tunnels and subways, sea and river ports and their infrastructure (7–10,6 %); real estate management (4–6,1 %); production, distribution and supply of electric energy (3–4,5 %); search, exploration of mineral deposits and their extraction

(1–1,5 %); health care (1–1,5 %); and others (4–6,1 %) [7].

The following is an example of using public private partnership as an instrument for financing development of territories. Thus, School-Lyceum № 1 named after N. Sosnina, Secondary School № 2 and Children' and Youth Sports School (total area of buildings 17 thousand m², more than 1800 students and teachers) were heated by boilers that were in poor technical condition, which resulted in excessive consumption of heat and electricity in the city of Malyn, Zhytomyr Oblast. Therefore, local authorities decided with the help of public private partnership to conduct an examination, attract financial resources and technologies from the business side. In 2014, between the Malyn City Council and Energia Tepla, LLC within the framework of realization of public private partnership, an agreement on joint activity was signed for 15 years from the date of signing.

As a result of the project, the city government has been saving money, stable heat supply (wood fuel is much cheaper than imported natural gas) and improving the business climate. A private partner has received a stable

long-term customer of heating services; the reputation of the company that successfully passed the competitive procedure and concluded the contract without using opaque means of influence. The state is increasing energy independence, reducing the impact on climate change and a positive example for the future PPP projects [4, p. 75–79].

It was established that a serious obstacle to the implementation of public private partnership projects is the general state of the institutional environment in which a private partner has to implement the project. Thus, according to V. Harbarynina, the institutional environment for the implementation of public private partnership in Ukraine needs to be improved, and the search for ways to identify priorities for the development of the territory and the selection of the best tools for the implementation of projects. The main reasons that should encourage the state to implement public private partnership projects are the benefits of increased efficiency, active involvement of innovation and higher productivity in delivering quality public services by creating a competitive environment. The main advantage of public private partnerships for the private sector is that they are able to invest in the country's social and economic lives, which previously were considered a public investment area, thus expanding their investment opportunities [8, p. 180–181].

Most researchers are of the opinion: a public private partnership tool is best suited to attracting investment in infrastructure, as:

- The long-term agreement allows the participants to carry out planning for a long period;

- The private partner gets the opportunity to freely make managerial and economic decisions, invest in projects guaranteed by local authorities, receive stable income within a certain period of time;

- Business has the right of ownership and use of the object of state or communal property only, and state or local authorities are levers of influence on the private partner if there are violation of the terms of the agreement;

- Public authorities receive from the private party advanced methods and technologies of management, which positively affects the quality of public services;

- The territorial community partially relinquishes the risks of functioning of infrastructure objects and exceeding the estimated cost of construction;

- The investor adheres to the terms of the project, which is set out in the agreement, since it depends on the return of the investment; for governments, this delay has significant negative social and economic effects;

- There are significant incentives to reduce the actual cost of the project due to competition among the contestants.

It has been established that increasing the efficiency of the economy requires the attraction of private domestic and foreign investments. Ukraine has significant potential for cooperation and mutual investment in various sectors. The experience of many countries with different economic systems and the level of development of market relations show that one of the most effective ways to improve the quantitative and qualitative characteristics of the activities of state and communal property objects is the attraction of pri-

vate capital and management of these objects under conditions of public private partnership.

The result of the improvement of legislation in the field of public private partnership, including concession, is the systematization of current laws regulating concession activity, harmonization of concession legislation with public private partnership legislation, implementation of best international experience in legal regulation in Ukraine, ensuring the possibility of applying legal norms for all spheres of activity. The draft of new edition of the Law of Ukraine “*On Concessions*” (Reg. № 8125 dated March 15, 2018) provides for amendments to more than 30 legislative acts of Ukraine in order to bring them in line with the provisions of the bill and eliminate barriers for the implementation of concession projects [9].

Draft Laws “*On Amendments to the Tax Code of Ukraine on Creating Conditions for Modernization of Infrastructure through Implementation of Projects under Public-Private Partnerships, Including Concessions*” (Reg. № 8127 dated March 15, 2018) and “*On Amendments to the Budget Code of Ukraine as regards the Creation of Conditions for Infrastructure Modernization through the Implementation of Projects under the Conditions of Public Private Partnership, including Concessions*” (Reg. № 8126 dated March 15, 2018) propose to introduce internationally recognized approaches to the settlement of financial issues [9]. The state will stimulate the interest of potential private partners in implementing large-scale and socially significant projects of public private partnership. Public authori-

ties will be able to attract investments for modernization and creation of new infrastructure, improve the quality of public services, and promote accelerated economic growth, and so on.

Conclusions and prospects for further researches. Thus, it is expedient to use different forms of public private partnership with a view to successful implementation of state and regional strategies for social and economic development, to create a favourable regulatory and institutional environment, to provide state support and guarantees to private sector partners, to involve civilian institutes society and to introduce public control over fulfilment of contractual obligations by all partner parties in order to improve the existing situation. Public private partnership (PPP) should become a priority instrument for the development of territories in the context of the reform of decentralization of power relations. We really hope that our further researches will be devoted to it.

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THE RISK MANAGEMENT AS AN INNOVATION APPROACH IN GOVERNMENTAL MANAGEMENT OF CUSTOMS PROCEDURES IN GUAM COUNTRIES

Abstract. The urgency of the study of this topic is due to the fact that the problem of risk assessment and risk management arose in the twentieth century and is still relevant today. Risk plays a special role in economics, governance and public administration. Actually, these areas are impossible without certainty and effective regulation. In the field of state construction, quite often there are various accidents and conflicts caused by various reasons: natural phenomena, political events in certain countries or between states, changes in legislation, tax regulations, fluctuations in prices and exchange rates, competition, performance of contractual obligations, in particular it is inherent in the GUAM member countries (Georgia, Ukraine, Moldova, Azerbaijan).

The theoretical basis for this research work was certain studies of the government of Ukrainian and foreign scientists V. Vorotin, E. Romanenko, I. Chaplay, R. Shchekin, as well as legislative acts and documents of GUAM member countries. At the same time, it should be noted that in GUAM countries there is only a partial consideration of these problems.

Today, the customs system, as a state body, faces management problems and a rather complex organizational chart of work that is characterized by high risks. In general, risk can be estimated as a measure of lowering the effectiveness of economic activity through the influence of external and internal causes. It is necessary to develop a system of measures within the framework of the customs control strategy related to risk assessment and monitoring of the process itself in the GUAM countries.

Therefore, the purpose of this article is to integrate the study of the role, significance and prospects of risk management as one of the modern approaches in public administration of customs procedures in GUAM member countries.

For today, modern governments are trying to solve the problems of uncertainty and uncontrollability of national organizational systems that are characterized by high risks, in particular, in the GUAM countries.

In general, risk can be assessed as a result of the effectiveness of business activity and the need to attract external and internal control in the context of extending economic and customs interaction between the member countries of this integration group.

Keywords: GUAM countries, customs risk, customs control, risk indicators.

УПРАВЛІННЯ РИЗИКАМИ ЯК ІННОВАЦІЙНИЙ ПІДХІД ДО ДЕРЖАВНОГО УПРАВЛІННЯ МИТНИМИ ПРОЦЕДУРАМИ В КРАЇНАХ ГУАМ

Анотація. Актуальність дослідження даної теми зумовлена проблемою вивчення ризику та управління ризиками, що виникла ще в ХХ столітті та

актуальна ще сьогодні. Ризик відіграє особливу роль в економіці, управлінні та державному управлінні. Власне, діяльність цих сфер неможлива без визначеності та ефективного регулювання. У сфері державного будівництва доволі часто виникають різні аварії та конфлікти, викликані різними причинами: природними явищами, політичними подіями в певних країнах або між державами, змінами в законодавстві, податковим регулюванням, коливаннями цін та обмінних курсів, конкуренцією, виконанням договірних зобов'язань. Зокрема, це притаманне країнам – членам ГУАМ (Грузія, Україна, Молдова, Азербайджан).

Теоретичним підґрунтям для цієї дослідницької роботи є певні дослідження державного управління українських науковців В. Воротіна, Є. Романенка, І. Чаплай, Р. Щокіна та ін., а також законодавчі акти та документи країн – членів ГУАМ. Водночас, необхідно зазначити, що в країнах ГУАМ ці проблеми розглядалися частково.

На сьогодні митна система як орган держави стикається з проблемами управління та досить складною організаційною схемою роботи, що характеризується високими ризиками. У цілому ризик можна оцінити як міру зниження ефективності господарської діяльності через вплив зовнішніх і внутрішніх причин. Потребує розроблення спільна система заходів у межах стратегії митного контролю, пов'язаних з оцінкою ризиків і моніторингом самого процесу в країнах ГУАМ.

Отже, головною метою дослідження є цілісне вивчення ролі, значення та перспектив управління ризиками як одного із сучасних підходів в державному управлінні митними процедурами в країнах – членах ГУАМ.

Сучасні Уряди намагаються вирішити проблеми невизначеності та некерованості національних організаційних систем, які характеризуються високими ризиками, зокрема в країнах ГУАМ.

Загалом ризик можна оцінити як наслідок ефективності ділової активності та необхідності залучення зовнішнього і внутрішнього контролю за умов поширення економічної та митної взаємодії між країнами членами цього інтеграційного угруповання.

Ключові слова: країни ГУАМ, митний ризик, митний контроль, показники ризику.

УПРАВЛЕНИЕ РИСКАМИ КАК ИННОВАЦИОННЫЙ ПОДХОД В ГОСУДАРСТВЕННОМ УПРАВЛЕНИИ ТАМОЖЕННЫМИ ПРОЦЕДУРАМИ В СТРАНАХ ГУАМ

Аннотация. Актуальность исследования данной темы обусловлена проблемой изучения риска и управления рисками, возникла еще в XX веке и актуальна сегодня. Риск играет особую роль в экономике, управлении и государственном управлении. Собственно, деятельность этих сфер невозможна без определенности и эффективного регулирования. В области государственного строительства достаточно часто возникают различные аварии и конфликты, вызванные разными причинами: природными явлениями, по-

литическими событиями в определенных странах или между государствами, изменениями в законодательстве, налоговым регулированием, колебаниями цен и обменных курсов, конкуренцией, выполнением договорных обязательств, в частности, это присуще странам – членам ГУАМ (Грузия, Украина, Молдова, Азербайджан).

Теоретической основой для этой исследовательской работы послужили определенные наработки по государственному управлению украинских ученых В. Воротина, Е. Романенка, И. Чаплай, Р. Щёкина и др., а также законодательные акты и документы стран – членов ГУАМ. В то же время необходимо, отметить, что в странах ГУАМ присутствует лишь частичное рассмотрение этих проблем.

На сегодня таможенная система как орган государства сталкивается с проблемами управления и достаточно сложной организационной схемой работы, которая характеризуется высокими рисками. В целом риск можно оценить, как меру снижения эффективности хозяйственной деятельности из-за воздействия внешних и внутренних причин. Необходима разработка системы мер в рамках стратегии таможенного контроля, связанных с оценкой рисков и мониторингом самого процесса в странах ГУАМ.

Таким образом, главной целью исследования является целостное изучение роли, значения и перспектив управления рисками как одного из современных подходов в государственном управлении таможенными процедурами в странах – членах ГУАМ.

Современные правительства пытаются решить проблемы неопределенности и неуправляемости национальных организационных систем, которые характеризуются высокими рисками.

В целом риск можно оценить как следствие эффективности деловой активности и необходимости привлечения внешнего, да и внутреннего контроля.

Ключевые слова: страны ГУАМ, таможенный риск, таможенный контроль, показатели риска.

Problem statement. First of all, it is possible to note that in the program of the Chairmanships of Moldova in GUAM for 2018 (however, like in other countries, which are presided over this organization) we can meet the following moment, that in the context of the promotion to the trade and the transportation, Moldova will conduce to:

- the promotion in the implementation of “Protocol between the customs

administrations of GUAM member-countries on the organization of the exchange of preliminary information on goods and transportations, moved across the governmental borders of GUAM member-countries”;

- the promotion in the implementation of “Protocol between the customs administrations of GUAM member-countries on the mutual recognition of especial results of the customs control

of goods and transportations in the implementation of customs procedures”;

- the promotion in the adoption of “Agreement between the customs administrations of GUAM member-countries on the promotion in the transit of goods and transportations across territories of GUAM member-countries”;

- the promotion in the confirmation of “Protocol between the customs administrations of GUAM member-countries on cooperation in the struggle against customs offences, related to the movement of goods by air transportation across the governmental borders of GUAM member-countries”;

- the promotion in the development of “GUAM Digital Trade Function” and the holding of the round table on this topic.

- the promotion in the development and the adoption of the conception on the use of the confirmation of electronic signatures, including mobile signatures, in the customs registration of goods and transportations, moved across the governmental borders of GUAM member-countries.

Hence, it becomes clear that the introduction of the analysis system and the risk management in the practice activation of customs as territorial bodies of GUAM member-countries’ custom direction are closely related to the integration and globalization processes and economic features in the counter agency countries. But the contemporary conception of the governmental customs business execution provides the provision of the balance between regular control and the promotion in the international trade, wherein there come up custom risks and risks in the

management of bodies, which are in accordance with the legislations in certain GUAM countries on governmental custom business, are directly responsible for their implementation.

Purpose of the article. Therefore, the purpose of this article is a holistic study of the role, significance and prospects of state risk management as one of the modern approaches in macroeconomic management of customs procedures in the GUAM member countries.

CHAPTER 1 THEORETICAL DETERMINATION OF THE CUSTOMS RISK

Analysis of recent publications on research issues. Specified risks in their totality form a whole system, which is the significant obstacle to the implementation of governmental functions. In this regard, there has been become necessary to create a instrument, which would provide for the detection of potentially dangerous goods and the identification of more effective methods and work forms of customs as territorial bodies of the customs direction of GUAM member-countries, at the same time support the flow of legal goods. “According to V. Lukianova, the system of the risk management has become like this instrument, which is directed to the execution of actions, which provides the detection of sources of potential customs risks and present an opportunity to take measures for their factually detection and the minimization of the negative impact” [1].

It is possible to note that in the world practice the organization of customs, which is based on the risk management

and the analysis of risk factors in the movement of goods and transportation means across the customs border, is becoming increasingly important. Based on the analysis and The risk management, the organization of governmental customs on allowing the main part of goods to move freely through customs border of a certain GUAM country permits for the optimal use of customs resources as direct subjects of governmental custom business, the control the execution of the customs control and the custom registration over the areas where there is a risk of the offence of the requirements of legislation of one or another GUAM member-governmental for problems on governmental customs business. On analyzing the whole system of risks P. Pisnoy notes, that there are enough important differences in the interpretation of risks between the legislation of European countries and CIS countries. In particular, in CIS countries the essence of the studying of the conception practically is identical – the risk is considered as a probability of the non-observance or the non-execution of the custom legislation in the country [2].

The interpretation, brought in The Custom Code of European Union, is more concrete, where the risk is identified with the probability of the approach of events, which are connected with the custom formality, and there are determined possible consequences of custom risks.

However, definitively, the construction of the conception on “the risk of the custom” in legislations of the great part of countries and the science is similar between themselves. At the same time they are compacted, laconically,

and correspond to the Kyoto convention. Thus, on the base of the analysis of the definition of the concept “customs risk” in the international legislation and scientific literature, including dedicated to GUAM, it is possible to make a conclusion that it is necessary to consider it as the probability of the non-compliance or the offence of customs legislation and the procedure for conducting operations of the foreign economic activity.

For example, the result of the national implementation process of the principles of the International Convention on the simplification and the harmonization of customs procedures is the norm of Part 1 of Art. 361 TC Ukraine, in which the “risk” is defined as the probability of the non-compliance with requirements in the legislation in Ukraine on governmental custom business problems.

In the field of governmental custom business of GUAM member-countries, customs as the direct subjects of its execution use the risk indicator as a instrument of the decision for the definition of goods, transportation, documents and persons, subject to customs control in certain forms and volumes. This indicator is the main instrument of customs, which determines the amount of customs control, and is used to ensure, on the one hand, the selectivity of customs control, and, on the other, to increase its efficiency by focusing on risky foreign economic operations.

CHAPTER 2 THE INDICATOR FUNCTION OF THE RISK

Presenting the main material of research. However, the risk in the go-

vernmental custom business performs another essential function – the indicator one, which should, on the one hand, determine the forms and volumes of customs control, which are enough for the provision of the compliance with the requirements of the legislation of a certain GUAM member-country on governmental custom business problems, and, on the other hand, to increase the efficiency of the customs as bodies in customs direction of the GUAM member-country by the admission ability.

The indicator function of the risk provides for the determination of risk indicators, which are criteria with pre-defined parameters, the use of which makes possible the selection of the object of the control, and embodies a risk. Risk indicators are determined by concretely expressed criteria of the selectivity, such as a concrete code of the good, the country of the origin, the country of the departure, the cost, the trade subject, the type of the transportation, the purpose of stay on the customs territory, and the like.

According to E. Komarova, customs and tariff regulation, the origin of goods, and their cost are more ponderable indicators of risks, related to goods. By the risk indicators, related to the activities of subjects of foreign economic activity, here there are analyzed specifications of the foreign economic transaction, accounted data on previous offences of customs regulations, information on illegal activities of these subjects, their founders, actual owners and etc., obtained from legislation enforcement, tax or other competent bodies and foreign countries, as well as from international organizations [3].

CHAPTER 3 THE SYSTEM FOR THE ANALYSIS AND THE MANAGEMENT OF RISKS

The concept of the introduction of the system for the analysis and the risk management in the field of governmental custom business is defined as a system of attitudes, beliefs, postulates, principles that are intended to provide the legality of the movement of goods and the transportation for the commercial use across the customs border of the GUAM member-country. The focus of the concept is implemented by the list of functions that should determine the direction of the application and detail the specific steps to the management of the risk in the field of the governmental custom business. However, it must be remembered that there is a direct relationship between the functions and the condition of the environment, in which it is implemented. On considering the multi factorial specification of the governmental custom business and the mutual connectivity of all its components, it is clear that the definition of individual functions is rather conditional, because in each of them it is possible to find those features and signs that are also inherent in other functions.

Within the framework of the conception on the application of the system of the analysis and the management of the risk in the field of governmental custom business between the GUAM countries, it is possible to formulate problems, which are expected in the system of the analysis and the management of the risk in governmental custom business:

- the creation of a unified information space that provides the functioning of the system of analysis and the ma-

agement of the risk in governmental custom business;

- the provision of the correct application, the strict observance and the prevention of the non-compliance with the requirements of the legislation of a GUAM member-country on governmental custom business problems;

- the protection of national economic interests;

- the control of the completeness of incomes to the governmental budget of funds from foreign trade operations;

- the determination of the optimal structure of the risk management system by the optimization the customs control and customs legalization procedures;

- the identification offences of customs regulations, analyzing such offences and developing methods for detecting them in the future;

- the determination of problematic issues, regarding the mechanisms for the application of governmental levers of tariff and non-tariff regulation of foreign trade in goods;

- the development and the introduction into the practice of the work of customs as territorial bodies of customs following methods for assessing: the effectiveness of the applied risk mitigation measures; the possible damage in case of potential risks and damages with revealed risks; the effectiveness of applied risk management measures and the correction of management decisions;

- the control over the practical implementation of measures to prevent or minimize risks;

- the optimization of the application of forms of customs control depending on the degree of the risk, revealed by the

risk analysis system and the level of the management;

- the reduction of the time of organization and implementation of customs control procedures with its maximum efficiency in the context of the identification of risks;

- the accumulation and the analysis of the information: about the results of the application of individual forms of the customs control or their combination; about the reasons and conditions, promoting to the commitment of offences in customs regulations.

The ultimate goal of the introduction of the risk management system in customs activities as territorial customs bodies of GUAM is to create a modern system on the customs administration, the identification of risks and directions of management actions to overcome it or minimize impact in order to prevent offences of the legislations of a GUAM member-country, which:

a) are sustainable;

b) are related to the evasion of customs duties and taxes in significant amounts;

c) reduce the competitiveness of domestic producers.

At the same time, it would be expedient to note that the functioning of the risk analysis and management system between GUAM countries depends on many external factors, which include:

- the condition of the political and economic development of the country;

- the sufficiency of the legislative base regarding the organization and implementation of foreign trade operations and their governmental control according to the legislation;

- the degree of the integration of the national economy into the global economy;
- indicators of the national production sphere;
- the condition of the bank system;
- the availability of the developed communications infrastructure and etc.

It is possible to note that in the customs codes of the GUAM countries implicitly or explicitly there has been fixed the fundamental principle of the customs control, namely: the execution of a minimum of customs formalities to provide the maintenance of the legislation of one or another GUAM country on problems of the governmental custom business. For example, as a result of the analysis, on using the art. 361 of the Customs Code of Ukraine (in which the legislative definition of the “risk” category is given), we get a subtext conclusion within the CC of Ukraine – the customs control is implemented to prevent risks, and therefore it is a lever that eliminates the risk at the origin stage, or minimizes its consequences, it is a core instrument in the management of the risk. By the way, the Convention on the simplification and the harmonization of customs procedures also focuses on the key role of the customs control in the provision of the legality of the movement of goods across the customs border and their storage in the national customs territory [4].

But it is necessary to focus the attention on the counter dependence of the customs control and the system of risk management, which is used by customs as bodies of the customs direction of governmental management between GUAM member-countries. After all, for

example, according to the part 1 of the art. 320 of the customs code of Ukraine, forms and volumes of the control, which are sufficient to provide the observation of the legislation of Ukraine on problems of the governmental custom business and international treaties of Ukraine, including and regarding GUAM in the customs legalization, are elected on base of the results of the system of the risk management.

As N. Asambaev notes, the management of the risk is the analysis of a risky situation, the development and the justification of the management decision, often in the form of the legal act, aimed at minimizing risk. Therefore, the management of the risk means the use of various measures that allow predicting the occurrence of the risk event and the adoption of measures to reduce its negative consequences [5].

Nowadays the concept on the system of the risk management for the determination of forms and volumes of the customs control defines several levels of the risk management. Strategic management is the identification of those risk areas, where potentially possible offences of the legislation of the GUAM member-country on problems on the governmental custom business and the great number of losses in the case of the occurrence of risks (tendency, regularity), also the development and the implementation of appropriate measures to prevent them or the minimization at the level of whole system of customs bodies are more probable. So, at the strategic level of the management of the risk, based on the results of analysis, the identification and the assessment of risks determine priority directions of the development and the implemen-

tation of measures on the risk management and approve the risk register for GUAM member-countries [6].

The tactical management refers to the actions of the official person of the customs body of the GUAM member-country to determine the risk areas, which are characteristic of the short-term situations, specific people, and the party of goods. So, at the tactical level of the management of the risk by customs as customs bodies within the competence of the results of the analysis, the identification and the assessment of risks and in accordance with the risk register there are developed measures on the risk management in the process of the operative identification of problem areas. The following instruments are used for this:

- 1) risk profiles;
- 2) the orientation;
- 3) risk indicators;
- 4) methodological recommendations on the work of customs officials with the analysis, identification and assessment of risks;
- 5) the occasional selection.

Conclusions and prospects for further research. Thus, on analyzing the risk management as the one of the key modern approaches in the governmental management of customs procedures between GUAM member-countries, we can conclude that its active use helps determine the optimal structure of the management of the risk system by optimizing customs control and customs legalization procedures; identify offences of customs regulations, the analysis of such offences and the development of methods for their detection in the future; identify problematic issues regarding the mechanisms of the applica-

tion of governmental levers of tariff and non-tariff regulation of foreign trade in goods.

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ANALYSIS OF THE RISKS OCCURRING DURING CONSTRUCTION

Abstract. The article focuses on analyzing the risks that occur during implementation of investment construction projects. It analyzes the risk concept core, identifies risk sources, and classifies risks by the time of their occurrence (risks before the construction completion, risks after the construction completion). The article presents the methods used to analyze the risks that occur in the course of implementing investment construction projects: analogy method, statistical analysis method, sensitivity analysis method, examination method, diagram method, and normative method. Main consequences of risk realization are defined as well as ways of their mitigation. The article determines that of the principal importance is the impartial and unbiased analysis of the situation on the investment construction market in the context of the general state in a corresponding region and entire country. It is discovered that it is necessary to timely identify the risks happening during the project implementation. The risks' influence on the economic and operational components of construction is defined. The article reviews the basic mechanisms of risk management in cyclic stages lasting from the project

commencement to its completion: identification and definition of a risk; development of measures to mitigate the revealed risks; implementation of the developed plan in the project; analyzing introduction of the project implementation supervision. Using the presented risk identification methods will encourage enhancing the effective realization of investment construction projects and decrease of actual expenses for project implementation, which are envisaged in the quantity surveying documents by revealing probable risks, their identification, and further fair allocation of the identified risks among the stakeholders of investment construction projects.

More detailed researches prioritize issues of developing a risk management methodology for implementation of investment construction projects and adoption of a matrix approach to risk allocation among the project realization stakeholders.

Keywords: construction, risk, risk management, violation, risk analysis methods, technological process, construction works, construction facility, investment construction project.

АНАЛІЗ РИЗИКІВ, ЩО ВИНИКАЮТЬ У ПРОЦЕСІ БУДІВНИЦТВА

Анотація. Проаналізовано ризики, що виникають у процесі реалізації інвестиційно-будівельних проектів. Розглянуто сутність поняття ризику, ідентифіковані джерела ризиків, здійснено класифікацію ризиків за сферою виникнення (ризики до завершення будівництва, ризики після завершення будівництва). Представлено методи аналізу ризиків, що виникають у процесі реалізації інвестиційно-будівельних проектів: метод аналогій, метод статистичного аналізу, метод аналізу чутливості, експертний метод, метод діаграм, нормативний метод.

Визначено основні наслідки реалізації ризиків та заходи щодо їх мінімізації. Встановлено, що принципове значення має об'єктивний та неупереджений аналіз ситуації, що склалася на інвестиційно-будівельному ринку в контексті загального стану у відповідному регіоні та в країні загалом. Виявлено необхідність своєчасної ідентифікації ризиків, які виникають під час реалізації проектів та визначено їх вплив на економічну та експлуатаційну складові будівництва. Розглянуто основні механізми управління ризиками, що представлені циклічними етапами, які тривають від початку і до моменту завершення проекту: виявлення і визначення ризику; розроблення кроків для зниження виявлених ризиків; впровадження розробленого плану в проект; проведення аналізу впровадження нагляду за реалізацією проекту. Використання представлених методів ідентифікації ризиків сприятиме підвищенню ефективності реалізації інвестиційно-будівельних проектів та зменшенню реальних витрат на реалізацію проектів, передбачених кошторисною документацією шляхом визначення можливих ризиків, їх ідентифікації та подальшому справедливому розподілі ідентифікованих ризиків між учасниками інвестиційно-будівельних проектів.

У більш детальних дослідженнях пріоритетним є питання розроблення методології управління ризиками під час реалізації інвестиційно-будівельних проектів та запровадження матричного підходу до розподілу ризиків між учасниками реалізації проектів.

Ключові слова: будівництво, ризик, управління ризиками, порушення, методи аналізу ризиків, технологічний процес, будівельні роботи, об'єкт будівництва, інвестиційно-будівельний проект.

АНАЛИЗ РИСКОВ, ВОЗНИКАЮЩИХ В ПРОЦЕССЕ СТРОИТЕЛЬСТВА

Аннотация. Проанализированы риски, возникающие в процессе реализации инвестиционно-строительных проектов. Рассмотрена суть понятия риска, идентифицированы источники рисков, осуществлена классификация рисков по сфере возникновения (риски до завершения строительства, риски после завершения строительства). Представлены методы анализа рисков, возникающих в процессе реализации инвестиционно-строительных проектов: метод аналогий, метод статистического анализа, метод анализа чувствительности, экспертный метод, метод диаграмм, нормативный метод. Определены основные последствия реализации рисков и меры по их минимизации. Установлено, что принципиальное значение имеет объективный и беспристрастный анализ ситуации, сложившейся на инвестиционно-строительном рынке в контексте общего положения в соответствующем регионе и в стране в целом. Выявлена необходимость своевременной идентификации рисков, возникающих во время реализации проектов и определено их влияние на экономическую и эксплуатационную составляющие строительства. Рассмотрены основные механизмы управления рисками, представленные циклическими этапами, которые продолжаются от начала и до момента завершения проекта: выявление и определение риска; разработка шагов для снижения выявленных рисков; внедрение разработанного плана в проект; проведение анализа внедрения надзора за реализацией проекта. Использование представленных методов идентификации рисков будет способствовать повышению эффективности реализации инвестиционно-строительных проектов и уменьшению реальных затрат на реализацию проектов, предусмотренных сметной документацией путем определения возможных рисков, их идентификации и дальнейшем справедливом распределении идентифицированных рисков между участниками инвестиционно-строительных проектов.

В более детальном исследовании пріоритетним являється питання розробки методології управління ризиками во время реалізації інвестиційно-будівельних проектів та внедрение матричного підходу к распределению рисков между участниками реализации проектов.

Ключевые слова: строительство, риск, управление рисками, нарушения, методы анализа рисков, технологический процесс, строительные работы, объект строительства, инвестиционно-строительный проект.

Problem statement. The present-day environment where enterprises of the Ukrainian construction industry are functioning is extremely complicated. Competition, fast changes in the market situation, and unsteady political situation give rise to risks in the course of investment construction projects implementation.

As a consequence of the indefinite situation, it is impossible to avoid the risks occurring during construction. Success of investment construction projects fulfillment depends on how correctly can stakeholders of such projects find their way in complex situations and how negative factors will be foreseen and considered, which can affect project implementation. Top managers of an enterprise are not supposed to avoid a risk completely, they should foresee, assess, and mitigate its negative consequences to the minimum, which justifies a need to learn how to manage risks.

Analysis of the latest studies and publications. A considerable contribution to developing theoretical and applied problems of housing construction risk regulation has been made by foreign and Ukrainian scholars, namely V. Vitlinsky, P. Verchenko, M. Heley, Yu. Konovalov, Ya. Malyk, O. Myronov, O. Nepomnyashchyy, N. Reverchuk, S. Reverchuk, I. Yakhneyeva.

Purpose of the article. Purpose of this article is classifying the risks that occur during the implementation of investment construction projects.

Presentation of basic material. In construction, it is usual to observe typical failures to meet construction deadlines [1]. Notably, actual expenses for project implementation exceed the ones

stipulated in the cost estimate. Discovering causes of such failures inevitably leads to analyzing the project fulfillment conditions and risks that affected it at various implementation stages. Therefore, it is very important to identify the risk sources instead of focusing on revealing separate factors of risk occurrence [2]. The most widespread causes of violations coming to pass during investment construction projects are deemed to be: owner's interference, insufficient experience of contractor, insufficient funding, low work performance, slow and unqualified decision-making, irrational planning, and sub-contractors' incompetence [3].

The works dedicated to risk research including those in logistic systems and supply chains [4] list various parameters and essence of risks. On the grounds of this information, the following options of risk essence definition can be enumerated:

- Risk is a deviation from the expected course of events.
- Risk is a balance of possible revenues and losses, a balance of likely and unlikely threats of losses.
- Risk is a probability to fail to receive a revenue partially or completely should any unwanted events happen.
- Risk is a situation or event whose occurrence can cause deviations — negative consequences, and simultaneously influence positively, i.e. have a positive effect.

At the same time, a risk probability or threat is presented in parameters whose evaluation allows determining the risk's significance. The latter option reflects the risk's core in the most comprehensive way and corresponds to the risk definition under the national

standard ДСТУ ISO 9000:2015 (ISO 9000:2015, IDT): “Risk is an impact of indefiniteness, which shows in deviation from the expected result, either positive or negative” [4]. Risk is often characterized by a combination of events’ consequences and occurrence probabilities related to them [4]. A probable risk is often defined in relation to potential events and their consequences or to a combination thereof. Simultaneously, the standard point out that indefiniteness is a state linked to a shortage (even partial) of information, comprehension, or awareness of an event, its consequences or probability. Due to that, of extreme importance in the organization management system is collection, storage, and analysis of actual information about external and internal risk factors.

It is noteworthy that the factors limiting business operations of construction companies are: shortage of works orders; competition from other companies; lack of qualified workers; high taxes; insolvency of clients; high cost of materials, structures, and products; insufficiency and worn-out condition of plant and equipment; high percentage of commercial credits [5]. To raise competitiveness of organizations in the construction field, it is necessary to work out a risk management mechanism that will make it possible to prevent the risks from happening. The risk management mechanism can be divided into 4 basic stages:

- виявлення і визначення ризику;
- розробка кроків для зниження виявлених ризиків;
- впровадження розробленого плану в проект;

- проведення аналізу впровадження наглядом за реалізацією проекту.

All the four stages are cyclic and last from the project commencement to its completion. By the sphere of occurrence, the risks can be external and internal [5].

External risks are the risks caused by unfavorable influence from the macro environment or objects functionally linked to the building organization (banks, investors, suppliers, taxation authorities, etc.). Internal risks are the risks due to making wrong decisions that can be brought about by insufficient attention to analysis and planning of a building organization’s operations, drawbacks of the current decision-making system, etc. The risks related to carrying out construction and installation works belong to internal risks of an organization. They are divided in two basic groups:

- category A – risks prior to construction completion;
- category B – risks after construction completion (not covered in this article). Herewith, category B risks can result from manifestation of category A risks.

Category A risks lead to material losses thus increasing the cost of construction. Manifestation of these risks is connected with an imperfect quality management system in a construction company and failure to meet the set requirements.

Category A risks include:

- incompliance with the technological process during construction of buildings;
- using poor-quality building materials and/or structures;

- exceeding time limits of construction.

In consequence of realizing the risk of incompliance with the technological process during buildings construction, it becomes necessary to rebuild the facilities under construction and/or completed facilities. The main measure to be taken to minimize such risks are:

- designer's supervision;
- client's control through involving a consulting engineer;
- establishing a system of penalty sanctions for the contractor's failure to perform the contracted obligations;
- contractor's insurance against mistakes during construction and installation, negligence of workers and technical staff;
- forming a financial reserve.

The risk of using low-quality building materials and/or structures can result in various kinds of defects up to destruction of facilities under construction and/or completed structures, which in their turn, make it possible to realize such risks as:

- inflicting damage on life and health of the construction staff;
- inflicting damage on life and health and/or property of third parties during construction works;
- litigations, etc.

As a result of realizing these risks, there occur extra costs, failures to meet project completion deadlines, and harm to business reputation. Basic measures to mitigate the risk of using inferior construction materials and/or structures are:

- control on the part of the developer, including one by involving a consulting engineer;

- establishing a system of penalty sanctions for the contractor's failure to perform the contracted obligations concerning use of poor-quality construction materials or products;

- setting a schedule of construction materials and technologies when concluding a contract with the contractor in order to prevent him from substituting lower quality ones for them;

- the contractor's insurance against possible destruction of structures under construction and/or completed structures;

- the contractor's insurance against possible killing of the building staff or third persons due to construction material defects;

- forming a financial reserve.

The risk of exceeding the construction time limits can arise in such conditions:

- insufficient funding;
- design errors;
- irregular supplies of construction materials;
- shortage of qualified staff, etc.

The risk consequences consist in unpredicted expenditures and delaying the facility's commissioning deadline. Main measures to be taken to minimize this risk are:

- designer's and engineer's supervision of construction;

- calendar planning of construction;
- developing alternative chains of construction materials supply;

- introducing a relevant system of sanctions for violating the workplace discipline;

- forming financial reserves.

In the construction field, it is reasonable to analyze risks on the basis of the below methods [3]:

Analogy method. This method consists in the following: the information obtained from fulfillment of specific projects can be used in the future, especially if the project is a typical one. In particular, the data accumulated when building every stage of facilities is used during planning of works and supplies of goods and products for the next stage facilities.

Statistic analysis method. It can be applied together with other methods (first of all, the analogy method). This method is used to verify the risk influence hypotheses with the required information volume available, which determines frequency of an event occurrence and amount of the inflicted damage.

Sensitivity analysis method. This method allows assessing the influence of various factors on the project implementation milestones. In housing construction, such factors are change of cost prices, steady operation of technical means, regular procurement of construction materials, contractors' high quality performance. When the sensitivity analysis method is used, they evaluate boundary values of risk factors. Sensitivity analysis helps discover the factors that affect the project results at the most and choose the project implementation option which is the most risk-resistant.

Examination method. This method is based on analyzing and using the viewpoints that differ by their approaches to assess the risk parameters.

Diagram method. This method envisages making and analyzing the diagrams that reflect the relations of causes and consequences, making it possible to reveal the risk preconditions. Analysis

of system diagrams or process diagrams demonstrates interrelation of different elements, factors, and mechanisms of causality.

Normative method. This method includes comparison of real risk parameters with the set normative values. Thus, limits of plant use at construction sites are stipulated in corresponding regulations, whose exceeding results in losses due to ineffective use of funds. In practice, it is quite challenging to keep all the listed risk sources in control. That is why a mandatory condition of effective risk management is operation of the information system with a separate subsystem of risk factors monitoring. Continuous input of relevant and true information to the system and its urgent processing allow timely reaction to changes at various levels. Effective process of managing the documented information in the quality management system is a prerequisite for effective risk management and mitigation of their effects on results of a building organization's operation.

Conclusions and prospects of further research. In unstable economic conditions, one can see a growing number of risks affecting the implementation of investment construction projects. These risks threaten such projects' stakeholders not only with essential decrease of revenues but also possible losses.

At the stage of risk identification, of crucial importance is analysis of the current situation at the investment construction market, as well as the overall state in the country and region to take preventive measures aimed at risk mitigation. Therefore one needs to identify the factors determining the

level of risks that can be then classified by their corresponding categories and features.

Irrespective of the fact that it is impossible to take into account all risks that can arise while an investment construction project is being fulfilled, determination of risk analysis methods with a purpose of their structuring will advance effective realization of investment construction projects through identification and mitigation of risks occurring at all stages of project implementation, and also through their fair allocation.

In further studies, the priority in this matter should be given to developing a methodology of risk management during implementation of investment construction projects.

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PROBLEM ISSUES OF IMPLEMENTATION OF STATE POLICY IN THE FIELD OF STATE SECURITY

Abstract. The problems of reforming the domestic special service as a responsible subject of state security of Ukraine are considered. Actual issues of the implementation of state security have been identified in order to find optimal directions that will increase the effectiveness of the public administration system in the field of state security. The strategic goal and objectives of the special service reform as the most important component of the security and defense sector of Ukraine are argued. The development perspectives of the domestic special services are detailed, taking into account the achievements of positive experience and the best practices of the leading EU states. Underscore is placed on the need for a functional modernization of state security, especially in the context of the Kremlin's aggressive policy. Underscore is placed on the need for a functional modernization of state

security, especially in the context of the Kremlin's aggressive policy. Particular attention is paid to the issues of preventing duplication of law enforcement functions among themselves as a result of the reform of the security bloc. The key priorities of the state security policy are summarized and directions for the improvement of its concepts on their basis are formed. The measures have been identified, the practical implementation of which will allow forming a positive image of the domestic special service both as a subject of state security in Ukrainian society, and on the part of the European community. Strategic objectives of reforming the Security Service of Ukraine as a state special-purpose body with law enforcement functions that ensures state security are regulated. It was summarized that the state security policy should include a set of basic measures aimed at creating effective, dynamic and flexible in management, competent bodies provided with modern material and technical means of counter-intelligence agencies of the European level, bringing the tasks, functions and directions of their activities in accordance with modern needs of the national interests, the protection of the rights and freedoms of the person and citizen, society and the state from external and internal threats, the formation of confidence in the activities of the domestic special services in the context of public-private collaboration, assisting civil institutions in this process.

Keywords: state policy, national security, state security, law enforcement reform, law enforcement activities, domestic intelligence, security and defense sector, law enforcement function, NATO, threats to state security.

ПРОБЛЕМНІ ПИТАННЯ РЕАЛІЗАЦІЇ ДЕРЖАВНОЇ ПОЛІТИКИ У СФЕРІ ЗАБЕЗПЕЧЕННЯ ДЕРЖАВНОЇ БЕЗПЕКИ

Анотація. Розглянуто проблеми реформування вітчизняної спецслужби як відповідального суб'єкта забезпечення державної безпеки України. Визначено актуальні питання реалізації державної безпекової політики з метою пошуку оптимальних шляхів підвищення ефективності системи державного управління у сфері державної безпеки. Аргументовано стратегічну мету та завдання реформування спецслужби як важливої складової сектору безпеки і оборони України. Деталізовано перспективи розбудови вітчизняної спецслужби з урахуванням надбань позитивного досвіду і кращих практик провідних держав ЄС. Аргументовано необхідність функціональної модернізації забезпечення державної безпеки, особливо в умовах агресивної політики Кремля. Особливої уваги надано питанням недопущення дублювання функцій правоохоронних органів між собою за результатами реформування силового блоку. Узагальнено ключові пріоритети державної політики безпеки та на їх основі сформульовано шляхи удосконалення її концептів. Визначено заходи, практична реалізація яких дасть можливість сформувати позитивний імідж вітчизняної спецслужби як суб'єкта забезпечення державної безпеки в українському соціумі так і з боку європейської спільноти. Регламентовано стратегічні завдання реформування Служби безпеки України як державного органу спеціального призначення з правоохоронними функціями, що забезпечує державну безпеку. Підсумовано, що державна безпекова політика

має містити комплекс основних заходів, спрямованих на створення ефективних, динамічних та гнучких в управлінні, фахових, забезпечених сучасними матеріальними і технічними засобами органів та підрозділів контррозвідки європейського рівня, приведення завдань, функцій і напрямів їх діяльності відповідно до сучасних потреб забезпечення національних інтересів, захисту прав людини і громадянина, суспільства і держави від зовнішніх та внутрішніх загроз; формування простору довіри до діяльності вітчизняної спецслужби у контексті державно-приватного партнерства, сприяння громадянських інституцій цьому процесу.

Ключові слова: державна політика, національна безпека, державна безпека, реформування правоохоронних органів, правоохоронна діяльність, вітчизняна спецслужба, сектор безпеки і оборони, правоохоронна функція, НАТО, загрози державній безпеці.

ПРОБЛЕМНЫЕ ВОПРОСЫ РЕАЛИЗАЦИИ ГОСУДАРСТВЕННОЙ ПОЛИТИКИ В СФЕРЕ ОБЕСПЕЧЕНИЯ ГОСУДАРСТВЕННОЙ БЕЗОПАСНОСТИ

Аннотация. Рассмотрены проблемы реформирования отечественной спецслужбы как ответственного субъекта обеспечения государственной безопасности Украины. Определены актуальные вопросы реализации государственной безопасности с целью поиска оптимальных направлений повышения эффективности системы государственного управления в сфере государственной безопасности. Аргументировано стратегическую цель и задачи реформирования спецслужбы как важнейшей составляющей сектора безопасности и обороны Украины. Детализированы перспективы развития отечественной спецслужбы с учетом достижений положительного опыта и лучших практик ведущих государств ЕС. Аргументирована необходимость функциональной модернизации обеспечения государственной безопасности, особенно в условиях агрессивной политики Кремля. Особое внимание уделено вопросам недопущения дублирования функций правоохранительных органов между собой по результатам реформирования силового блока. Обобщены ключевые приоритеты государственной политики безопасности и на их основе сформированы направления усовершенствования ее концептов. Определены мероприятия, практическая реализация которых позволит сформировать позитивный имидж отечественной спецслужбы как субъекта обеспечения государственной безопасности в украинском социуме, так и со стороны европейского сообщества. Регламентированы стратегические задачи реформирования Службы безопасности Украины как государственного органа специального назначения с правоохранительными функциями, который обеспечивает государственную безопасность. Подытожено, что государственная политика безопасности должна включать комплекс основных мероприятий, направленных на создание эффективных, динамических и гибких в управлении, компетентных, обеспеченных современными материальными и техническими средствами органов и подразделений контрраз-

ведки европейского уровня, приведение задач, функций и направлений их деятельности в соответствии с современными нуждами обеспечения национальных интересов, защиты прав и свобод человека и гражданина, общества и государства от внешних и внутренних угроз, формирование простора доверия к деятельности отечественной спецслужбы в контексте государственно-частного партнерства, содействия гражданских институций этому процессу.

Ключевые слова: государственная политика, национальная безопасность, государственная безопасность, реформирование правоохранительных органов, правоохранительная деятельность, отечественная спецслужба, сектор безопасности и обороны, правоохранительная функция, НАТО, угрозы государственной безопасности.

Problem statement. Since 2014, Ukraine continues the process of reforming the law enforcement agencies. Such a process involves, above all, the formation of an effective system of institutional support in the fight against organized crime, which is accompanied by the creation of new law enforcement institutions, which, according to their competence and within the framework of functionality, have systematically taken measures to combat organized crime and corruption. Taking into account the current realities of the formation of new law enforcement institutions and systemic changes in the activities of existing law enforcement agencies, an important focus remains the distinction and specification of the functions of state bodies engaged in the fight against organized crime as an important component of ensuring the state security of Ukraine.

Modern changes in the socio-economic and political-legal conditions of functioning of law-enforcement system, the course towards European integration require not only the reform of the law-enforcement sphere, but also an increase in the effectiveness of law-en-

forcement agencies, since they are entrusted with the important tasks of fighting organized crime. Reforms that have been initiated recently in the law enforcement sphere and which are being put into practice, provide for improving the efficiency of the law enforcement system, and should also contribute to increasing public confidence in such bodies, affirming justice, legality, serve as additional guarantees for ensuring the rights of citizens.

Currently, there is a large-scale reform of law enforcement agencies, which is accompanied by the development of legal acts and institutional measures. According to the provisions of the Concept for the Development of the Security and Defense Sector of Ukraine, approved by Decree of the President of Ukraine as of March 14, 2016 № 92 [1], the main efforts to develop the security and defense sectors should focus on the step-by-step and coordinated enhancement of the operational capabilities of the security and defense forces and their level of readiness for an immediate response to challenges and threats to the national security of Ukraine. In particular, this Concept has certain methodo-

logical differences from previous strategic documents in this direction. Its positive point is to conduct a detailed analysis of the safety of the environment of Ukraine, which made it possible to identify the most powerful threats to national security that impede the normal functioning of the Ukrainian state and that the main efforts of the country should now be addressed. Against this background, the main drawback of law enforcement reforms is their spontaneity and schematics instead of consistent and well-balanced government policy, which should be based on the principles of planning, systematic, and transparency.

V. Kolesnik rightly points out that law enforcement activity in the field of public administration is ensured by: timely forecasting and identification of trends in the development of the crime situation, assessment of the degree of danger and the scale of crime at the national, regional, local and international levels; the ability of law enforcement agencies and special services to anticipate detection and timely response to threats in the areas of public administration that affect the national security of Ukraine in order to neutralize them; constant improvement of the mechanisms and organizational foundations of countering threats to the national interests of the state and the subjects of national security; increasing the level of interaction between law enforcement agencies and special services in combating crime, which threatens the objects of national security of Ukraine; proactively determine the ways and means of protecting and protecting the objects of national security of Ukraine; development, approval and implementation of

criteria for evaluating the activities of law enforcement agencies and special services; an effective system of protecting government from unlawful external and internal influences; high-quality implementation of special activities (intelligence, counterintelligence) to prevent manifestations of intelligence and subversive activities of foreign intelligence services in Ukraine, the introduction of an effective system to protect citizens of Ukraine from illegal actions outside Ukraine; continuous improvement of means and technologies for ensuring national security by responsible entities [2]. Considering the above, the Security Service of Ukraine is an important subject of law enforcement, whose tasks include: prevention, detection, suppression and prosecution of crimes against the peace and security of mankind, terrorism, corruption and organized crime in the field of governance and the economy and other illegal actions that directly threaten the vital interests of Ukraine [3].

Analysis of recent publications and researches. It should be noted that recently, there has been increased attention among scholars in various branches of science to the study of problems of ensuring state security in the context of reforming the domestic law enforcement system. Among the scientists who deal with this problem, one can distinguish the works: V. Bielievstseva, K. Bie-liakova, O. Dzoban, V. Lipkan, I. Korzh, V. Nastiuk, A. Opalov, V. Pylypchuk, V. Sazonov, S. Trofimov and others. The problems of searching and optimizing the priority principles of state policy in the field of combating organized crime and ensuring state security in a certain way explored in their scientific works

the following scholars: V. Hlukhoveria, V. Kolesnyk, H. Sytnyk, S. Shepetko, O. Fedosova, Yu. Mykhailova etc. However, the consideration of the problematic issues of the implementation of state policy in the field of state security in the context of reforming the law enforcement system, none of these authors have investigated, which increases the relevance of the subject of this research.

An important place in the system of law enforcement agencies is occupied by the Security Service of Ukraine, which, in accordance with its competence, provides for the state security of Ukraine. However, having carried out the generalization of the scientific works of the above authors, it's rightly pointed out by A. Zhariy that the imbalance of authority to ensure state security among the system of state bodies remains the key problem in improving the activities of the Security Service of Ukraine [4]. As part of a comprehensive monographic study in 2017, V. Pylypchuk, O. Bielov, S. S. Kudinov [5] and other specialists investigated the problematic issues of special service reform in the context of implementing European integration. Recently, in Ukraine, on a permanent basis, the reform of the components of the domestic law enforcement system continues, and therefore the conduct of scientific research, taking into account the innovations of the national legislation and the implementation of the priority principles of state law enforcement, requires increased attention and is considered expedient and necessary from the standpoint of public administration, and practical component.

Recently, in Ukraine, on a permanent basis, the reform of the compo-

nents of the domestic law enforcement system has continued. In this regard, conducting of scientific research, taking into account the novelties of the national legislation and the implementation of the priority principles of state law enforcement, requires enhanced attention and is considered expedient and necessary, both from the standpoint of the theory of public administration and the practical component.

The foregoing leads to consideration of problematic issues of ensuring state security in the context of reforming the domestic law enforcement system and its components, with the aim of finding the best ways to improve the efficiency of the public administration system in the specified context.

Under the provisions of Art. 19 of the Law of Ukraine "On national security" as of June 21, 2018 № 2469 [6], namely the Security Service of Ukraine is defined as state special-purpose body with law enforcement functions that ensures state security, including countering intelligence and subversive activities against Ukraine, fighting terrorism, protecting state sovereignty, constitutional structure and territorial integrity, defense, scientific and technical potential, cyber security, economic and information security of the state, protection of state secrets with the strict observance of the rights and freedoms of man and citizen. However, the urgent issue remains the acceleration of the reform of the Security Service of Ukraine as a body that ensures state security.

The Concept for the Development of the Security and Defense Sector of Ukraine, approved by Decree of the President of Ukraine as of March 14,

2016 № 92, determines that the reform of the Security Service of Ukraine is aimed at developing its abilities to counteract modern external and internal threats to national security and is carried out in the direction of updating the doctrinal and conceptual approaches to the organization of the activities of the Security Service of Ukraine, as well as functional optimization of its organizational structure.

According to the results of the special service reform, it is expected to create an effective system of countering new threats to national security in the sphere of state security and improving the mechanisms for timely identification and response to them in the framework of the further development of the state security and defense sector; changes are expected with the aim of improving the organizational, legal and other principles of the functioning of the Security Service of Ukraine, taking into account the experience of the special services of the EU and NATO member states; a radical update of the content and organization of information and analytical work in the activities of the Security Service of Ukraine, the introduction of the latest information technologies in the processing of received information, the maximum reduction of law enforcement data in the information files of the national special services; expansion and acquisition of the necessary operational and technical capabilities by the bodies and units of the Security Service of Ukraine in obtaining operational information; the deepening of the interaction of the Security Service of Ukraine with other components of the security and defense sector, public authorities, institutions and organizations on new

principles; improvement of the existing and formation of new partnership mechanisms with the special services of foreign states in accordance with national legislation and international treaties.

The legal basis for improving the functioning of the domestic special service was to become a concept for reforming the Security Service of Ukraine, the draft of which suggested that the national special service would be reformed until 2020. It was supposed to introduce such changes as: optimization of bodies and divisions, refusal to duplicate the functions of other law enforcement agencies (in particular, in the fight against organized crime and corruption); reinforcement of core areas (counterintelligence); introduction of civil democratic control; solid demilitarization.

In addition, it is planned that in the process of reforming the Security Service of Ukraine, it will retain tasks related to the investigation of crimes against the State, the prevention of terrorism, as well as the smuggling of drugs, radioactive materials, weapons and firearms. It should be noted that the development of this Concept was carried out by the International Consultative Group on the reform of the Security Service of Ukraine, which included representatives of the NATO Liaison Office in Ukraine, advisers of the EU Advisory Mission on Civil Security Sector Reform of Ukraine and experts from foreign partner services. According to the official position of the Chairman of the EU Advisory Mission, it was announced that without reforming the special services, further transatlantic advancement of Ukraine to the EU and

NATO is impossible. In other words, the delay in the reform of the Security Service of Ukraine remains a negative factor in the development of the domestic law enforcement system.

Considering the above, the reform of the Security Service of Ukraine should be consistent with the concepts (programs) of reforming and developing the security and defense sector bodies according to a single purpose, goal, and objectives, based on modern threats to the national interests of Ukraine and requires the development of adequate mechanisms to counter such threats.

Formulation of the aim of the article. The aim of the article is to determine the effectiveness of the state policy in the field of state security in the context of reforming the domestic law enforcement system, based on a real assessment of its capabilities.

Presentation of the main material of the study. The aspiration of Ukraine to realize the European vector of development is accompanied by the intensification of the geopolitical struggle, the unfolding of active reconnaissance, subversive and sabotage activities of the special services of the Russian Federation on its territory. The implementation of aggressive geopolitics in Ukraine by the Russian Federation creates an urgent need for a radical restructuring of the domestic special services in response to today's realities. In this regard, the need to revise approaches to the organization and activities of the Security Service of Ukraine as a component of the state security sector is being updated.

The strategic goal of reforming the Security Service of Ukraine should be: determination of a set of basic measures

aimed at creating effective, dynamic and flexible in management, professional bodies provided with modern material and technical means of bodies and units of counterintelligence of the European level, bringing the tasks, functions and areas of their activities in line with modern needs of ensuring national interests, protecting rights person and citizen, society and state from external and internal threats in the context of the implementation of state policy of National Security; building confidence in the activities of the domestic special services, a positive image of the domestic special services in society, the legal consciousness of citizens and an understanding of the need to perform the tasks of ensuring the national security of Ukraine.

The main tasks of legislative support for the special service reform should be to determine the conditions for: an adequate and flexible response to the threats to the national security of Ukraine (aggressive actions of the Russian Federation, which are carried out to deplete the Ukrainian economy and undermine social and political stability in order to destroy the state of Ukraine and seize its territory; the inefficiency of the national security and defense system of Ukraine; corruption and inefficient public administration; economic crisis, depletion of state financial resources, decline in the standard of living of the population; threats to energy, information, environmental security; threats to cyber security and security of information resources, critical infrastructure), rational use of opportunities and resources; comprehensive improvement of national security legislation, which would determine the mechanisms of the

national security governance system, regulate the structure and composition of the security sector, coordination and interaction of its bodies; the professionalization of the security and defense sector, the improvement of the professional level of the staff, its effective motivation for the proper execution of tasks for its intended purpose, the most expedient reduction of the service units of the bodies of this sector.

Along with this, the issue of optimizing the structure of the Security Service of Ukraine and reforming its management system is acquiring great importance. Thus, taking into account the tasks and powers of the special services, its general structure should be the Central Directorate of the Security Service of Ukraine, its subordinate regional bodies; military counterintelligence agencies, as well as enterprises, organizations, educational, scientific, research institutions. Based on the above, there is a need to optimize the structure and functions of both the Central Directorate and regional bodies for their functional purpose. Bringing the structure of the Security Service of Ukraine in line with the needs of operational activities, taking into account the experience of European states, also requires optimizing the ratio of senior management positions to the total number of personnel.

Equally important aspect of reforming the domestic special service of Ukraine and proper provision of human rights and freedoms is ensuring the separation of the functions of the Security Service of Ukraine from those of other law enforcement agencies. In particular, through the pre-trial investigation, it is possible to initiate amendments to the

existing criminal procedural legislation of Ukraine regarding alternative jurisdiction in accordance with the established procedure. Such measures will serve to avoid duplication of functions of various law enforcement agencies, the intersection of the interests of these bodies and their units engaged in operational investigative activities in relation to the same object, dispersing their efforts, diverting a certain amount of forces and means that would be more appropriate to use for other important areas of the fight against crime in accordance with the tasks defined by the legislation. It appears that the investigative jurisdiction of investigators of the Security Service of Ukraine should be limited to investigating crimes against the foundations of Ukraine's national security in protecting state secrets, peace, human security and international law, terrorism and crimes committed by transnational criminal groups.

It should be noted that the Verkhovna Rada of Ukraine on February 23, 2018 registered a draft law "On Amendments to certain legislative Acts of Ukraine concerning strengthening the institutional capacity of the Security Service of Ukraine" (№ 8057), prepared to limit the powers of special services outside the sphere of state security to increase the level of security business from abuses by law enforcement. This draft law proposes, in particular, the investigation of smuggling and illegal circulation of technical means of obtaining information to delegate to the National Police of Ukraine; the investigation of terrorism financing and legalization of criminal proceeds should be transferred to the authorities responsible for monitoring tax compliance; exclude from

the list of priority tasks of the Security Service of Ukraine measures aimed at countering offenses in the sphere of economic activity, as well as corruption offenses; prohibit the intervention of special services in economic activities, if it does not pose a threat to state security, and also exclude from the structure of the service special units in the fight against corruption and organized crime.

In addition, the law proposes to expand the powers of the Verkhovna Rada of Ukraine to receive reports from the Security Service of Ukraine. Against this background, one should point out the existing problematic issues of strengthening the interdepartmental interaction of the domestic special services with other law enforcement agencies, as well as issues of providing unimpeded access and the full format of the use of interdepartmental information systems, registries, data banks that are held by other state bodies.

Thus, summarizing the above, one cannot but agree with the position proposed by O. I. Tkach and V. V. Sorokin, who believe that under such conditions of reforming the special services, there is two problems: external and internal. So, the external problem can be described as a “integration challenge”, since Ukraine, as a member state of the Council of Europe and in a state that has embarked on European and Euro-Atlantic integration, should be provided with a transformation of the law enforcement system in accordance with European standards, which enshrined in strategic documents defining areas of cooperation between Ukraine and the EU, the Council of Europe and NATO. At the same time, the internal problem can be called the “effective-

ness challenge”, since it is extremely important to ensure the successful and effective functioning of the law enforcement agencies of Ukraine in order to guarantee the protection of the rule of law, the maintenance of stability in the state, the removal of any challenges and threats to state security. In this context, it is advisable to take advantage of the achievements of the theory of institutional isomorphism, which argues that institutions and organizations tend to imitate the structure of other, more effective ones, but in practice, increasing the similarity between organizations, that is, isomorphism, does not lead to an increase in the efficiency of those that follow [5].

Conclusions and further considerations for research. The effectiveness of state policy in the field of ensuring state security directly depends on the effectiveness of the implementation of the reform of the domestic special services, taking into account the best practices of the European experience in this field. The task of reforming the Security Service of Ukraine as a state special-purpose body with law enforcement functions that ensures state security should be the creation of a modern, efficient special service according to the best European analogues. This requires, above all, the introduction of adequate and balanced state security, which should include a set of basic measures aimed at creating effective, dynamic and flexible in management, professional, provided with modern material and technical means of bodies and units of counterintelligence of the European level, bringing tasks and directions of their activities in accordance with the modern needs of ensuring national in-

terests, protecting the rights of man and citizen, society and the state from external and internal threats; forming a space of trust in the activities of the domestic special services, a positive image of the Security Service of Ukraine in society, legal awareness of citizens and an understanding of the need to perform the tasks of ensuring the state security of Ukraine.

As with any reform, the reform of the security services is a gradual and dynamic development of the Security Service of Ukraine provides for legislative support of such processes and the introduction of a set of relevant organizational and institutional measures. Indeed, the reform of the Security Service of Ukraine is declared in a number of strategic documents of our state, in particular, in the Annual National Program Ukraine – NATO for 2018, approved by Decree of the President of Ukraine of March 28, 2018 № 89/2018 [8], in the Law of Ukraine “On National Security of Ukraine”, and in the draft Concepts of reforming the Security Service of Ukraine.

Thus, the reform of the domestic special services is planned to be implemented consistently on the basis of optimal government decisions, which should take into account the positive experience and best practices of the leading EU states. Analyzing the current state and prospects for reforming the domestic special services, we can state that there is a slow development of these processes, based on the measures that are being implemented in the context of the implementation of state security. Under these conditions, it can be stated that there is no political will to reform the national special service, al-

though this has been insisted on by the European community and Western experts over the past three years. NATO representatives, unfortunately, do not see progress in the process of future reform of the Security Service and warns against a reduction in the level of trust from foreign partners.

Even in the provisions of the Medium-term Plan of priority actions of the government until 2020 and in the provisions of the Strategy for Reforming the State Administration of Ukraine for 2016–2020 [9], the principles of reforming the domestic special services are not envisaged, since only the reform concept of the Security Service of Ukraine, developed back in 2016, should be the starting point for the launch of the reform. Against this background, instead of signing by the President of Ukraine, the text of the concept has been returned from the National Security and Defense Council for revision to the special services and is still there. Thus, the reform of the Security Service of Ukraine remains an aspiration, although it was highlighted as a key priority of state security, and permanent delay seriously undermines the confidence of western partners in Ukraine. Unfortunately, NATO’s expectations for Ukraine in 2018 in this field have not been realized. Considering that the special service reform is one of the main ones in the reform of Ukraine’s national security, the state should optimize and coordinate efforts to speed up the creation of a demilitarized, depoliticized, effective law enforcement structure. Likewise, the security policy of our state should be consistent, focusing on the importance of establishing and improving inter-agency cooperation be-

tween law enforcement agencies of the domestic security sector.

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PROBLEMS OF GOVERNMENT REGULATION IN THE HEALTH OF UKRAINE

Abstract. The article reveals a relevant topic in the health care system of Ukraine, which seems to be the peculiarities of the state regulation of the health-care sphere. First of all, the author of the article determines the main directions of the modern development of the healthcare sphere. So the article says that today there is a process of reforming in the field of health care, which involves the achievement of effective ways of developing the provision of public health care.

The author notes the main legislative and legal features of the regulation of health care, which are aimed at determining the directions and priorities of health policy in Ukraine. The article states that there are two directions in the system of public health administration, which imply the provision of an effective legal framework in economic and social relations in the context of the industry reform process.

Particular attention is paid to one of the important areas of regulation of the health care system, which involves resolving issues of public law regulation in

order to achieve a high level of provision of the population with guaranteed realization of the rights of citizens in this area.

Further, the author points to the need for the development of state regulation in relation to the creation of legislation and legal support on the basis of a unified methodological framework of regulatory legal acts.

The article reveals the main objectives of state regulation in the field of health. The author notes that the first concerns the issues of regulating the means and methods of ensuring the operation of an effective health care system. The second relates to the improvement of governance mechanisms in the field of medical services relations. In this regard, both of these tasks have their own range of problems that are to be solved as part of the solution of issues of state regulation in the field of health care in Ukraine.

Summarizing, the author determines the future prospects of the study in studying the problem of standardization of the health care industry.

Keywords: health protection, health care system, government regulation, medical services market.

ПРОБЛЕМИ ДЕРЖАВНОГО РЕГУЛЮВАННЯ У СФЕРІ ОХОРОНИ ЗДОРОВ'Я УКРАЇНИ

Анотація. Розкрито актуальну тему в системі охорони здоров'я України, передбачену особливостями державного регулювання сфери охорони здоров'я та основні напрями сучасного розвитку сфери охорони здоров'я. Розглянуто процес реформування сфери охорони здоров'я, яким передбачено досягнення ефективних шляхів розвитку забезпечення охорони здоров'я населення.

Зазначено основні законодавчі та правові особливості регулювання сфери охорони здоров'я, спрямовані на визначення напрямів та пріоритетів політики охорони здоров'я України. Наголошено, що в системі державного управління охорони здоров'я є два напрями, які передбачають забезпечення ефективної правової основи в економічних та соціальних відносинах в умовах процесу реформування галузі.

Особлива увага надається одному з важливих напрямів регулювання системи охорони здоров'я, який передбачає вирішення питань публічно-правового регулювання з метою досягнення високого рівня забезпечення населення гарантованою реалізацією прав громадян у цій сфері.

Ідеться про необхідність розвитку державного регулювання щодо створення законодавства та правового забезпечення на основі єдиної методологічної бази нормативно-правових актів.

Розкрито основні завдання державного регулювання у сфері охорони здоров'я. Зазначено, що перше стосується питань регулювання засобів і методів забезпечення діяльності ефективної системи охорони здоров'я, друге — удосконалення механізмів управління у сфері відносин медичних послуг. У зв'язку з цим обидва завдання мають певне коло проблем, які під-

лягають вирішенню в межах досягнення високого рівня державного регулювання у сфері охорони здоров'я України.

Визначено подальші перспективи дослідження у вивченні проблеми стандартизації галузі охорони здоров'я.

Ключові слова: охорона здоров'я, система охорони здоров'я, державне регулювання, ринок медичних послуг.

ПРОБЛЕМЫ ГОСУДАРСТВЕННОГО РЕГУЛИРОВАНИЯ В СФЕРЕ ЗДРАВООХРАНЕНИЯ УКРАИНЫ

Аннотация. Раскрывается актуальная тема в системе здравоохранения Украины, которая представляется особенностями государственного регулирования сферы здравоохранения. В первую очередь автор статьи определяет основные направления современного развития сферы здравоохранения. Рассмотрен процесс реформирования в сфере здравоохранения, который предполагает достижение эффективных путей развития обеспечения охраны здоровья населения.

Отмечены основные законодательные и правовые особенности регулирования сферы здравоохранения, которые направлены на определение направлений и приоритетов политики здравоохранения Украины. Речь идет о том, что в системе государственного управления здравоохранения имеется два направления, которые предполагают обеспечение эффективной правовой основы в экономических и социальных отношениях в условиях процесса реформирования отрасли.

Особое внимание уделяется одному из важных направлений регулирования системы охраны здоровья, которое предполагает решение вопросов публично-правового регулирования с целью достижения высокого уровня обеспечения населения гарантированной реализацией прав граждан в данной сфере.

Указывается на необходимости развития государственного регулирования по отношению к созданию законодательства и правового обеспечения на основе единой методологической базы нормативно-правовых актов.

Раскрыты основные задачи государственного регулирования в сфере охраны здоровья. Отмечено, что первое касается вопросов регулирования средств и методов обеспечения деятельности эффективной системы здравоохранения, второе — усовершенствования механизмов управления в сфере отношений медицинских услуг. В связи с этим обе эти задачи имеют свой круг проблем, которые подлежат решению в рамках решения вопросов государственного регулирования в сфере здравоохранения Украины.

Определены дальнейшие перспективы исследования в изучении проблемы стандартизации отрасли здравоохранения.

Ключевые слова: охрана здоровья, система здравоохранения, государственное регулирование, рынок медицинских услуг.

Problem statement. Today, in the development of the domestic health care system there is a reform process, caused by existing problems, including low level of socio-economic efficiency and legal regulation of activity. At the same time, there is a tendency indicating that in the process of reform, the national health system undergoes significant organizational, legal and substantive changes. First of all, this relates to the creation of a legislative framework for health reform, aimed at decentralizing the state system of health care and health care management.

However, regardless of changes, the functioning of the health care system has a number of difficulties, among which we can highlight the decline in the level and quality of medical care for the population, the increase in the number of socially dangerous diseases, the increase in mortality and the decline in fertility, which in turn leads to negative natural population growth, insufficient level of financing, etc.

Many of these problems are determined by the lack of an integrated approach to healthcare due to deformation of the system of medical prophylaxis, as well as a decrease in the availability of qualified health care for a large part of the population. The important point here is that the health care system directly depends on the implementation of a clear and consistent state policy on public health, backed up by the legal, organizational and financial sector. From the correct definition of the direction and priorities of such a policy, together with the results of the work of the public administration, the effectiveness of the health care system as a whole depends. In such conditions,

the study of the main problems in the system of state regulation in the field of health care is of great importance.

Analysis of recent publications on research issues. Today there are a number of publications devoted to the problem of improving the health care system of Ukraine. Among them one can distinguish V. M. Lekhan, V. M. Rudo, Yu. V. Voronenko, O. G. Sheker et al., Which indicate the need for changes in the organizational structure, forms of management and current legislation.

In addition, a number of scientific publications related to the formation and development of the right to health, among which work by T. A. Zanfirova and Ya. F. Radish, point out that in our country there have always been attempts to make society responsible for the state of health, thus speaking about the need to use such experience in building public health management system.

Purpose of the article. The purpose of the article is to identify the main problems that are related to the current situation in the system of state regulation in the healthcare sector of Ukraine, as well as the definition of general directions for their solution.

Presenting the main material of research. Healthcare is one of the priority areas of the state's activity, which deals with the formation of health care policy in Ukraine and helps to ensure its implementation. In addition, the state ensures citizens' rights to health care and the implementation of state social development programs.

Regarding health regulation, it involves two interrelated areas. The first is issued in the legal regulation of the organization of health care, and the second is the legal regulation of the

implementation of the human right to health. In connection with this, the main function of state regulation of health care is the creation of an effective legal framework for economic relations that will take into account the conditions for reforming the industry, the excessive function of the state to provide free medical care, and also provide an opportunity to achieve sustainability in the system of ensuring the right to health [1].

A special place in the regulation of the health care system in our country is given to various targeted programs. Such target programs are a set of measures aimed at achieving concrete actions, thus allowing more effectively to socially significant problems in protecting and restoring the health of citizens. The main purpose of such target problems is to meet certain needs of the population and to improve the efficiency of medical organizations.

It is the society that perceives health care as an integral part of the quality of life, which has an important impact on the economic development of the state, contributing to the reproduction and quality of labor resources and, thus, creates the basis for further socio-economic growth. In this regard, one of the important problems in regulating the health system is the search for an effective model of the national health system that will be adequate to the current realities of society. First of all, this concerns the fact that today's domestic health care system does not allow to realize the necessary principles of market relations in the unformed market of medical services [2].

In our opinion, one of the most important directions in this system is the

strengthening and expansion of public-law regulation in the field of health care, which, in this case, should be aimed at the realization of the rights of every citizen of our country to receive a guaranteed level of health care.

However, today in the Ukrainian legislation there is no holistic mechanism of state regulation of market economic relations, except for certain regulatory and legal mechanisms regarding the use by the state of a regulator [3]. Note that such means are licensing, the order of regulation of prices and tariffs, the establishment of special economic regimes, etc. In this connection, there is a need to address the problem of the lack of the ability to achieve its functional purpose specified by the regulatory tool in the case when other regulators will operate autonomously. Here we mean that in order to solve the problem, it is important to achieve a simultaneous settlement of all funds.

In this regard, we assume that state regulation of the development of healthcare should be directed to the creation of promising legislation and regulatory support, which will contribute to the effective achievement of public health. Thus, it also implies the achievement of a qualitative unity of the methodological basis of normative legal acts. In this context, support for national economic interests, national economic security and public health is at the forefront. All of these factors are universal, but the implementation of health policy implies not only specific types of factors, but also takes into account common measures for them [4].

In our opinion, among the tasks of state regulation in the field of health

are two important aspects. The first relates to the fact that regulatory measures must ensure the solving of political tasks, while the other provides for the improvement of management mechanisms. The same should be taken into account in the political aspect, which is to achieve social and economic goals. Its nature appears in the normative character, which is based on the system of values adopted in society, which relate to certain political tasks and interests of society.

It is important to note that socio-political health problems in all modern countries are the same. Therefore, among them, one can distinguish the following:

- Equal access to health care;
- achieving social solidarity by providing health care through a national health service or social health insurance system;
- Earning profit through the provision of financially sound healthcare costs;
- achievement of healthy conditions of the environment, safe working conditions, food and drinking water;
- The necessary level of awareness and education of the population on health issues [5].

Another aspect of management is the mechanisms of public health management, which have a mixed nature, which show the peculiarities of the relationship between the providers of health services. Such measures are aimed at achieving the effective and rational use of human and material resources, and are primarily technical in nature. The direction of regulation of such mechanisms should solve the following problems:

- Quality and efficiency of medical services;
- access of patients to services, taking into account the introduction of appropriate tax policy;
- the appropriate level of behavior of suppliers and payers, the activities of doctors and other health professionals;
- Establishing a balanced market for medicines by controlling profits and determining price policy [6].

Thus, state regulation of activities in the field of health care should act as a state's activity aimed at ensuring the interests of the population and the state itself through the application of predominantly administrative methods of influencing the behavior of business entities. Moreover, the legal basis of state regulation will be in the management, control and application of administrative and economic sanctions.

Conclusions and prospects for further research. Thus, in the course of independence in our country a national legal basis has been formed in the sphere of health care, which today can not fully meet the modern needs of society. At the same time, the decision of the problems connected with the state regulation in the field of health care in Ukraine can be called an important direction in management and organizational medical activities.

In addition, one of the pressing problems in regulating the health sector today is the problem of the standardization of the industry, as the issues of the level of licensing of medical services, the level of accreditation, the need for medical care, the economic level, which determine the need for medical procedures, remain unresolved and the level of effectiveness of both the effectiveness

and quality of the provision of medical care.

All this suggests that today there is a need for a comprehensive study of the legal regulation of medical activity, first of all it concerns the development of a new regulatory framework that will act as an instrument for implementing state policy and improving the management of health care in Ukraine as a whole.

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ACTUAL THEORETIKO-METHODOLOGICAL ASPECTS OF RESEARCH OF THE PHENOMENON “STATE ADMINISTRATION” IN PARADIGM OF DEVELOPMENT OF MODERN PUBLIC ADMINISTRATION

Abstract. Such basic theoretical concepts of the system of state administration as “state”, “state administration”, “government service”, “public management”, “public administration”, “state-administrative elite are examined”. Attention applies on that, one hundred the problems of transformation of government service are above all things conditioned radical transformations of the state and embarks on basis that the state in general all anymore will be examined exactly as a specific instrument (method, mechanism) of organization of functioning of sociuma. It is underlined that state administration has an own specific and in a greater degree depends on the degree of development of society. A thesis is grounded in relation to that state administration is a specific type of activity of organs of the state, which is carried out by means of two types of such activity – executive and active and has an organizing influence in three public spheres – economic, social’no-kul’turnoy and administrative. Specified on that government service, as difficult

social phenomenon, can be examined as governmental service and as service civil. Attention applies on that in most cases government service is explained and as activity professional, that it is carried out by specially geared-up specialists. It is thus impossible to unite the phenomena “civil servants” and “bureaucracy”, which have different sense and explanation. The substantial features of concepts “Public management” and “public administration”, “state-administrative elite, are analysed”. It is underlined that government service must be considerable appearance by depolitizirovannoy, professional activity.

It is substantiated that since the public service is carried out by specially selected, professionally trained employees, civil servants, the following general remarks should be made: often when considering various aspects of the civil service, the term “state apparatus” is used. In fact, it should be borne in mind that this term has two main meanings: a) as a certain organizational structure; b) as a personnel structure of a certain structure in the system of civil service. We believe that the second meaning is more precise and concrete.

Keywords: state, state administration, government service, public management, public administration, state-administrative elite.

АКТУАЛЬНІ ТЕОРЕТИКО-МЕТОДОЛОГІЧНІ АСПЕКТИ ДОСЛІДЖЕННЯ ФЕНОМЕНУ “ДЕРЖАВНЕ УПРАВЛІННЯ” В ПАРАДИГМІ РОЗВИТКУ СУЧАСНОГО ПУБЛІЧНОГО АДМІНІСТРУВАННЯ

Анотація. Розглядаються такі основоположні теоретичні поняття системи державного управління як “держава”, “державне управління”, “державна служба”, “публічне управління”, “публічне адміністрування”, “державно-управлінська еліта”. Звертається увага на те, що проблеми трансформації державної служби насамперед зумовлені радикальними трансформаціями самої держави і береться за основу те, що держава в майбутньому все більше буде розглядатися саме як специфічний інструмент (засіб, механізм) організації функціонування соціуму. Підкреслюється, що державне управління має власну специфіку і значною мірою залежить від особливостей суспільного розвитку. Обґрунтовується теза стосовно того, що державне управління — це специфічний вид діяльності органів держави, який здійснюється за двома видами — виконавчим і розпорядчим, та має організуючий вплив насамперед у трьох суспільних сферах — економічній, соціально-культурній та адміністративній. Зазначається, що державна служба як складний соціальний феномен може розглядатися як урядова служба і як служба громадянська. Звертається увага на те, що у більшості випадків державну службу пояснюють як діяльність професійну, тобто її здійснюють спеціально відібрані й професійно підготовлені фахівці. При цьому слід не поєднувати феномени “державні службовці” і “бюрократія”, які мають різний сенс і пояснення. Аналізуються сутнісні значення понять “публічне управління” і “публічне адміністрування”, “державно-управлінська еліта”. Підкреслюється, що державна служба має бути значною мірою деполітизованою, професійною діяльністю.

Обгрунтовано: оскільки державна служба виконується спеціально підібраними, професійно підготовленими працівниками, державними службовцями, то під час розгляду різних аспектів державної служби доречно вжити термін “державний апарат”. Фактично слід брати до уваги саме те, що такий термін має два основних значення: а) як певна організаційна структура; б) як кадровий склад певної структури в системі державної служби. Вважаємо, що друге значення є більш точним і конкретним.

Ключові слова: держава, державне управління, державна служба, публічне управління, публічне адміністрування, державно-управлінська еліта.

АКТУАЛЬНЫЕ ТЕОРЕТИКО-МЕТОДОЛОГИЧЕСКИЕ АСПЕКТЫ ИССЛЕДОВАНИЯ ФЕНОМЕНА “ГОСУДАРСТВЕННОЕ УПРАВЛЕНИЕ” В ПАРАДИГМЕ РАЗВИТИЯ СОВРЕМЕННОГО ПУБЛИЧНОГО АДМИНИСТРИРОВАНИЯ

Аннотация. Рассматриваются такие основоположные теоретические понятия системы государственного управления как “государство”, “государственное управление”, “государственная служба”, “публичное управление”, “публичное администрирование”, “государственно-управленческая элита”. Обращается внимание на то, что проблемы трансформации государственной службы в первую очередь обусловлены радикальными трансформациями самого государства и берется за основу то, что государство в общем все больше будет рассматриваться именно как специфический инструмент (способ, механизм) организации функционирования социума. Подчеркивается, что государственное управление имеет собственную специфику и в большей степени зависит от степени развития общества. Обосновывается тезис относительно того, что государственное управление — это специфический вид деятельности органов государства, который осуществляется посредством двух видов такой деятельности — исполнительная и распорядительная и имеет организующее влияние в трех общественных сферах — экономической, социально-культурной и административной. Указывается на то, что государственная служба как сложный социальный феномен может рассматриваться как правительственная служба и как служба гражданская. Обращается внимание на то, что в большинстве случаев государственную службу объясняют и как деятельность профессиональную, то есть ее осуществляют специально подготовленные специалисты. При этом нельзя объединять феномены “государственные служащие” и “бюрократия”, которые имеют различный смысл и объяснение. Анализируются существенные особенности понятий “публичное управление” и “публичное администрирование”, “государственно-управленческая элита”. Подчеркивается, что государственная служба должна быть значительным образом деполитизированной, профессиональной деятельностью.

Обосновано: поскольку государственная служба выполняется специально подобранными, профессионально подготовленными работниками, государственными служащими, то при рассмотрении различных аспектов государ-

ственной службы следует употреблять термин “государственный аппарат”. Фактически следует принимать во внимание именно то, что такой срок имеет два основных значения: а) как определенная организационная структура; б) как кадровый состав определенной структуры в системе государственной службы. Считаем, что второе значение является более точным и конкретным.

Ключевые слова: государство, государственное управление, государственная служба, публичное управление, публичное администрирование, государственно-управленческая элита.

Problem statement. Public administration, as a scientific branch, exists in many countries recently. In Ukraine, for example, it appeared only in 1997, when in a special Resolution of the Cabinet of Ministers of Ukraine in the list of scientific degrees and titles of doctor and candidate of Sciences the entry “public administration” appeared. In this regard, the scientific and theoretical understanding of the essence of this concept, the concepts that primarily justify it, have a considerable relevance.

Analysis of recent research and publications. Taking into account the works of such famous foreign scientists as V. Ardo, G. Atamanchuk, K. Bowman, T. Veblen, E. Voutilainen, U. Hamilton, M. Dewan, J. Ivatsevich, A. Kempinski, D. Kendrick, T. Kono, K. Kunz, Marr, M. Meskon, D. North, A. Rybakov, Yu. Schmidt and others, Ukrainian — A. Borovska, O. Buhtatii, N. Dragomirecka, V. Kniaziev, V. Kozakov, V. Lipkan, A. Radchenko, Ye. Romanenko, A. Parkhomenko-Kutsevol, N. Nyzhnyk, V. V. Obolenskyi, V. Rybalko, G. Shchokin, etc., it is possible to distinguish (according to the author) the range of problems of theoretical research of the phenomenon of “governance”, which is defined such basic notions as “state” (modern); “public

administration”; “public service”; “public management”; “public-managerial elite”.

The purpose of the article is to analyze the current theoretical and methodological aspects of the study of the phenomenon of “public administration” in the development of modern public administration

Presentation of the main material of the study. The given list of terms (maxims) seems to us to be the main one — others are largely derived from the above.

Further, since each of the above concepts requires a thorough and comprehensive study, we will define and point out only those important components and features that are insufficiently studied in the state government, or in general have affected seriously recently.

State. As a human formation, as a mechanism of association of large groups of people in society for living together, modern states are quite radically transformed. So, in the future, quite objectively, the demands of citizens and society regarding the capacity of the state will grow. Many states are no longer able to really ensure the rights and freedoms of a person (citizen), and therefore in the future we will most likely observe a noticeable rejection of

a purely liberal model of its functioning. The state will be increasingly seen as a specific tool (means, mechanism) of the organization of the functioning of society. Therefore, public administration, activity of civil servants, their relations with society will fundamentally change.

Public administration. Reflecting on the fate of governance as a whole — and this has a direct relation to the public administration — the well-known Russian expert in the field of public administration G. V. Atamanchuk notes that the management system will eventually increasingly gravitate to its own renewal, improvement. He writes: “It is not difficult to see a certain relationship between the state and potential of management, on the one hand, and the dynamics of development of a society, on the other hand. Where the management “naps” or is helpless, there the society in all its spheres is in stagnation, collapse, conflict, underdevelopment and neglect” [1, p. 73]. And he warns: “Here it is important to make a breakthrough, not a break of chain of historical development, the rejection of the previous culture, the collapse created over the centuries” [1, p. 79]. In this case, we have to warn that the historical, theoretical and practical developments, including in the field of public administration in Ukraine, even in the so-called Soviet era, can not be absolutely negative: it is necessary to think over such a practice with the desire to borrow the best elements that can serve as a positive today.

In the basis of the analysis of public administration, public service there should be an understanding that the state generally, by definition of

S. Kurits and V. Vorobyov, “is one of the types of systems of nature, but the organization created by people (organizational system) that is an artifact” [2, p. 70]. One of the founders of cybernetics N. Wiener wrote on this matter: “Nature, in the broadest sense of the word, can and should serve not only as a source of tasks that I solve, but it indicated to the apparatus that is convenient for their solution” [3, p. 44].

Public administration, as a specific type of activity of state bodies, in the vast majority of cases today is theoretically served through two main types of such activities: executive and administrative. They both provide an organizing influence on the social relations actually in three spheres — economic, socio-cultural and administrative [4, p. 147]. Public administration, in addition, is characterized by all the features of the executive power, and it is aimed mainly at the implementation of laws, other normative legal acts, ensuring sustainable social development.

There are grounds to assert that in modern Ukraine a fundamentally new paradigm of public administration is being formed, the most important components of which are the management culture of civil servants and the development of their value-oriented communication. Such components are logically defined in the Law of Ukraine “On public service” (10.12.2015), in “General rules of ethical behavior of SS”, approved by the order of the National Agency of Ukraine on public service (05.08.2016). In addition, the relevant standards of public service are prescribed in the “Rules of ethical behavior of civil servants” (approved by

the Cabinet of Ministers of Ukraine № 65 (11.02.2016).

Public service. Here it is necessary to refer to the opinion of the famous Russian political scientist V. F. Khali-pov, who explained this phenomenon in two main ways: a) as a government service; b) as a civil service [5, p. 476]. Such interpretations of the concept of “public service” began to take shape in the era of educational absolutism (XVIII century). At that time, the idea that public service is no longer a service to the Tsar (autocrat, monarch) but to the state and, therefore, to society began to be formed and gradually dominated. The understanding of the phenomenon of “civil servant” (civil/public servant; government official) changed adequately to this. It meant that this servant is someone who works in the public authorities [5, p. 480].

We believe that we should not simply combine, embody the “public service” and “state bureaucracy”, as, in particular, the authors of the textbook “Legal aspects of school management” (K, 2016). L. Pavlenko and V. V. Pavlenko [6] do. It should not be done at least because “public service” – is professional and responsible activity in public bodies, and “bureaucracy” – a “governing of functionaries”, “power of (French – Burean) offices-institutions”, that is, “bureaucracy” is mainly understood and explained as a kind of negative substance.

Along with state managers, who are often associated with bureaucracy, there is also a kind of social stratum called technocracy. According to the French researcher M. Ferro, this social layer in the twentieth century to some extent merged with the administration.

“If in the West, – Ferro writes, – bureaucracy provided functioning of the system, which served as an obstacle to various changes independent of the political and social conjuncture, in the USSR, on the contrary, it was increasingly identified with the political power, which, however, accused it of the same sins, and public opinion, attacking the bureaucracy, criticized the regime and the system as a whole” [7, p. 357]. On this occasion, the Russian scientist L. Karpinski very aptly expressed his opinion, he stated that in the Soviet era “bureaucracy got together with the state unrestricted access to management of the economy and culture that penetrated virtually all spheres of human life” [7, p. 361]. Back in 1941, D. Berchem in his book “the revolution of managers” claimed that technocrats (managers) have become a reality, and penetrated into public administration. This is another aspect of the problem.

When analyzing the practical activities of civil servants, the most important thing, we believe, is to take into account the fact that public administration (in which such employees operate) is one of the varieties of social management, more precisely – the management of people. Here we should fully agree with the opinion of the well-known American political scientist, F. Fukuyama that the new management as a phenomenon in general, will be characterized by a significant increase in public administration. Another thing is that such management, over time, will have fundamentally different features, characteristics, content.

Public administration. The publicity of public service is one of the central concepts in public administration,

which is explained very ambiguously. Thus, publicity in general is often explained simply by associating it with publicity [8]. Indeed, a number of researchers rightly argued that publicity and openness, according to, in particular S. Fedorov, as a tool for the implementation of publicity [9, p. 964–968].

Second. “Publicity”, as a broader concept than “free speech”, is a direct tool for a close combination of state power and civil society. Without such a combination, the state power is unlikely to be able to implement itself, and it is difficult to hope for the level of conscious support of the citizens of the state power.

The rather optimal definition of the phenomenon of “publicity” in the public service is complicated by the fact that such publicity is often considered in a particular sphere of economic activity. So, if we are talking about publicity in the field of socio-economic, economic (business) activities, we are talking about the accessibility of citizens to the actual knowledge of the activities of business structures (open business) [10, p. 275].

According to the above situation (different “understanding” of the term “publicity”, we find it appropriate to consider it in the context of the term “public administration”). It is known that it was first used by the famous English researcher D. Keeling, who understood it as the “search for the best ways to use resources to achieve the priority goals of the state” [11, p. 605].

The confirmation of this definition is found in a number of documents of normative nature of the state level, which were adopted in modern Ukraine. Thus, in article 45 of the new edition of

the Law of Ukraine “On public service” (2015) the publicity of public service is fixed by the following mandatory conditions of its practical functioning as: public reports of heads of executive authorities to the public on the activities of a particular state body; information on the activities of state bodies in the media, in particular, on the websites of certain executive bodies. Let us also recall that the principle of publicity of public service to a certain extent is carried out in some Decrees of the President of Ukraine, in particular in the Decree “On the strategy of state personnel policy for 2012–2020” [12], etc.

There are also many reasons to agree with the opinion of O. Amosov and N. Havkalova that “in order for the transformation of public administration to take place, it is necessary to fulfill several conditions. First of all, it concerns the formation of an institutional control in the society, where actually at the same time there are several models of interaction and social segments: solidarity society, consorts, convections and legal social state” [13, p. 17].

The opinion of the authors of the “Encyclopedic dictionary of public administration” [11] that public administration is the maximum openness in the implementation of public policy is quite appropriate: if public policy is carried out through public activity, then such activity is public administration [11, p. 605]. In this context, the idea of adopting a special code on public service in Ukraine is appropriate.

The state-management elite is a relatively new, little scientifically developed term, which under the conditions of excessive bureaucratization of

public administration, unfortunately, acquires a negative connotation.

First, the concepts of “political elite” and “state-management elite” are often unjustifiably mixed, associating them, although there is no special reason to do so.

Secondly, in order for such associations to be less tangible, public managers must be as depoliticized as possible. The task of a civil servant is to implement state policy as efficiently as possible, but the extent he/she values it as a person from the political point of view is a matter of his/her own human conscience and consciousness. In this regard, it is clear why in a number of states the status of a civil servant is politicized even in legal terms. And although politics and public administration (as well as political and public administration) have been closely intertwined since ancient times (Greece, Rome, China), it should be taken into account that politics is often explained as a kind of “pure”, highlighted essence; as a specific activity of all subjects of social and political life, which regulates their relationship; as a way to achieve the relevant goals; as a set of issues and events of state and public life, etc. [14, p. 265]. That is, political and state activities still largely need to be “diluted”, “delimited”.

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ON THE CONCEPT OF THE CONCEPT OF TRANSPARENCY OF FUNCTIONING BY THE PUBLIC AUTHORITY

Abstract. Scientific approaches to the implementation of the concept of transparency in the field of public policy are revealed, when processes of enhancing the role and importance of information both for society as a whole and in the life of every citizen occur in the globalization space. An etymological analysis of the terms “concept” and “transparency” is made. The conceptual definition of the “concept of transparency”, the basic mechanisms and tools for the implementation of these ideological reference points in the activities of the public administration system as a whole and in certain spheres of public life are defined. The scientific approaches to the definition of the concepts “concept” and “transparency” are investigated, on the basis of which an own definition of the concept “concept of transparency” is provided. The conceptual features of the principle of public policy transparency have been reviewed. The main constituent elements of the principle of transpa-

rency are highlighted, in particular, its content is defined as the interaction of management bodies with its objects, providing feedback in the process of exercising authority to exercise management functions. The role of the public in ensuring the transparency of public authority is defined. It is concluded that access to information is a prerequisite of public control and the main element of the development of civil society. The issue of increasing the attention of public initiative centers to the concept of public policy transparency has been investigated. It was noted that solving the problems of transparency of the entire public administration system is one of the key areas in the process of further approval in Ukraine of democratic principles in terms of constitutional reform, rooting of civilized norms of the state for the benefit and protection of human rights and citizen.

Keywords: transparency concept; public authority; government; functioning; principle, civil society; public administration system; constitutional reform.

ДО ПИТАННЯ ПРО КОНЦЕПЦІЮ ПРОЗОРОСТІ ФУНКЦІОНУВАННЯ ОРГАНІВ ПУБЛІЧНОЇ ВЛАДИ

Анотація. Розкрито наукові підходи до реалізації концепції прозорості у сфері державної політики, коли у глобалізаційному просторі відбуваються процеси посилення ролі та значення інформації як для суспільства в цілому, так і в житті кожного громадянина. Зроблено етимологічний аналіз термінів “концепція” та “прозорість”. Окреслено понятійно-категорійні питання визначення “концепції прозорості”, основні механізми та інструменти впровадження зазначених ідеологічних орієнтирів у діяльність системи органів публічної влади у цілому та в окремих сферах життєдіяльності суспільства. Досліджено наукові підходи до визначення понять “концепція” та “прозорість” на основі чого надано власне визначення поняття “концепція прозорості”. Здійснено розгляд концептуальних особливостей принципу прозорості державної політики. Виділено основні складові елементи принципу прозорості, зокрема, визначено його зміст як взаємодію органів управління з його об’єктами, забезпечення належного зворотного зв’язку у процесі здійснення повноважень з реалізації управлінських функцій. Окреслено роль громадськості у забезпеченні прозорості функціонування публічної влади. Зроблено висновок, що доступ до інформації є передумовою публічного контролю і головним елементом розвитку громадянського суспільства. Досліджено питання зростання уваги центрів громадських ініціатив до питання концепції прозорості державної політики. Наголошено на тому, що розв’язання проблем прозорості усієї системи державного управління є одним із ключових напрямів у процесі подальшого утвердження в Україні демократичних принципів в умовах конституційного реформування, укорінення цивілізованих норм функціонування держави на благо та захист прав людини та громадянина.

Ключові слова: концепція прозорості; орган публічної влади; державне правління; функціонування; принцип, громадянське суспільство; система державного управління; конституційне реформування.

К ВОПРОСУ О КОНЦЕПЦИИ ПРОЗРАЧНОСТИ ФУНКЦИОНИРОВАНИЯ ОРГАНОВ ПУБЛИЧНОЙ ВЛАСТИ

Аннотация. Раскрыты научные подходы к реализации концепции прозрачности в сфере государственной политики, когда в глобализационном пространстве происходят процессы усиления роли и значения информации как для общества в целом, так и в жизни каждого гражданина. Сделано этимологический анализ терминов “концепция” и “прозрачность”. Обозначены понятийно-категориальные вопросы определения “концепции прозрачности”, основные механизмы и инструменты внедрения указанных идеологических ориентиров в деятельность системы органов публичной власти в целом и в отдельных сферах жизнедеятельности общества. Исследованы научные подходы к определению понятий “концепция” и “прозрачность” на основе чего предоставлено собственное определение понятия “концепция прозрачности”. Осуществлено рассмотрение концептуальных особенностей принципа прозрачности государственной политики. Выделены основные составляющие элементы принципа прозрачности, в частности, определено его содержание как взаимодействие органов управления с его объектами, обеспечения обратной связи в процессе осуществления полномочий по реализации управленческих функций. Определена роль общественности в обеспечении прозрачности функционирования публичной власти. Сделан вывод, что доступ к информации является предпосылкой публичного контроля и главным элементом развития гражданского общества. Исследован вопрос роста внимания центров общественных инициатив к вопросу концепции прозрачности государственной политики. Отмечено, что решение проблем прозрачности всей системы государственного управления является одним из ключевых направлений в процессе дальнейшего утверждения в Украине демократических принципов в условиях конституционного реформирования, укоренения цивилизованных норм функционирования государства на благо и защиту прав человека и гражданина.

Ключевые слова: концепция прозрачности; орган публичной власти; государственное правление; функционирование; принцип, гражданское общество; система государственного управления; конституционное реформирование.

Problem statement. Today our state goes through hard times, for the first time in its recent history having faced with armed aggression from the enemy, which considerably surpasses Ukraine both in military and political, and in economic and informational terms.

Under these conditions, the most critical task for domestic legal science is to find new conceptual solutions that would give an impulse to the practice of government on protecting the sovereignty and territorial integrity of Ukraine. The convergence of national legal system with legal systems of mo-

modern European countries based on common principles and approaches and, thus, formation of the unified European legal system; problems and prospects of legal regulation of both public and private spheres of social life from the perspective of national legislation as well as legal experience of EU countries should become the main guiding principles for modern legal experts.

Recently, the problem of transparency is increasingly mentioned when characterizing various social institutions in the context of democratization of state and social life in Ukraine. This is largely connected with the study of international standards and adaptation of experience of EU countries, in which transparency is recognized as one of the principles following the idea of statement of legal community [1, p. 43].

Degree of scientific development.

The problem of transparency of public institution functioning was studied by foreign scientists such as M. Di Niz [2], J. Lodge [3], P. Craig [4] and A. Santini [5]. Equal attention to the issues of transparency of public authority activities are paid by Ukrainian and Russian scientists such as S. Holovatyj [6], A. Chuklinov [7], I. Berezovska [8], I. Ibrahimova [9], V. Melnychenko [10, 11], N. Hudima [12], J. Balkin [13], and I. Hrytsiak [14]. At the same time, the issue of implementing the conception of transparency in the public administration system of Ukraine is not adequately reflected in the works of domestic scientists. In particular, we do not find a semantic analysis of the concept of “conception of transparency” and its details in any research study. The studies of issues of transparency of public authorities are only of fragmentary na-

ture and do not allow to fully disclose the significance of conception of transparency as a basic principle of creation of the public administration system of Ukraine.

Purpose of this article is to try to disclose the etymological analysis of the terms “conception” and “transparency” as well as to consider the conceptual features of the principle of state policy transparency.

Statement of basic materials. The term “conception” comes from Latin “conceptio”, which means to comprehend, to perceive. The conception mainly refers to system of views, concepts about these or those phenomena or processes, way of their understanding and interpretation; fundamental idea of any theory, main intention; idea or plan of new, original understanding; constructive principle of artistic, technical and other activities [15].

The study of the conception as knowledge has its origin in the era of European Middle Ages, in particular, this was reflected in the work of P. Abelard [16], who studied the conception as a concept synthesizing three ways of the soul: as past-oriented act of memory, future-oriented act of representation and present-oriented act of judgment.

Since the second half of XX century, the conception has been understood as the identification of social and cultural context of natural and humanitarian knowledge. These considerations are ofgnoseological relevance and as of today.

Thus, in our opinion the conception should be understood as a complex of key provisions or thought affirmations that allow keeping the research direction. This is a kind of compass in the movement of thought.

Little Oxford English Dictionary connects the term “transparency” first of all with the physical phenomenon specific to fluid, gemstones, film, and, then, with the term “clarity”, which means clearness, ease of perception [17].

Cambridge Learner’s Dictionary defines “transparency” as, in particular, the universal characteristic of an object to be transparent, and as clarity and clearness [18]. The domestic Large Explanatory Dictionary understands the term “transparency” as the property and condition of something transparent, and in data processing systems as the intermediate interaction means, the application of which is invisible to the user, the property of physical connection of protocol or program to transmit the information encoded in any way without any changes in it [19].

Undoubtedly, the principle of transparency is applied to all social institutions, therefore, it is reasonable to disclose the etymological content of the term “transparency” in terms of its social significance, which can be found in the encyclopedic edition “Sociology” [20].

In the article of D. Halkin “Virtual discourse on the postmodern culture”, the transparency is defined as one of the main concepts of modern theory of the information-oriented society, postmodern social theory and sociology characterizing the influence of information and media on the mechanisms of social organization. According to D. Halkin, this phenomenon is intended to provide an opportunity for comprehensive representation of social structures and individuals in the common information field and provides, first of all, the avail-

ability, speed and high degree of information structuring, convenience of its conversion into various, easy-to-understand formats and existence of constant feedback [13, p. 21].

The understanding of openness and transparency as rules on which the activities of public authorities should be based, or as principles, the observance of which will promote the creation of the system of public authorities ensuring the implementation of common values of real democracy, which currently is almost unexplored.

The large majority of domestic scientists see the implementation of principles of openness and transparency in informing the public about functional separation of duties and division of powers between public authorities.

I. Ibrahimova understands the principle of transparency as ensuring the dialogue with the public at all stages of decision-making and permanent access to complete, clear information on the activities of public authorities and their officials in accordance with the current legislation [9].

V. Melnychenko interprets the principle of transparency as ability of the state to ensure a high level of awareness of citizens and their communities on material and procedural side of government and administrative activities, awareness of citizens and their communities on the planned decisions of public authorities and how they will be implemented [10, p. 51].

The principle of transparency as a value guide of the European Union law has also been widely studied by experts of public law. Thus, O. Vitvitska and H. Horning, authors of the book “European Union Law”, among the functio-

nal principles of European Union law define also the principle of protection of trust and legal security, the content of which also includes the transparency of public institutions of the states [22, p. 52].

In the textbook "Introduction to the European Union Law" [23] of Kernza V., the principle of transparency of these institutions is determined as the principle of construction and functioning of the institutional structure of the European Union.

In the manual edited by R. A. Petrov [24], the authors adhere to the Western European approach to distinguishing only general principles of the European Union law. According to the authors, the general principles of law include principles of respect for fundamental human rights, proportionality, equality or non-discrimination, legal completeness, transparency and compliance with procedural rights, subsidiarity.

So, summarizing the above, we can conclude that the domestic scientists came to common provisions on content of the principle of transparency with regard to the following statements: 1) openness and transparency of the activities of public authorities are understood as possibility of the person to obtain information not only concerning himself, but also on social, political, state and regional issues concerning the unlimited access to all types of information, documents, activities and motives; 2) openness and transparency of public authorities are not identical concepts. The openness is not transparent yet, but only leads to it. The transparency of the activities of public authorities is the result of process of openness. The

openness of public authorities results in full transparency of their activities. The transparency of public authorities is defined as a condition, which is characterized by full "transparency" of all directions and results of their activities; 3) based on constitutional structure of government in Ukraine, the principle of government openness can be defined as its duty to ensure the possibility of free access of citizens to administration of the state affairs.

As we have noticed, none of the domestic scientists studies the conception of transparency of public institutions, but only focuses on doctrinal determination of the principle of transparency and openness of public power.

However, it is impossible to say that Ukrainian science is outdated and does not pay attention to the study of these issues. Separate aspects of conception of transparency are interpreted in the most unexpected forms of national science of law.

So, in 2008, Hudimova N. V. defended the dissertation for degree of Candidate of Sciences in Public Administration on the topic "Principles of openness and transparency in the activities of public authorities of Ukraine" [12]. The dissertation was devoted to the problems of evolutionary development of implementation of the principles of openness and transparency in the activities of public authorities and their influence on administrative activity condition in the context of processes of democratization of Ukrainian society. The scientist has theoretically substantiated the necessity of the principles of openness and transparency as components of public administration and, at the same time, objective cha-

characteristics of improvement of its components.

Of particular note is the fundamental monograph “Ukrainian Revolution of Dignity, Russian Aggression and International Law” prepared by collaborative writing team headed by professor O. Zadorozhnii [25]. Both in his previous monograph “Genesis of International Legal Identity of Ukraine” [1] and in the monograph of 2016, Zadorozhnii O. V. defines the concept of transparency of public institutions as the main prerequisite for recognition of legal identity of Ukraine as an equal member of the European Union. In addition, according to the scientist, the transparency of the activities of public authorities was one of the ideals of the Revolution of Dignity.

As for the western doctrine, it should be noted that although there are special monographic studies of the principles of the European Union law [26], they are devoted to the principles of the European Union law in general without paying special attention to the principle of transparency of administration or conception of transparency.

During the study of this topic, we found a quite interesting fact. The conception of transparency did not become a part of such conglomerate of scientific works of domestic legal experts, however, it is nearly the most relevant activity of non-governmental initiative centers and research institutes of young financial and political scientists.

Let's take the manual of Taran V. V. and Tarnai V. A. “Functioning of the Unified Web Portal for Public Funds Use” [27] as an example. The guidance manual is extremely filled with practical aspects of implementing the pub-

lic idea about maximum openness of information on public funds use. The main purpose of the publication was to ensure the effective public funds use and increase in the level of population awareness.

Such transparency of the process of public funds disbursing minimizes corruption risks and will facilitate improving of business environment in the country.

In particular, participants of the International Scientific Congress “Information Society in Ukraine”, held on October 29, 2013 in Kyiv, in their decision noted that E-government can change the very nature of power and make it more transparent and controlled by the public, as well as it creates conditions for accelerating business development, improving the investment environment, economic growth, and, most importantly, ensuring the real participation of citizens in political processes. It was noted that implementing the E-government requires creation of brand new organizational forms of the activities of public authorities, ensuring interaction with citizens and business entities by providing broad access to state information resources and providing the administrative services [28].

The Eastern European Democratic Center with assistance of Batory Foundation issued a publication documenting the examples of the appeal of Belarusian non-governmental organizations for the purpose of social problems solving. Thanks to the book “Representation of Public Interests”, we will be able to find out how social issues, including issues of ensuring the transparency of public institutions, were solved by

means of a public initiative in the Republic of Belarus.

A number of scientific studies in the field of implementing the conception of transparency at all levels of public administration are currently being carried out on the topics of integrated scientific project “Public Administration and Local Self-Government” that is implemented by the Institute of Public Administration and Local Self-Government of the National Academy for Public Administration at the President of Ukraine. The scientific work of the Institute is directed at scientific support of educational and vocational and professional training programs, as well as public reforms.

According to Ch. Taylor, the minimum civil society is equal to the existence of state-independent non-governmental organizations, or as they now say – the “third sector”.

Now, when the country is transforming and moving to a new level of development, the public activity became more visible. That is why the sphere of implementing the conception of transparency of public institutions did not evade the wide public initiatives.

Now almost every second person understands who the public figure is, as these were the terrible events that accompanied the Revolution of Dignity that made everyone, who is indifferent to the future of the country and own future, to mobilize, unite and devote their time to our society.

The special attention should be paid to the experience of the youth organization “New Generation” with initiative groups in the sphere of ensuring the implementation of the principle of transparency in all spheres of public life

of Ukrainian people. The manual “Beginner’s Guide to Public Activities” is a collection of recommendations for civil society organizations and initiative groups in the sphere of ensuring the transparency of administration of any sphere of society being [29].

Let’s disclose several outstanding moments that are highlighted in the collection of recommendation on the conception of transparency of public institutions: *the word “vriaduvannia” or “uriaduvannia” (governance) is a typical Ukrainian word, which has long been associated with a transparent decision-making process involving all members of the community (veche, village meeting, etc.). For many Ukrainians this word meant the democracy and accountability of every voice; it designated the long-standing traditions of local self-government in Ukraine. However, as there is no absolute equivalent for this word in Russian, in the Soviet times in the Ukrainian Dictionary it was marked as archaism and it was recommended to use the synonym – to administer; *In the theory of political science, the concept of administration means the process of implementing the power in the society, way of its implementation to meet the needs and requirements of citizens. One of the features characterizing the democratic nature of governance process in the state is application of principles of good governance consisting of openness and transparency of decision-making by public authorities and local self-government, accountability to citizens (as they are the source of power), broad involvement of citizens in the decision-making process; *Governance as clear and transparent decision-making

process, enables any authority to use resources and power in a reported manner, based on common values.

In turn, the experts of the European Foundation Center proposed four principles of effective work of any organization (in this case society is also considered as an organized community). Among these principles, the principle of transparency is determined as the second principle in the hierarchy. It means the coverage of information on receipts, objectives and results of the organization.

As the activities of mass media, civil society and public organizations, political parties and business sector cannot be regulated completely and exclusively by law (as the comprehensive regulation can be considered as manifestation of non-democratic nature and impediment to freedom of meeting, business conduct and self-expression), the greater efficiency could be achieved through mechanisms of sectoral self-regulation and internal rules. Despite the ability to make their financial statements transparent and to adopt internal codes of ethics and ensure their observance, the public organizations do not show enough efforts in this direction. Since 2010, the number of media signing the sectoral codes of ethics remains insignificant, and cases of internal codes of ethics, especially among print media owned by publishing corporations, are rare.

The Financial Action Task Force on Money Laundering (FATF) approved the transparency standards to prevent the abuse by corporate entities. This sphere of legal relations, undoubtedly, has a significant influence in ensuring the transparency of legal system of

Ukraine. According to FATF recommendations, the states are obliged to provide reliable, accurate and up-to-date information on measures of verification of corporate entities concerning origin of their financial resources and to provide the banking transaction monitoring system and application of sanctions if necessary [30].

Conclusions. Thus, the declarative nature remains one of the reasons for ineffective functioning of the principle of transparency in the activities of public authorities, despite their declaration in numerous legislative and regulatory acts. To a large extent, this is a result of absence in the current legislation of the rules of administrative responsibility of officials of public authorities for violation of these rules. The degree of scientific study of the conception of transparency is rather small and is limited only to determination of the principle of transparency of public administration without studying the paradigm nature of transparency of social institutions.

In our opinion, the conception of transparency of the activities of public institutions should be understood as a set of measures aimed at ensuring the openness and transparency in their activities by developing the elements that would create the integrity of these rules, interact with each other and influence on the interaction of administrative authorities with its objects, as well as ensure the adequate feedback during exercising powers to implement the administrative functions.

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MAIN PRINCIPLES FOR REGULATION OF PUBLIC FINANCING OF POLITICAL PARTIES: EXPERIENCE OF DEVELOPED DEMOCRACY COUNTRIES AND UKRAINE

Abstract. The article considers the generalized experience of developed democracies in relation to the legal foundations of state regulation of financing of political parties and the practical possibilities of using it in Ukraine. The article analyzes the provisions of the draft laws on changes in the system of state regulation of financing of political parties in Ukraine and suggests ways to improve it.

It has been shown that the experience of state funding of political parties in developed democracies, in particular, in European countries, is successful. It is noted that the efficiency and effectiveness of the system of financing political parties does not depend on the existence of a special law on financing. It is noted that such social relations can be regulated as separate legislative acts, as well as in the

form of a system of provisions in various laws — constitutions, party laws, electoral legislation, anti-corruption laws.

It is argued that state financing of political parties is one of the effective tools in the fight against political corruption and provision of parties with the necessary resources for statutory activities and their development.

The author draws attention to the European practice of state financing of the activities of political parties, which have a high rating, and those that only nominate candidates for elections. This can guarantee equality of opportunity for various political forces. So, public funding must be determined in proportion to the political support that the party has received. At the same time, the author is convinced that excessive dependence on state financing may lead to a weakening of ties between parties and their electorate.

The article also states that in the European experience state and private funding of political parties is allocated. Public financing takes place both by statutory activities and by campaign expenditures. It is direct (subsidizing) and indirect (benefits on a legislative basis). It is established that the state support of political parties in European countries ranges from more than 20 % to 85 % of the total budget of parties.

The author is convinced that the experience of developed democracies should be taken into account in Ukraine with the aim of solving existing problems and preventing them in the future, which will strengthen party competition, internal party democracy, and ensure the proper realization of the function of political parties as a connecting link between civil society and the state.

Keywords: financing of political parties, state regulation, state administration, financial reporting, concept of state financing of parties.

ОСНОВНІ ПРИНЦИПИ РЕГУЛЮВАННЯ ДЕРЖАВНОГО ФІНАНСУВАННЯ ПОЛІТИЧНИХ ПАРТІЙ: ДОСВІД КРАЇН РОЗВИНЕНОЇ ДЕМОКРАТІЇ ТА УКРАЇНА

Анотація. Розглянуто узагальнений досвід країн розвиненої демократії щодо правових засад державного регулювання фінансування політичних партій та практичні можливості використання його в Україні. Проаналізовано положення законопроектів щодо змін у системі державного регулювання фінансування політичних партій в Україні та запропоновано шляхи її вдосконалення.

Показано, що досвід державного фінансування політичних партій в країнах розвиненої демократії, зокрема в країнах Європи, є успішним. Зазначено, що ефективність та дієвість системи фінансування політичних партій не залежить від наявності в ній спеціального закону щодо фінансування. Наголошується, що такі суспільні відносини можуть бути врегульовані як окремими законодавчими актами, так і у вигляді системи положень в різних законах — конституціях, законах про партії, виборчому законодавстві, законах про боротьбу з корупцією.

Аргументується, що державне фінансування політичних партій є одним із дієвих інструментів у боротьбі з політичною корупцією та забезпеченні партій необхідними ресурсами для статутної діяльності та розвитку. Наведено приклади європейського досвіду державного фінансування діяльності політичних партій, які мають великий рейтинг, і тих, що тільки висувують кандидатів на виборах. Це може гарантувати рівність можливостей для різних політичних сил. Отже, державне фінансування має визначатися пропорційно до політичної підтримки, яку партія отримала. Разом з тим, надмірна залежність від державного фінансування може призвести до послаблення зв'язків між партіями та їхнім електоратом.

У європейському досвіді виокремлюють державне та приватне фінансування політичних партій. Державне відбувається як фінансування статутної діяльності, та як фінансування витрат на виборчі кампанії. Воно буває пряме (субсидювання) та непряме (вигоди на законодавчій підставі). Встановлено, що державна підтримка політичних партій у країнах Європи коливається від більш ніж 20 % до 85 % від загального бюджету партій.

Досвід країн розвиненої демократії має бути врахований в Україні з метою вирішення вже існуючих проблем та уникнення їх у майбутньому, що посилить партійну конкуренцію, внутрішньопартійну демократію, забезпечить належну реалізацію функції політичних партій як сполучної ланки між громадянським суспільством та державою.

Ключові слова: фінансування політичних партій, державне регулювання, державне управління, фінансова звітність, поняття державного фінансування партій.

ОСНОВНЫЕ ПРИНЦИПЫ РЕГУЛИРОВАНИЯ ГОСУДАРСТВЕННОГО ФИНАНСИРОВАНИЯ ПОЛИТИЧЕСКИХ ПАРТИЙ: ОПЫТ СТРАН РАЗВИТОЙ ДЕМОКРАТИИ И УКРАИНА

Аннотация. Рассмотрен обобщенный опыт стран развитой демократии относительно правовых основ государственного регулирования финансирования политических партий и практические возможности использования его в Украине. Проанализированы положения законопроектов об изменениях в системе государственного регулирования финансирования политических партий в Украине и предложены пути ее совершенствования.

Показано, что опыт государственного финансирования политических партий в странах развитой демократии, в частности в странах Европы, является успешным. Отмечено, что эффективность и действенность системы финансирования политических партий не зависит от наличия в ней специального закона о финансировании. Отмечается, что такие общественные отношения могут быть урегулированы как отдельными законодательными актами, так и в виде системы положений в различных законах — конституциях, законах о партиях, избирательном законодательстве, законах о борьбе с коррупцией.

Аргументируется, что государственное финансирование политических партий является одним из действенных инструментов в борьбе с политиче-

ской коррупцией и обеспечении партий необходимыми ресурсами для уставной деятельности, их развития.

Приводится пример европейской практики государственного финансирования деятельности политических партий, которые имеют большой рейтинг, и тех, что только выдвигают кандидатов на выборах. Это может гарантировать равенство возможностей для различных политических сил. Итак, государственное финансирование должно определяться пропорционально политической поддержкой, которую партия получила. Вместе с тем, чрезмерная зависимость от государственного финансирования может привести к ослаблению связей между партиями и их электоратом.

В европейском опыте выделяют государственное и частное финансирование политических партий. Государственное финансирование происходит как финансирование уставной деятельности, и как расходов на избирательные кампании. Оно бывает прямое (субсидирование) и косвенное (льготы на законодательной основе). Установлено, что государственная поддержка политических партий в странах Европы колеблется от более чем 20 % до 85 % от общего бюджета партий.

Опыт стран развитой демократии должен быть учтен в Украине с целью решения существующих проблем и предотвращения их в будущем, что усилит партийную конкуренцию, внутрипартийную демократию, обеспечит надлежащую реализацию функции политических партий в качестве связующего звена между гражданским обществом и государством.

Ключевые слова: финансирование политических партий, государственное регулирование, государственное управление, финансовая отчетность, понятие государственного финансирования партий.

Problem statement. For Ukraine, the study of the legal regulation of the financing of political parties is particularly relevant in the context of the still rather small experience of the rule in the Law of Ukraine “On political parties in Ukraine” [1], which entered into force on July 1, 2016 [2], which introduced state funding of political parties. Adaptation of foreign experience of state regulation of financing of political parties in Ukraine is of particular importance for the development of democracy and improving the efficiency of the government.

Analysis of recent publications on the subject and identification of previously unsolved parts of the overall problem. In the second half of the 20th century the issues of state funding of statutory activities of political parties were viewed mainly in the context of socio-political demarcation, structuring of society and its democratization (works of S. Bartolini [3], P. Meir [4], I. Baj [5], H. Keman [6], M. Lever [7], N. Shofild [8], V. Hunt [9] A. Niedermeijer [10], K. Jandhi [9], R. Hermel [9], K. Edens [9], P. Goff [10], R. Delton [11–13], S. Flanagan [15], A. Vera [16],

L. Helms [17]). In Ukraine recently the issue of the funding of political parties has become the object of research of such scientists – L. Goniukova [18] O. Kotsiurba [19], S. Obushnyi [20], M. Prymush [21], R. Martyniuk [22], A. Romaniuk [23], Yu. Shweda [24] and O. Shumeld [25], both in the context of broader issues and problems of structuring societies, and in connection with questions of government accountability, efficiency and fair functioning of the mechanism of state regulation.

Formulation of the article objectives (problem statement). The purpose of the article is to study and highlight some features of foreign experience of state regulation of financing of political parties in the historical context and the possibilities of its adaptation in Ukraine. Based on this goal, the main objectives of the article are to analyze the principles and forms of state financing of political parties in the countries of developed democracy in the historical context and to propose ways to improve the mechanisms of state regulation regarding the financing of political parties in Ukraine.

Presentation of the main results. State funding contributes to the ideologization of the newly created parties, in addition, parties can easily get used to it and can no longer do without it. But, in our opinion, the main advantages of budget support for political parties is to stimulate the development of political competition, increasing the intensity and quality of political struggle (by taking part in it in less wealthy, but more ideological parties), makes those parties that already have a high level of support from citizens financially independent.

According to the definition used by V. V. Dzhugan, “financing of political parties is the activity of political parties, public authorities, individuals and legal entities carried out in the manner and within the limits established by the current legislation, which is aimed at providing political parties with financial and other resources that are amenable to financial assessment and that are necessary for political parties to realize their goals and objectives” [26].

The principles on which funding should be based have been the subject of scientific research since the beginning of this century. Thus, the basic principles of regulation of state financing of political parties are presented in L. Young’s monograph “Regulation of political financing in liberal democratic societies” [27]. The author investigates the strengths and weaknesses of different approaches to the regulation of financial support of election campaigns and explores the theoretical issues that are the foundations of such funding. In scientific work edited by R. Williams “Party financing and political corruption” [28] an in-depth study of party financing and problems of political corruption was carried out. The author observes that “the sources, extent, shape, distribution of party funding have profound political consequences” [29, p. 5]. Therefore, this process should be regulated and based on clear principles.

The basic principles of state financing of political parties in the countries of developed democracy, in particular, in Europe, is now the object of study and domestic experts. Expert of the National Institute for strategic studies under the President of Ukraine S. Yanishevskyi [30] for this purpose analyzed

the documents of the Venice Commission, PACE, Committee of Ministers of the Council of Europe [31; 32–34]. V. Dzhugan carried out a comparative analysis of the constitutional and legal basis for the financing of political parties in Ukraine and the EU [35]. In general, the consequences of state funding of political parties have been studied since the middle of the last century. The researchers' conclusions on this matter are ambiguous. For example, K. Strom [36] put forward a theory according to which state funding increases the independence of party leaders from activists, while J. Schlesinger [37] believes that it contributes to the bureaucratization of parties. But the study of the mechanism of state subsidies to parties in Austria, Italy, Sweden and Germany conducted by K.-H. Nassmacher [38] shows that both conclusions have the right to exist.

The analysis of these sources allows us to establish that the state regulation of the financing of political parties is based on such principles as equality, diversity of funding sources, proportionality, reasonableness and validity of the balance between public and private financing, fairness of the distribution of state fixation between the parties, restrictions of private financing by nature and size, transparency of financing, and accountability. They mean that public funding should be allocated to each party represented in the parliament.

Public funding can be extended to political bodies that represent an important part of the electorate, as well as to those that nominate candidates in elections, which guarantees equal opportunities for different political forces. Public funding should be determined in

proportion to the political support that the party has received. It should also be based on objectivity, namely, funding based on calculations based on objective criteria such as the number of votes cast or seats obtained in Parliament and the ability of new parties to appear in the political arena, competing on fair terms with parties that have long-standing strong positions. Excessive reliance on public funding can weaken the links between parties and their electorate. A political party at the European level must annually publish its income, expenses and declaration on its assets and liabilities, declare its sources of funding by providing a list that indicates the donors and received from each donor that exceeds 500 euros. Regarding the forms of financing, public and private funding are allocated. The state takes place as the financing of the statutory activities, and the financing of the costs of election campaigns of political parties. Budget funding is divided into direct financing (subsidies) and indirect (convenience on a legislative basis), in particular, by covering postage and rental of premises for meetings, support of party media, youth organizations and research institutions, as well as by providing tax incentives, etc [39]. State funding is received by both parliamentary parties and parties that are not in the parliament. In general, state support for political parties in Europe ranges from more than 20 % to 85 % of the total budget of the parties [40].

In Ukrainian society, discussions about the financing of political parties from the state budget and the direction of expenditure of these funds by political parties often have negative content and little support. In 2015, only 15 %

of citizens supported the financing of parties from the budget, respectively 15,7 % – in 2016 and 9,9 % – in 2017 considered funding from the state budget acceptable. Thus, few citizens support state funding of political parties, because so few citizens trust them before and after 2013, these institutions were trusted no more than by the fifth of the respondents [41].

As for the main drawbacks, in our opinion, this was noticed in the second half of the last century – there are certain problems regarding the sources of financing of parties, especially with respect to public financing, which are associated with political competition, transparency and accountability of parties, dependence of political and state power, corruption. Tsatsos D., Botha M., Blackman A. in the work “Financing of political parties: a comparative legal study” [42], having analyzed the legislation of Germany, Sweden, France, Great Britain, Italy and other countries, identified the need to develop state instruments for regulating the financing of political parties and showed the need to improve the legislation, noting that the imperfect mechanism of control over the financing of political parties, including public financing, is the cause of problems of public administration. In addition, P. Kopetski found that among the disadvantages of budget funding is that a lot of parties in southern European countries almost completely dependent on the state, and in other countries, public funding is “symbolic” in comparison with private and corporate donations [43, p. 262].

In Ukraine, public relations in the sphere of public administration and

administration regarding state funding of political parties are regulated by the Constitution of Ukraine [44], the laws of Ukraine “On political parties in Ukraine” [45], “On elections of people’s deputies of Ukraine” [46]. The forms and amount of state funding of political parties, the procedure for allocation and distribution of funds between political parties to finance their statutory activities, the grounds for termination of state funding, and the like are determined. But since then, there is a number of separate issues on the practical implementation of the provisions of the Law of Ukraine “On political parties in Ukraine” in terms of the order of distribution of funds between political parties to finance their statutory activities, the amount of funding of political parties, the period of use of funds by political parties to finance their statutory activities. In connection with 2016 (the time of the introduction of the rule on finance) in the legislature from time to time legislators register draft laws on improving the state regulation of the financing of political parties and even the abolition.

Please note that the generalized experience of state financing of political parties in the European Union indicates the need for a clear regulation at the legislative level of the procedure of state financial support of parties. Taking into account the experience of financing political parties in the countries of the European Union in Ukraine will improve the procedure of state financing of political parties, introduce a clear mechanism for the distribution of funds between political parties to finance their statutory activities, transparency of such financing and proper financial

control. To solve these problems bills № 5446 of 24.11.2016 and № 6026 of 03.02.2017 on amendments to the laws of Ukraine on the targeted use of state funding of the statutory activities of political parties are currently registered in the Verkhovna Rada of Ukraine.

Summary. The issue of expediency and necessity of financing of political parties at the expense of means of the state budget is actively debated not only in Ukraine, but also in many countries of the European Union where it successfully works for rather long period. The synthesis of the experience of state financing of political parties in the countries of developed democracy, in particular, in some European countries, at the highest level of European official institutions shows that, in general, with the exception of Italy, this experience is successful. The effectiveness and efficiency of the system of financing of political parties does not depend on the existence of a special law on financing, because, as the experience of European countries shows, these social relations can be regulated by separate legislative acts, and in the form of a system of provisions in different laws – constitutions, laws on parties, electoral legislation, anti-corruption laws, and the like. Public funding of political parties is an effective tool in the fight against political corruption and in providing parties with the necessary resources for statutory activities and development. The experience of developed democracy countries should be taken into account in Ukraine in order to solve existing problems and prevent them in the future, which will strengthen party competition, internal party democracy, ensure the proper implementation of the

function of political parties as a binding function.

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STATE POLICY AND ACTIVATION OF ITS FUNCTIONS IN THE DEVELOPMENT OF ANIMAL HUSBANDRY

Abstract. The article points to the aggravation of socio-economic problems in the development of the animal husbandry, which require an active regulatory role of the state through the formation and implementation of public policy in order to ensure stable economic, legal and social prerequisites for its further functioning. It is emphasized that the importance of these topical and strategic issues should be under close attention of the state and its state policy, which is constantly to ensure coordination of the interests of livestock enterprises of the regions and the state. It is noted that the further unstable production activity of animal husbandry will lead to such a critical situation when the state does not receive the necessary amount of the most important food products of its own production, which will affect the state of food security of the country. It is indicated that currently require scientific understanding and justification of organizational, regulatory and legal support for the introduction of modern instruments of state policy in animal husbandry. The role and components of the functions of state policy, which have a direct impact on the increase in the genetic potential

of animals and animal husbandry production, are considered. The methods and mechanism of realization of various types of functions of state policy in the production of quality products of the animal husbandry are substantiated. The main functions that should be subordinated to the implementation of local executive authorities and local governments, as contribute to the effective development of the animal husbandry. The expediency of the state to introduce special social programs to support animal husbandry and create favorable conditions for its effective functioning is pointed out. The structural classification characteristics and the main components of activation of the functional orientation of the state policy on innovative development of animal husbandry are offered.

Keywords: public policy, government, animal husbandry, management, revitalization, effective development.

ДЕРЖАВНА ПОЛІТИКА ТА АКТИВІЗАЦІЯ ЇЇ ФУНКЦІЙ У РОЗВИТКУ ТВАРИННИЦТВА

Анотація. Вказується на загострення соціально-економічних проблем у розвитку галузі тваринництва, які потребують активної регулюючої участі держави за рахунок формування і реалізації державної політики з метою забезпечення стабільних економічних, правових, соціальних передумов його подальшого функціонування. Підкреслюється, що важливість цих актуальних і стратегічних питань має перебувати під прискіпливою увагою держави і її державної політики, якій належить постійно забезпечувати узгодження інтересів тваринницьких підприємств регіонів і держави. Зазначається, що подальша нестійка виробнича діяльність тваринництва призведе до такої критичної ситуації, коли держава не отримає необхідного обсягу найбільш важливих продуктів харчування власного виробництва, що вплине на стан продовольчої безпеки країни. Вказується, що на даний час потребують наукового осмислення й обґрунтування питання організаційного, нормативно-правового забезпечення впровадження сучасних інструментів державної політики у тваринництві. Розглядається роль та складові елементи функцій державної політики, які мають безпосередній вплив на збільшення генетичного потенціалу тварин та обсяги виробництва тваринницької продукції. Обґрунтовуються методи та механізм реалізації різних видів функцій державної політики під час виробництва якісної тваринницької продукції. Визначаються основні функції, які повинні підпорядковуватися виконанню місцевими органами виконавчої влади і органами місцевого самоврядування, оскільки сприяють ефективному розвитку галузі тваринництва. Окреслено доцільність держави впроваджувати спеціальні соціальні програми для підтримки тваринництва і створення сприятливих умов для його ефективного функціонування. Запропоновано структурні класифікаційні характеристики та основні складові активізації функціональної спрямованості державної політики на інноваційний розвиток тваринництв.

Ключові слова: державна політика, держава, тваринництво, управління, активізація функцій, ефективний розвиток.

ГОСУДАРСТВЕННАЯ ПОЛИТИКА И АКТИВИЗАЦИЯ ЕЕ ФУНКЦИЙ В РАЗВИТИИ ЖИВОТНОВОДСТВА

Аннотация. Указывается на обострение социально-экономических проблем в развитии отрасли животноводства, требующие активной регулирующей роли государства за счет формирования и реализации государственной политики с целью обеспечения стабильных экономических, правовых, социальных предпосылок его дальнейшего функционирования. Подчеркивается, что важность этих актуальных и стратегических вопросов должна находиться под пристальным вниманием государства и его государственной политики, которой предстоит постоянно обеспечивать согласование интересов животноводческих предприятий регионов и государства. Отмечается, что дальнейшая неустойчивая производственная деятельность животноводства приведет к такой критической ситуации, когда государство не получит необходимого объема наиболее важных продуктов питания собственного производства, что повлияет на состояние продовольственной безопасности страны. Указывается, что в настоящее время требуют научного осмысления и обоснования вопросы организационного, нормативно-правового обеспечения внедрения современных инструментов государственной политики в животноводстве. Рассматривается роль и составляющие элементы функций государственной политики, которые имеют непосредственное влияние на увеличение генетического потенциала животных и объемы производства животноводческой продукции. Обосновывается механизм реализации различных видов функций государственной политики при производстве качественной животноводческой продукции. Определяются основные функции, которые должны подчиняться выполнению местными органами исполнительной власти и органами местного самоуправления, поскольку способствуют эффективному развитию отрасли животноводства. Указывается на целесообразность государству внедрять специальные социальные программы для поддержки животноводства и создания благоприятных условий для его эффективного функционирования. Предложены структурные классификационные характеристики и основные составляющие активизации функциональной направленности государственной политики на инновационное развитие животноводства.

Ключевые слова: государственная политика, государство, животноводство, управление, активизация функций, эффективное развитие.

Problem setting. An important condition for the continuous and effective functioning of the main sectors of the country's economy is the continuous improvement of public policy measures, which should be based on its pri-

ority use of modern science, technology and technology for the effective development of animal husbandry.

Now the condition of animal husbandry, as one of the vital branches of agriculture, is quite complex, because

the achieved level of development does not correspond to its strategic capabilities. Moreover, the aggravation of socio-economic problems, the continuity of the production process and the strengthening of the requirements of the market mechanism for the production of high-quality livestock products, requiring the active regulatory participation of the state through the formation and implementation of state policy to ensure stable economic, legal, social and environmental prerequisites for the development of animal husbandry.

At present, the formation of market relations in Ukraine encourages the active development of small and medium-sized livestock enterprises, family mini-farms, whose business activities are aimed at achieving certain results (in most cases, not sustainable) in the production of animal husbandry products. The importance of these topical and strategic issues should be under close attention of the state and its state policy, which should constantly ensure coordination of the interests of livestock enterprises of the regions and the state.

Recent research and publications analysis. The substantiation of the problem of state policy, the application of its methods and tools is reflected in the improvements of foreign scientists: D. Anderson, M. Brown, D. Weimer, V. Dunn. Theoretical and methodological study of aspects of regulation of socio-economic processes of the country, the state of development of the animal husbandry and ways to improve its efficiency was carried out in the scientific works of domestic scientists: V. Andriy-chuk, P. Berezivsky, V. Bovsunovsky, V. Heyets, P. Kutueva, A. Levkovets,

O. Mamalie, M. Misyuka, I. Swinous, P. Puccenteil and others.

Theoretical and methodological analysis, strategy, mechanisms of formation and implementation of public policy, devoted their scientific works such scientists as V. Bakumenko, O. Valevsky, Z. Varnal, V. Goshovskaya, O. Kilyevich, M. Latinin, V. Mamonov, E. Romanenko, V. Romanov, V. Ter-tychka and many other scientists.

However, the complexity and severity of the situation in the country's animal husbandry requires in-depth and comprehensive research in terms of forming their own vision of the potential of the industry, the search for priority ways of formation and activation of effective functions of state policy for the further development of the animal husbandry.

Paper objective. The purpose of the research is to substantiate the theoretical foundations and the formation of conceptual approaches to the definition of the main functions of public policy and their direction to the effective development of the animal husbandry.

Paper main body. According to the results of the study in the country there is a crisis (in most cases unregulated) socio-economic condition of agriculture. It requires mandatory implementation of urgent measures (reflected in the state programs) of state policy, which should be aimed at suspending the destruction of the industry's assets, equalizing conditions and overcoming destructive processes in production and economic activities, increasing the volume of livestock products, increasing the level of profitability of animal husbandry.

It would be advisable to identify the most significant factors and take into account the obstacles that hinder the implementation of public policy measures in animal husbandry: low financial support of the state; insufficient amount of own funds in most economic entities; imperfect system to stimulate innovation and low level of perception of innovative changes by producers; low adaptive capacity of livestock to the requirements of the modern market environment; low competitiveness of innovations; imperfect level of scientific and technical sphere; unpreparedness of domestic livestock enterprises to global changes; high level of shadow economy.

It is worth noting that the research paradigm of the substantive structure of the state policy is mainly based on the reflection of her goals, the daily political life of the population and the strategic development of the country [1, p. 4]. In another case, it is argued that a promising area of research is the problem of the environment of public policy analysis, especially its socio-political aspect [2]. Usually, the constant increase in the role of politics leads to the fact that it turns into a kind of center that unites all the elements of the social system and is in no way limited to the state [3, p.40].

In the above interpretations, state policy is a reaction of the state to the specific problems of society, citizens and non-governmental organizations. At the same time, the common interests and own positions of the part of citizens who are engaged in the main branches of production activity are almost not taken into account, while the animal husbandry is acutely aware of the need

for a well-thought-out and scientifically sound state policy. Moreover, communication between the state and citizens contributes to the formation of a social climate in the state and provides an opportunity for state institutions to get acquainted with the real concerns of citizens [4].

It is characteristic that the local authorities and public authorities and directly livestock enterprises are not interested in contributing to the revival of previously achieved milestones in the development of animal husbandry, which leads to a reduction in the size and volume of livestock production. At the same time, newly created by private entrepreneurs family mini-farms are experiencing difficulties in the organization of management, because they do not have the appropriate state support, and therefore are not able to produce (according to the needs) the necessary amount of production for consumption by the population. Moreover, a significant part of the production is used for family needs, the other is processed by producers on their own, which affects the level of its competitiveness for low quality and high cost.

In order to stabilize the market situation, it is important for the state to guarantee the population a high level of demand for meat, milk and products of their processing. But now the situation in animal husbandry is critical, as there is a decrease in the conditional livestock per 100 hectares of agricultural land in the context of natural and economic zones of the country (Fig.1). During the same period of research, the volume of gross livestock production per the same area of land in the area of "Polissia" decreased by 2,3 thousand

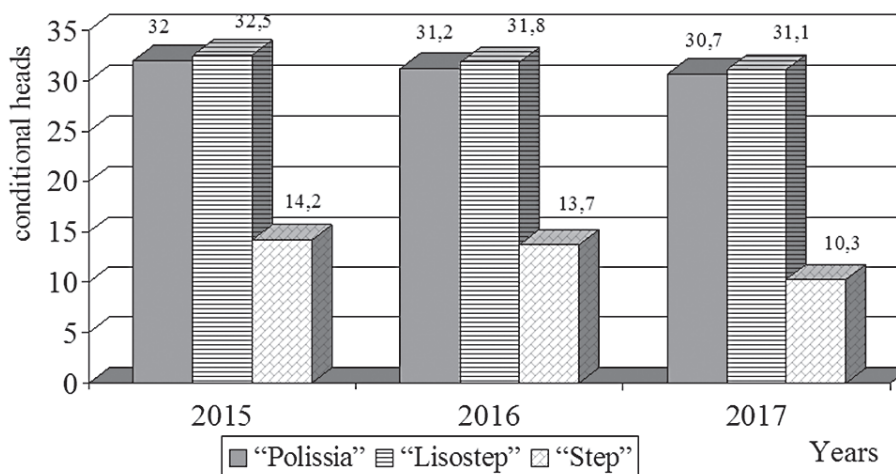


Fig. 1. Changes in the number of conditional heads of animal husbandry of zonal territories of Ukraine [5, p. 136–137]

UAH., “Lisostepu” 1,5 thousand UAH., “Stepu” – 5,3 thousand UAH.

We believe that further reduction of livestock will contribute to negative changes in the structure of biological potential, the use of land, means of production, feed and labor resources. In this case, the situation should be taken into account by the state in the state policy, as the reduction of livestock leads to the emergence of problematic issues: there is a shortage of livestock products, and this leads to its import and leaching of foreign currency from the country's economy, the number of jobs is reduced, which causes an increase in unemployment in rural areas, decreases the yield of organic fertilizers, which is the primary cause of the decline in crop yields, the possibility of making a profit due to the reduction in the volume of sales of livestock products, etc., is reduced. In the future, it is important that the state introduce special social programs to support animal husbandry and create favorable conditions for its effective functioning.

First of all, it is proposed to include in the structural content of the state policy such a composition of functions that should be subject to the implementation of local executive authorities and local authorities, as they contribute to the effective functioning of the animal husbandry:

- strengthening the country's food security;
- acceleration of social and economic development of the united territorial communities of the country's regions;
- expanding opportunities to meet the population's demand for animal products;
- reduction of social tension in the united territorial communities due to a significant expansion of the scope of employment;
- increasing the biological mass of animal waste to create renewable energy sources;
- accumulation of organic fertilizers for one of the ways to increase soil fertility, as they dramatically lose the humus component;

- organization of a network of service enterprises that would ensure the optimal functioning of animal husbandry (farms-reproducers, artificial insemination stations, feed mills, etc.)

In this case, the state should intensify its functions and determine which in the conditions of the crisis will be a real support for the development of animal husbandry and contribute to the state regulation of food prices. It is especially important to ensure the development of new approaches to the management of modern technologies and scientific discoveries on the maintenance and service of animals on medium and mini-farms. Now the executive authorities and local governments require revision and regulation of the issue of formation of breeding stock of animals, increasing the productivity of animal husbandry, reducing the cost of production, ensuring the protection of animal husbandry from sharp fluctuations in product prices, the introduction of innovative technologies of livestock production.

Only an integrated approach to enhancing the implementation of regula-

tion and management decisions will contribute to the real possibility of revival and profitable development of the animal husbandry. For this purpose, in the structural content of the state policy it is advisable to provide activities in the part of training of young scientists and qualified specialists, as animal husbandry is an important innovative industry and a platform for scientific achievements in the field of technical and technological modernization and the introduction of advanced technologies.

It should be noted that the objectives of the state policy in the development of animal husbandry should be: ensuring the growth of the level of economic efficiency of livestock production and profitability of the industry, rational and effective use of resource (especially genetic) potential, ensuring stable prices, high level of employment and social protection. All this leads to the need to consider the scope, types and activities of public policy (Fig. 2).

Taking into account the territorial direction of state policy, it is advisable

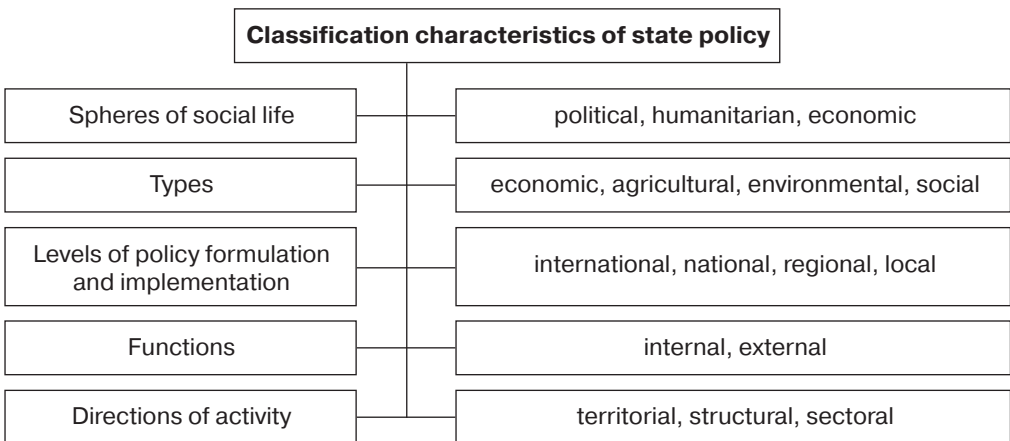


Fig. 2. **Structural classification characteristics of state policy**
(author's development)

to provide for measures to compensate for the impact of adverse natural and socio-economic factors on the development of animal husbandry, equalization of differences in the use of production resources, compensation payments to mountainous and depressed areas, the spread of diversified forms of activity.

At the same time, the sectoral direction of the state policy provides for the activation of its functions for the intensification and growth of production, expansion of entrepreneurial activity, promotion of investment and innovation processes, selection activities, etc. In most cases, the industry features of animal husbandry and unregulated market of animal products leads to the fact that producers do not receive significant resources and the efficiency of their business remains low [6]. In addition, the preservation of animal husbandry and the development on an intensive basis may not occur because of a violation of harmonization of interests of economic subjects (the state, producers, consumers) [7, p. 13].

It should be noted that the state carries out its policy through various functions (activities of the state) in the humanitarian (social, humanitarian, environmental, cultural and educational), political (democratization of public life, national security, protective), economic (economic-stimulating, economic-organizational, scientific-organizational) areas that belong to the group of internal functions of the state (its internal policy is implemented and specified, which reflects the economic, ideological, social and other aspects of the life of society and its citizens). Most of these functions are inherent in the animal husbandry, and therefore their suc-

cessful implementation, in accordance with the tasks set by the state, is able to ensure its effective development.

It should be noted that the process of formation and implementation of state policy takes into account the functions of the state through the use of various forms of state activity, among which a significant place is occupied by legal (legal means), since the state should build its activities on the basis of law and within the existing legislation. At the same time, state bodies and their officials form and apply legal acts that are directed to the implementation of the functions of the state and public policy measures.

The most used legal forms that ensure the implementation by the competent state bodies and their officials of the various functions of the state are: law-making (development, editing, systematization, adoption and abolition of normative legal acts); law enforcement (use of legal norms and mandatory implementation of individual legal regulations); law enforcement (implementation of contemplation and control over compliance with the law, protection from offenses, protection of subjective rights of citizens and assistance in the performance of their legal duties).

On the contrary, the process of formation of legal acts is not linked to the activities of state bodies that use organizational forms of implementation of the functions of the state. In the practice of the state are used such forms as organizational and economic (material support of the process of performing various state functions, in particular in animal husbandry the organization of supply of production resources, sales of products); organizational regulation

(solved current political issues, the task of ensuring the effective functioning of a number of links of the state mechanism); organizational and ideological (constant educational and explanatory work among animal husbandry workers regarding the perception and understanding of the relevant laws, regulations, state policy and the formation of their own opinion on improving the state of affairs in the industry).

Note that the functional orientation of state policy depends not only on the generated functions of the state undertaken under certain forms, but use its methods: conviction (carrying out legal education of the population and the number of preventive measures among workers of animal husbandry), promotion (lighting, material and moral encouragement of excellence of the work of breeders, as well as those individuals who are active in combating crime in the workplace), coercion (the use of different interventions, re-education and inducements to eliminate the offense and the harm caused, improving behavior and work performed in the workplace).

The above gives grounds to the conclusion that the functions of the state are the unity of the content, forms and methods of exercising state power in a certain sphere of state activity, which is reflected in the current state policy. On the basis of this there is a need to consider the measures proposed by the Ministry of agrarian policy and food of Ukraine, which relate to the implementation of the main tasks of state policy in animal husbandry [8]:

- organization of implementation of legislative and regulatory acts and control over their implementation;

- participation in the formation and implementation of state policy in animal husbandry and the development of measures to ensure food security of the country;

- implementation of scientific, technical and technological policy in animal husbandry;

- development and coordination of the process of implementation of national and sectoral animal husbandry development programs;

- formation of draft legislative and regulatory acts, participation in the development of technical regulations, standards, norms and regulations that are relevant to animal husbandry.

The above gives grounds to propose functional components of the state policy, which have a direct impact on the development of animal husbandry (Fig. 3).

In the context of the above, it is necessary to determine the main measures of state policy that will contribute to the development of animal husbandry through its activation of innovation:

- strengthening of legislative provisions to improve innovation processes and stabilize production in the animal husbandry;

- formation of an effective mechanism for the provision of feasible state assistance to livestock enterprises that introduce innovations and sell innovative products;

- promotion of the possibility of obtaining loans (with a reduction in the credit rate) in order to establish innovation in animal husbandry;

- improvement of motivation of employees of animal husbandry to conduct innovation activities;

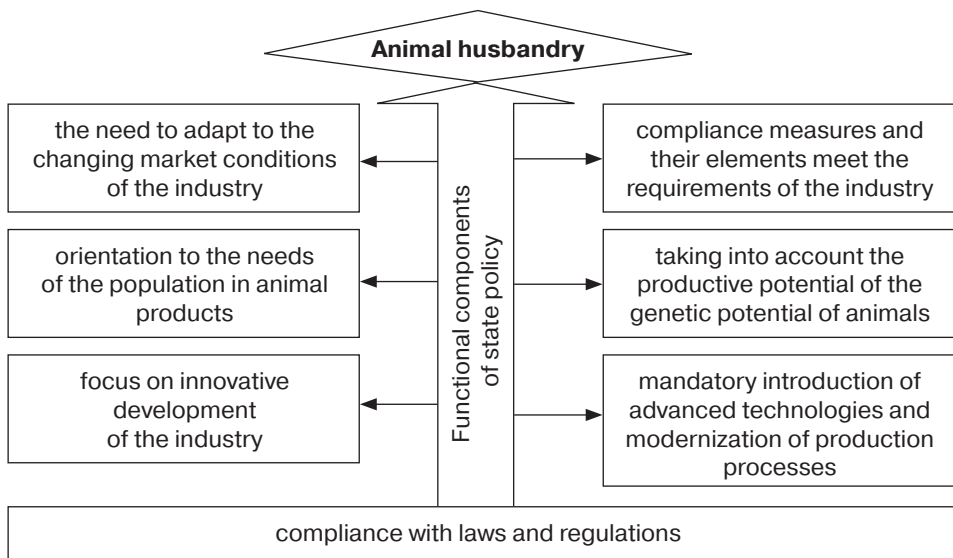


Fig. 3. The main components of activation of the functional orientation of the state policy in the development of animal husbandry (development of the author)

- the rational usage of sources of financing of the process of preparing the highly skilled workers of animal husbandry, able to introduce innovative solutions.

In the formation of public policy, it is essential to take into account its nature, which is manifested in its effectiveness in considering the problem of livestock development (active or abstaining from action), problems (aimed at addressing problematic analytical issues, the choice of means, forms and methods of policy implementation with minimal costs) and creativity (part of the activities of state bodies, aimed at solving the problem of effective functioning of animal husbandry). Conclusion the implementation of state policy should be clearly carried out in stages: the choice of the decision is made (taken by government officials and state institutions), the adopted version of the decision (political products) becomes effective and through the system

of power relations is embodied in the life of citizens, the implementation of the political process ensures the final result, through which the living conditions of society are regulated.

Conclusions of the research. We believe that the animal husbandry is a complex production and economic system that operates under the influence of political, organizational, legal, social, economic, scientific, technical and natural factors, which determines the need for the formation of public policy and the use of its effective measures to ensure its further development.

State policy makes it possible to introduce effective measures to ensure the intensive development of animal husbandry not only for public authorities, local self-government, but also business entities and contributes to the unification of their efforts to improve the welfare of the population. In the future, it is vital for the state to guarantee

the population the demand for the necessary and highly nutritious products of animal origin. To this end, the state policy should be based on the development of measures in the content of which animal husbandry should be the flagship (a stable source of profit) for the development and increase of economic growth of other sectors of the agricultural sector.

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COMMUNICATION OF SOCIETY AND LOCAL GOVERNMENT BODIES IN THE CONTEXT OF PUBLIC ORGANIZATIONS' ACTIVITIES

Abstract. This article is dedicated to the communication process of certain social groups and local governments in the context of the activities of a public organization. Public associations have repeatedly attracted the attention of Ukrainian scientists such as T. V. Zhurenok, V. K. Kolpakov, M. Menjul, S. M. Grudnitskaya, T. P. Rutsinskaya, O. V. Titova, and others. The new edition of the Law of Ukraine On Public Associations contributes to the improvement of civil society.

The purpose of the article to consider the activities of the public organization of the city of Kherson in the context of communication of society and local governments based on the analysis of current legislation and research of modern Ukrainian scientists,

Recently, public organizations have increasingly been acting as organizers of various events and projects to address specific socially significant issues. Such a phenomenon is quite natural, since it is one of the most effective legal forms of assistance to citizens, specific people who need help in solving complex common

problems. Public organizations are some effective tool for dating, help, communication, social effect.

Based on the general approach of a comparative analysis of the definition of the concept of “communication” compiled by a well-known Ukrainian scientist D. V. Kislov, the activity of a public organization with local governments in the achievement of certain socially significant tasks has been analyzed.

It was concluded that the practical activity of public organizations is a wide field for scientific observation and study of communication of various social groups and state administration, which requires the development of proposals for improving the communication process using the approaches of state administration.

Keywords: approach, public administration, public organizations, fund for persons with disabilities, Chernobyl.

КОМУНІКАЦІЯ СУСПІЛЬСТВА І ОРГАНІВ МІСЦЕВОГО САМОВРЯДУВАННЯ В КОНТЕКСТІ ДІЯЛЬНОСТІ ГРОМАДСЬКИХ ОРГАНІЗАЦІЙ

Анотація. Розглянуто комунікаційний процес певних соціальних груп і органів місцевого самоврядування в контексті діяльності громадської організації, а також нову редакцію Закону України “Про громадські об’єднання”, який сприятиме вдосконаленню громадянського суспільства.

Висвітлено діяльність громадської організації м. Херсона в контексті комунікації суспільства і органів місцевого самоврядування, спираючись на дослідження українських науковців, а саме: Т. В. Журенок, В. К. Колпаков, В. М. Менджул, С. М. Грудницька, Т. П. Рущинська, О. В. Титова та ін.

Громадські організації останнім часом все частіше виступають організаторами різноманітних заходів, проектів, щодо вирішення конкретних суспільно значущих питань. Таке явище цілком природно, оскільки, однією з найбільш правових форм допомоги громадянам, конкретним людям, що потребують допомоги у вирішенні складних спільних проблем, є існування об’єднань громадян. Громадські організації є ефективним інструментом ознайомлення, допомоги, комунікації, соціального ефекту.

Виходячи із загального підходу порівняльного аналізу визначення поняття “комунікації”, складеного відомим українським науковцем Д. В. Кісловим, проаналізовано діяльність громадської організації з органами місцевого самоврядування у досягненні певних соціально значущих завдань.

Наголошено, що практична діяльність громадських організацій вимагає ширшого наукового спостереження і вивчення комунікації різних соціальних груп і державного управління, та розроблення пропозицій щодо вдосконалення комунікаційного процесу із застосуванням підходів державного управління.

Ключові слова: підхід, державне управління, громадські організації, фонд інвалідів, Чорнобиль.

КОММУНИКАЦИЯ ОБЩЕСТВА И ОРГАНОВ МЕСТНОГО САМОУПРАВЛЕНИЯ В КОНТЕКСТЕ ДЕЯТЕЛЬНОСТИ ОБЩЕСТВЕННЫХ ОРГАНИЗАЦИЙ

Аннотация. Рассмотрены коммуникационный процесс определенных социальных групп и органов местного самоуправления в контексте деятельности общественной организации, а также новая редакция Закона Украины “Об общественных объединениях”, который способствует совершенствованию гражданского общества.

Освещена деятельность общественной организации г. Херсона в контексте коммуникации общества и органов местного самоуправления, основываясь на исследованиях украинских научных деятелей, а именно: Т. В. Журенок, В. К. Колпаков, М. Менджул, С. М. Грудницкая, Т. П. Рущинская, О. В. Титова и других.

Общественные организации в последнее время все чаще выступают в качестве организаторов различных мероприятий, проектов в решении конкретных общественно важных вопросов. Такое явление вполне естественно, поскольку является одной из самых действенных правовых форм помощи гражданам, конкретным людям, нуждающимся в помощи в решении сложных общих проблем. Общественные организации являются эффективным инструментом ознакомления, помощи, коммуникации, социального эффекта.

Исходя из общего подхода сравнительного анализа определения понятия “коммуникации” составленного известным украинским ученым Д. В. Кисловым, проанализирована деятельность общественной организации с органами местного самоуправления в достижении определенных социально значимых задач.

Определено, что практическая деятельность общественных организаций требует более широкого поля научного наблюдения и изучения коммуникации различных социальных групп и государственного управления, а также разработки предложений по совершенствованию коммуникационного процесса с применением подходов государственного управления.

Ключевые слова: подход, государственное управление, общественные организации, фонд инвалидов, Чернобыль.

Target setting. Public organizations have been increasingly active as organizers of various events and projects to address specific social issues. Such a phenomenon is quite natural, since one of the most legal forms of assistance to citizens, specific people who need help in solving their complex com-

mon problems and it is the existence of associations of citizens. Public organizations are some effective tool for dating, help, communication, social benefits. “The traditional sector in the civil society sector is the non-governmental or commercial sector. The non-state sector is also called a non-profit, volun-

teer and, finally, a third sector or a civil society in the narrow sense. The third sector forms various non-state institutions: associations, associations, movements, charitable institutions, bodies of self-organization of the population” [1, p. 356]. The exchange of experience in solving issues that are relevant to a specific circle of citizens, discussion of solutions and ways of their implementation, consultation and search for specialists in local self-government bodies — all these are some activities of public associations. Consequently, in the context of communication studies, the activities of public associations with public authorities do not lose their relevance.

Analysis of recent researches and publications. Public associations have attracted the attention of Ukrainian scholars. Thus, T. Zhurenok considered the classification of public associations, examples of the division of non-governmental organizations proposed by both domestic and foreign researchers are presented [1]. Such scholars as V. K. Kolpakov [2], V. M. Menzhul [3], V. Gurlov [4] devoted their scientific researches to the concepts and types of public organizations. Problems of the development of Ukrainian legislation as for public organizations in the economic and legal aspect were considered by S. M. Grudnytska [5] and T. P. Rutsinska [6]. O. V. Titova devoted her scientific article to some certain aspects of the status of public organizations that directly engage in entrepreneurial activity [7]. In our opinion, the new wording of the Law of Ukraine On Public Associations is a well-written law that promotes the improvement of civil society [8].

The purpose of the article is to consider the activities of the public organization of Kherson in the context of communicating between society and local self-government bodies on the basis of the analysis of current legislation and modern Ukrainian scholars’ researches.

The statement of basic materials. According to works of well-known Ukrainian scientist, Doctor of Sciences in Public Administration, Professor E. O. Romanenko, the most urgent on scientific issues are those that “concern the study of the specificity of the spread of communicative processes to the development of society, which ultimately leads to the transformation of various value systems, on which the corresponding ideological doctrines are based on the formation of state policy” [9, p. 22]. In such context, “the study of problem issues in the area of finding out the place and role of communication in the development of modern society is of particular importance, that is, here the fundamental question is to investigate how communication as a social phenomenon contributes to the development of socio-cultural dynamics of society, as the social consciousness is transformed as a result of the development of the corresponding communicative processes. The consideration of such issue is directly related to the analysis of the development of public communication, moreover, the most valuable issue is the development of public communication, which contributes to the formation of a new model of social organization — a communicative society” [9, p. 22–23]. According to the author of this scientific article, the development of public communica-

tion takes place with the participation of public organizations.

If we consider the activities of Kherson regional non-governmental organization “Fund of Disabled Chernobyl Plus”, then we can observe a concrete example of such communication. According to words of the head of the Fund L. Lakhneko, the problem of disability is actual in all countries of the world and in order to attract attention to it, the United Nations has approved the Day of the Disabled, which is on the 3-rd of December annually, and on this day the Fund comes to children who have severe illnesses. A lot of good has been done, much is done to make children feel equal in society, so that children do not feel like some kind of outcasts. The “Fund of Disabled Chernobyl Plus” pays much attention to ensuring that children are more socialized in the community so that they are dignified and comfortable in this society. When healthy children communicate with peers who have certain health problems, they are particularly affectionate to them, they realize that not everything can be perfect in this world; there are also certain deviations [10].

In succession for the fourth year, the public organization “Fund of Disabled Chernobyl Plus” conducts a charity concert “The Day of Well-being” for children with special needs. The purpose of this concert – is the formation of universal values for children, such as kindness, charity, tolerance, empathy. Children show their new creative works, create a real Holiday of Good. Everything happens on the big professional stage of the Regional Palace of Youth and Students in Kherson. Adults and children get a charge of cheerful-

ness and good mood. “The Feast of Good is in order to become kinder. People argue, but in the end they come to the fact that kindness is needed by each of us, which is like the gardens that blossom in our souls. Good words, thoughts are flowers, good deeds – the fruits of life, everyone lives in his own way, each one of us has the sun, give your warmth, kindness. A beautiful is person, when he is good. Do it and don't be afraid to do good!” [11].

A performance on a big stage is a significant event for any person – in fact, one must prepare well and go to the huge hall, hiding deep emotions of your own excitement, but which is then a feeling of victory over himself and confidence in success. This is especially important for children, on which many people, honestly, do not pay attention to citizens of society due to economic and political crisis. On the scene children show their beauty, the ability to rejoice in life, their talents. The language of signs, dance to rhythmic music make a huge impression on the audience. The words of gratitude are addressed to Ludmila Ivanovna Lohneko, who provides such an opportunity to raise the self-esteem and develop the talent of children with special needs. Choreographic compositions presented by the children of Kherson regional center for social rehabilitation of children with disabilities, the performance of the song on the sign language translation, accompanied by a dance rhythm surprising by the girls who do not hear the sounds of the surrounding world – all this fills the hall with good smiles, a desire to applaud [11].

The Day of Well-being is always visited and supported by the repre-

representatives of the city authorities. For example, in 2018, such events were held. They are: April 26 – the Chernobyl Day in the Regional Palace of Youth and Students; September 5 – a humanitarian action at the Millennium Club, where 250 people with special needs received gifts and humanitarian help; November 8 – The Day of Well-being; December 3 – The Day of Well-being for disabled with giving presents to each child; December 14 – the day of the liquidator of the Chernobyl Accident in the Regional Hospital of War Veterans, to which the Fund assisted in the purchase of furniture; December 29 – New Year's tree with gifts in the cinema concert hall "Jubilee" for children from large families, the poor families and children with disabilities; on January 4, 2019, New Year presents were given to small patients of the Children's Regional Clinical Hospital.

According to the director of the Kherson regional center of social rehabilitation of children with disabilities Lidia Nikishina, this public organization is in "people who are absolutely indifferent to the problem of children with disabilities, the problem of families with children with special needs. Children showed their talents, their creativity and we saw that these children are like everyone. But this is a great work carried out by the team of the center, teachers, service staff because the children are in the center temporarily to continue their lives, socialize to society: they will go to kindergartens, they will go to general education schools, they will live in families, communicate with their relatives, close people, neighbors, so our main task is to socialize them. All the conditions

are created in our center for the children to be well. The educational process is directed correctly today, thanks to the public organization "Fund of Disabled Chernobyl Plus", we have 3 children' rooms, equipped like school. They are provided with desks, because every child should have his own place, equipped with bedrooms, equipped with kitchens to make children feel comfortable" [10].

Proceeding from the general approach of comparative analysis, the definition of the concept of "communication" compiled by the famous Ukrainian scientist D.V. Kislov [9, p. 77], non-governmental organizations carry out human interaction in the world, and the philosophical and practical approach gives us a sign of constructive interaction between individuals, social groups of "Chernobyl" and "people with disabilities", which unfolds on the basis of understanding and tolerance.

The social groups of "Chernobyl" and "disabled" with the city authorities are bound in the mechanism of existence and development of human relations – all the symbols of the mind, along with the methods of their transmission in space, stored in time, from the point of view of the sociological approach in the course of communicating, which consists in the invitation to the activities carried out by public organizations, is the transfer of information from a person to a person in the framework of the socio-information approach [9, p. 77]. The information-oriented general approach is realized by the processes of recoding verbally in nonverbal, and nonverbal into verbal spheres, showing concert numbers of children with disabilities by hearing,

when children are dancing and singing on the stage of the Regional Youth Palace, and viewers do not even suspect the health problem of these children. Children show that they are also talented and successful like their healthy peers.

From the point of view of the information-ideological approach, the concerts conducted by the Kherson regional public organization “Fund of Disabled Chernobyl Plus” are some processes of communication and information transmissions, means of forming the outlook and public opinion of the broad masses of compassionate attitude toward neighborly, tolerance and kindness, a desire to help. This is a process of communicating information about the existence of people whose opportunities are limited by the disease.

The activities of this public organization can be described from the standpoint of an economically-oriented approach as a result of the process of transferring information between the two parts: the manufacturer and the audience, when, for example, confectioners create a cake for children with disabilities, with a charitable purpose.

If we take into account the managerial-oriented content-social approach [9, p. 77–78], the Fund “The Fund of Disabled Chernobyl Plus” carries out its activity as a substantive aspect of social interaction of local authorities and the social group of people with disabilities as social objects through direct communication and information exchange. The unifying approach is realized in the act of communication, the connection between individuals, based on mutual understanding, communicating information from people

with disabilities about their needs to local authorities. “In the context of the formation and formation of an information society, the socio-political orientation of the concept of “communication” is becoming increasingly relevant to understanding it as a universal category of transformed society” [9, p. 78].

Conclusions. Consequently, the practical activities of public organizations represent a broad field for scientific observation and study of the communication of various social groups and public administration and needs to develop proposals for improving the communication process with the use of public administration approaches.

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PROBLEMS OF FINANCIAL DECENTRALIZATION IN UKRAINE

Abstract. The article is devoted to the consideration of the main problems that arise in the process of financial decentralization in Ukraine. Inadequate financial support of local authorities was found. The ways of solving problems and improving financial autonomy of local self-government bodies are offered.

The development of any society is largely determined by the system of multi-level governance, from the central to the municipal. A well-established mechanism of interaction and division of powers is the basis of the stability of any state.

The democratic country guarantees that the people are the bearers of sovereignty and the only source of power in the country. People exercise their power in various ways, including through local self-government bodies.

Now the theme of local self-government development is one of the most urgent in Ukraine.

Political and legal reforms in Ukraine have led to a change in the legal mechanism for regulating the organization and implementation of local self-government in the country. The interest of both science and practice is intensified to the issues of creating an optimal system of local self-government and improving the efficiency of local self-government bodies. One of the most important problems is the fi-

nancial security of local governments. Effective development of the system of local self-government is impossible without proper support from the state authorities.

If we look broadly at the marked problem of cooperation between the state and local self-government, then it is possible to treat the bodies of state administration and local self-government bodies as elements of a unified system of social management, public power, which provides the vital functions of society as a whole.

Keywords: financial decentralization, local budget, local self-government reform, financial resources, development of territory.

ПРОБЛЕМИ РЕАЛІЗАЦІЇ ФІНАНСОВОЇ ДЕЦЕНТРАЛІЗАЦІЇ В УКРАЇНІ

Анотація. Розглянуто основні проблеми, що виникають у процесі фінансової децентралізації в Україні. Виявлено неналежне фінансове забезпечення органів місцевої влади. Запропоновано шляхи вирішення проблем та вдосконалення фінансової автономії органів місцевого самоврядування. Розвиток будь-якого суспільства багато в чому визначається системою багаторівневого управління, від центрального до муніципального. Добре налагоджений механізм взаємодії й розподілу повноважень — основа стабільності будь-якої держави.

Демократична держава передбачає, що носієм суверенітету і єдиним джерелом влади в країні є народ. Свою владу народ здійснює різними способами, в тому числі за допомогою органів місцевого самоврядування.

На сьогодні тема розвитку місцевого самоврядування одна з найбільш актуальних в Україні.

Політична і правова реформи в Україні привели до зміни правового механізму регулювання організації та здійснення місцевого самоврядування в країні. Посилюється інтерес як науки, так і практики до питань створення оптимальної системи місцевого самоврядування та підвищення ефективності діяльності органів місцевого самоврядування. Однією з найбільш важливих проблем є фінансове забезпечення органів місцевого самоврядування. Ефективний розвиток системи місцевого самоврядування неможливий без належної підтримки з боку органів державної влади.

Розглядаючи проблему взаємодії держави та місцевого самоврядування, органи державного управління й органи місцевого самоврядування можна трактувати як елементи єдиної системи соціального управління, публічної влади, що забезпечує життєдіяльність суспільства як єдиного цілого.

Ключові слова: фінансова децентралізація, місцевий бюджет, реформа місцевого самоврядування, фінансові ресурси, розвиток територій.

ПРОБЛЕМЫ РЕАЛИЗАЦИИ ФИНАНСОВОЙ ДЕЦЕНТРАЛИЗАЦИИ В УКРАИНЕ

Аннотация. Рассмотрены основные проблемы, которые возникают в процессе финансовой децентрализации в Украине. Выявлено ненадлежащее финансовое обеспечение органов местной власти. Предложены пути решения

проблем и совершенствования финансовой автономии органов местного самоуправления.

Развитие любого общества во многом определяется системой многоуровневого управления, от центрального до муниципального. Хорошо отлаженный механизм взаимодействия и распределения полномочий — основа стабильности любого государства.

Демократическое государство предполагает, что носителем суверенитета и единственным источником власти в стране является народ. Свою власть народ осуществляет различными способами, в том числе с помощью органов местного самоуправления.

На сегодня тема развития местного самоуправления одна из наиболее актуальных в Украине.

Политическая и правовая реформы в Украине привели к изменению правового механизма регулирования организации и осуществления местного самоуправления в стране. Усиливается интерес как науки, так и практики к вопросам создания оптимальной системы местного самоуправления и повышения эффективности деятельности органов местного самоуправления. Одной из наиболее важных проблем является финансовое обеспечение органов местного самоуправления. Эффективное развитие системы местного самоуправления невозможно без должной поддержки со стороны органов государственной власти.

Рассматривая проблему взаимодействия государства и местного самоуправления, органы государственного управления и органы местного самоуправления можно трактовать как элементы единой системы социального управления, публичной власти, обеспечивающие жизнедеятельность общества как единого целого.

Ключевые слова: финансовая децентрализация, местный бюджет, реформа местного самоуправления, финансовые ресурсы, развитие территорий.

Formulation of the problem. Decentralization of power is one of the priority reforms in Ukraine, which envisages the establishment of an effective system of organization, as well as management of socio-economic development at the local level.

The current state of the system of local self-government in Ukraine does not meet the needs of society. Territorial communities do not have sufficient resources to create and maintain an appropriate living environment. Con-

sequently, there are no qualitative administrative, social and other necessary services for the full development of a person in the respective territories.

The main task of the Ukrainian economy is to raise the standard of living of the population. Practice shows that at the local level, it is possible to solve social problems much more effectively than at the state level. Fiscal decentralization reform should be implemented, which involves the transfer and delegation of spending po-

wers, the creation of a financial base for local government and the development of a system of solving problems at the local level. That is why in Ukraine the actual problem, which requires further research, is financial decentralization.

Analysis of research on the topic.

The problem of research on financial decentralization is reflected in the writings of domestic and foreign scientists J. K. Van Horn, A. Tkachuk, L. Novakovskii, I. S. Volokhova, D. V. Nehaychuk, A. Galchinsky and others. However, there are many unresolved issues. First and foremost, is the search for new sources of local budgets and their effective use.

The purpose of the article is to highlight the significant issues that arise during the implementation of the reform of financial decentralization in Ukraine, the provision of recommendations and ways to resolve them.

Presentation of the main research material. Decentralization is the transfer of powers, functions and responsibilities from state authorities to local ones [7]. The goal of decentralization is to identify and organize the satisfaction of the collective needs of the local population.

Local self-government is an independent territorial settlement of local questions.

In the system of public administration decentralization is one of the most important principles. As a rule, in developed countries, central government carries out national functions, such as national defense, macroeconomics, monetary sphere, judicial system, management of transport communications of national importance.

Local self-government bodies should take maximum account of the interests of citizens, in such areas as health care, education, utilities and communications, improvement and law and order.

The country's democratic development depends on the decentralization of the budget process and the implementation of clear and transparent relations between the state and local budgets. Now Ukraine is at the stage of becoming a market economy, and processes of financial decentralization play an important role; it is necessary to strengthen mechanisms of state regional policy. That is what will lead to sustainable development, economic growth and promote the expansion of democratic processes.

Financial decentralization should create a new effective system of intergovernmental fiscal relations that would allow local self-government bodies to become financially independent and, accordingly, more responsible [5].

For economic growth of a territorial community, financial decentralization should include new tools for the influence of local communities, as well as the search for new sources of revenues to local budgets.

Responsibility and efficiency of government will increase thanks to the reform of local self-government. Expected, that the formation of executive power by local self-government bodies rather than the appointment of them from the center will enable the population to influence officials.

The process of decentralization complicates the problems of legal and institutional character in Ukraine [2]. Among them, the constitutional and le-

gal uncertainty of the territorial basis of local self-government, inefficient state regional policy, excessive centralization of powers, financial, material and other resources.

It is necessary to solve the problem of distrust of the population to local self-government bodies and alienation of these bodies from the community. People need to be involved in solving community-wide issues, perhaps due to a local survey. In this way, transparency will increase in decision-making and will significantly reduce the corruption component of government work. Similarly, the situation with the observance of basic rights and freedoms of citizens will improve.

Need to reform the tax and budgetary system, as well as to expand the financial base of local self-government in accordance with the powers delegated by local authorities. This contributes to the modernization of transport infrastructure, life support systems, communication and improvement of the work of social services. The process of development of territories will be with the equalization of socio-economic development is activated.

Extending the powers of local authorities in matters of fiscal policy opens the way for the development of local business. Local authorities will have the opportunity to stimulate entrepreneurship, attract financial resources to invest in the municipal economy, and implement projects important for communities. The development of local business, at the same time, will ensure the creation of new jobs and will enable local economies to adapt to the crisis and experience the loss of external markets.

Necessary to ensure the proper formation of local budgets' own revenues in volumes that will increase the effectiveness of socio-economic development, namely: to improve the system of administration of property tax; to solve the problem of inventory of land and the formation of a complete land cadaster; complete the formation of the state register of real rights to real estate; apply differential correction coefficient to equalize the amount of tax revenues taking into account the characteristics of the real estate markets of different settlements of Ukraine, which affect the real value of real estate.

There is a problem of the limited possibilities of local self-government bodies to have their own finances through their blocking in the system of the State Treasury of Ukraine. Local government should influence the formation of tax revenues on its territory, which will improve the process of financial decentralization. It is necessary to cancel the mandatory withdrawal of funds from local budgets in case of over-fulfillment of the revenue part, as the incentive for the economic development of the territory and its financial autonomy is lost.

Local government bodies need to increase the efficiency and transparency in using budget funds, in particular by introducing at the local level a system for monitoring the implementation of budget funds and informing the public with the help of modern information technologies. Transparency in using taxpayers' money is the best effective anti-corruption tool.

Need to solve the problem of the reluctance of developed and financially

prosperous communities to unite with the poor. In this plan, other questions related to the feasibility of such an association remain unanswered. Many people see this as a simple way for the central government to somehow avoid responsibility for the chronically unsolved problems of small settlements.

Personnel updates should be made. A serious problem is a significant lack of high-quality staff, low qualifications of employees of local self-government bodies. This leads to the unpreparedness of staff to perceive innovations, to develop and adopt effective managerial decisions, as a result of inefficient use of financial resources.

Important elements in the association of communities, which should be taken into account are the ethnic composition of the population and regional features. The unification of territorial communities by the principle of size can lead to unpredictable consequences. Because the population is a variable.

Necessary to take into account the difference in the types of settlement. It is worth taking into account the specifics of small and monofunctional cities. To a large extent, the situation is difficult to disperse due to the unwillingness of the population to exacerbate the situation (in Zakarpattia oblast — tolerance, passivity, as a result of multiculturalism and experience of existence in several states during a short historical segment), the preservation of some resource of trust in the authorities, hopes for improvement as a result of European integration.

Worthwhile calculating the local budget revenues for the population,

this will allow for a sufficient amount of money per person. With this method it is possible to assess the possibilities of the territory in social development, the need for subjects, and develop measures on the effectiveness of the potential contained in the country.

Due to financial decentralization, the autonomy of local authorities in the field of socio-cultural policy will increase. An opportunity will be opened for financing from local budgets the programs for the development of regional languages and languages of national minorities, cultural, educational and social projects with regional specificity. As expected, this should remove from the agenda the issue of socio-cultural discrimination and expand the humanitarian rights of local national groups.

The reform of local self-government should transform local councils into influential political players, whose opinion will be taken into account by the central authorities in the development of national policy.

A key point in the reform of local self-government and decentralization of power is the disposal of finances. Important to give the opportunity to develop local communities and support their initiatives. The center should be able to assist one or another local project bypassing the oblast area government. This is possible with the establishment of a specialized centralized Regional Development Fund.

European experience (Poland, Czech Republic, Denmark, Norway, France) shows the success of “bottom” decentralization. The authority to manage the territory and finances in the community will give the oppor-

tunity to strengthen the state, develop both vertical (center-regions) and horizontal ties.

The effectiveness of decentralization should be measured primarily by the social effect (lowering the unemployment rate, improving the environmental environment in a certain area, increasing the life expectancy) [9]. Also need to take into account the structure of the territory's economy and potential, which determines the priorities for its further development.

Only systematic implementation of effective policies and reforms will help financial decentralization to become an effective instrument of public administration in budget relations, which will increase the efficiency of public services through delegation of authority, autonomy and financial capacity.

Conclusions. An important condition is the revival of communal economies with the assistance and direct participation of the country.

Decentralization should not mean the “escape” of the state from local problems and attempts to distance itself from solving local problems. Participation of the country in the development and implementation of programs for the development of territories, including in the form of loans and investments, will accelerate the revival of economic activity in the field, will give impetus to job creation and the growth of well-being.

One of the conditions for economic development is the inclusion of the population and private investors in investment projects of local self-government bodies. This will be facilitated by the development of the financial market of municipal securities, the for-

mation of communal banks and credit unions.

The transition to national self-government will be facilitated by the development of direct democracy institutions. Much of the local problems should be solved by conducting local polls and plebiscite. Communities should be endowed with the right of legislative initiative.

Need active policy of the center by regions, personnel upgrading, fighting corruption, reforms aimed at improving the economy and the social situation in the regions, developing horizontal links between the regions (for example, infrastructure projects – roads, transport, tourism, health improvement, etc.).

Also important to expand the capacity of communities in the area of humanitarian policy. The refusal of the state from a monopoly in the field of socio-cultural and linguistic politics will create conditions for the termination of political speculation around humanitarian and linguistic problems.

Financial decentralization opens significant opportunities and prospects for ensuring the ability of local self-government to independently solve local life issues.

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MODERN TRENDS OF INFORMATIONAL SECURITY DEVELOPMENT, AS A LITERARY OBJECTIVE

Abstract. This article deals with issues related to the experience of developed countries on information security as an object of legal relations and national experience in the structure of information law as a complex industry in the legal field of Ukraine.

The issue of information security is already reflected in the current legislation of Ukraine. In particular, the Constitution of Ukraine and a number of other regulatory acts consider information security at a level with sovereignty and territorial integrity. This concerns, first of all, information security as a component of national security. However, over time, more and more attention of researchers is paid to information security, not only at the state level, but also at the level of individual subjects of legal relations.

As part of the study, the content of the concept of “information security” is proposed to be understood as a selected type of public activity related to the creation,

circulation and use of information by certain subjects, which is expressed in the norms of the rules of conduct regarding its protection, protection, preservation and maintenance of vital needs, interests of people social communities, society, state, international community.

In the course of the research, the author analyzes the experience of forming a system of legal regulation of information (including computer) security of the United States, The United Kingdom of Great Britain and Northern Ireland, Israel, and the Federal Republic of Germany. The example of Israel is especially valuable for Ukraine. First of all, the establishment of an effective information security system requires the allocation of a significant part of the gross domestic product to the needs of scientific and technical studies of a military nature. No less interesting is the experience of creating information technology development centers like the Israeli Mamram and 8200.

Information security both at the state level and at the level of individual subjects of legal relations requires the formation of extensive and balanced legislation, adequate funding, and the like. A separate problem is the ratio of security needs and the rights and freedoms of citizens. All this requires taking into account the leading foreign experience. However, the formation of a reliable information security system of the state is extremely important for Ukraine, and therefore requires the consolidation of all forces.

Keywords: law, information security, information law, foreign experience, information technology development.

СУЧАСНІ ТЕНДЕНЦІЇ РОЗВИТКУ ІНФОРМАЦІЙНОЇ БЕЗПЕКИ ЯК ОБ'ЄКТА ПРАВОВІДНОСИН

Анотація. Розглядаються питання, пов'язані з досвідом розвинених країн щодо інформаційної безпеки як об'єкта правовідносин та національного досвіду у структурі інформаційного права, як комплексної галузі у правовому полі України.

Проблематика інформаційної безпеки вже знайшла своє відображення у чинному законодавстві України. Зокрема, Конституція України та ряд інших нормативно-правових актів розглядають інформаційну безпеку на рівні з суверенітетом та територіальною цілісністю. Це стосується, насамперед, інформаційної безпеки як складової національної безпеки. Однак з часом дедалі більше уваги дослідників приділяється інформаційній безпеці не лише на рівні держави, а й на рівні окремих суб'єктів правовідносин.

У межах дослідження зміст поняття “інформаційна безпека” пропонується розуміти, як виділений вид суспільної діяльності пов'язаної зі створенням, обігом та використанням інформації певними суб'єктами, що знаходить вираз у нормах правил поведінки щодо її охорони, захисту, збереженню, підтриманню життєво важливих потреб, інтересів людей, соціальних спільнот, суспільства, держави, міжнародного співтовариства.

У процесі дослідження аналізується досвід формування системи правового регулювання інформаційної (в тому числі — комп'ютерної) безпеки

США, Об'єданого Королівства Великої Британії та Північної Ірландії, Ізраїлю, ФРН. Приклад Ізраїлю видається особливо цінним для України. Налагодження ефективної системи інформаційної безпеки потребує виділення значної частки валового внутрішнього продукту на потреби науково-технічних досліджень військового спрямування. Не менше цікавим видається досвід створення центрів інформаційно-технологічного розвитку на кшталт ізраїльських центрів “Мамрам” та “8200”.

Інформаційна безпека як на рівні держави, так і на рівні окремих суб'єктів правовідносин потребує формування розгалуженого та збалансованого законодавства, належного фінансування тощо. Окремою проблемою постає співвідношення потреб безпеки та прав і свобод громадян. Все це вимагає врахування провідного зарубіжного досвіду. Однак, формування надійної системи інформаційної безпеки держави є вкрай важливим для України, а тому потребує консолідації всіх сил.

Ключові слова: право, інформаційна безпека, інформаційне право, зарубіжний досвід, інформаційно-технологічний розвиток.

СОВРЕМЕННЫЕ ТЕНДЕНЦИИ РАЗВИТИЯ ИНФОРМАЦИОННОЙ БЕЗОПАСНОСТИ КАК ОБЪЕКТ ПРАВООТНОШЕНИЙ

Аннотация. Рассматриваются вопросы, связанные с опытом развитых стран по информационной безопасности как объекта правоотношений и национального опыта в структуре информационного права как комплексной отрасли в правовом поле Украины.

Проблематика информационной безопасности уже нашла свое отражение в действующем законодательстве Украины. В частности, Конституция Украины и ряд других нормативно-правовых актов рассматривают информационную безопасность на уровне с суверенитетом и территориальной целостностью. Это касается, в первую очередь, информационной безопасности как составляющей национальной безопасности. Однако, со временем все больше внимания исследователей уделяется информационной безопасности не только на уровне государства, но и на уровне отдельных субъектов правоотношений.

В рамках исследования содержание понятия “информационная безопасность” предлагается понимать как отдельный вид общественной деятельности, связанной с созданием, обращением и использованием информации определенными субъектами, который выражается в нормах правил поведения касательно ее охраны, защиты, сохранения, поддержания жизненно важных потребностей, интересов людей, социальных общностей, общества, государства, международного сообщества.

В процессе исследования анализируется опыт формирования системы правового регулирования информационной (в том числе — компьютерной) безопасности США, Соединенного Королевства Великобритании и Северной Ирландии, Израиля, ФРГ. Пример Израиля представляется особенно ценным для Украины. В первую очередь, налаживание эффективной систе-

мы информационной безопасности требует выделения значительной части валового внутреннего продукта на нужды научно-технических исследований военной направленности. Не менее интересным представляется опыт создания центров информационно-технологического развития вроде израильских центров “Мамрам” и “8200”.

Информационная безопасность как на уровне государства, так и на уровне отдельных субъектов правоотношений требует формирования разветвленного и сбалансированного законодательства, надлежащего финансирования и тому подобное. Отдельной проблемой является соотношение потребностей безопасности и прав и свобод граждан. Все это требует учета ведущего зарубежного опыта. Однако, формирование надежной системы информационной безопасности государства является крайне важным для Украины, а потому требует консолидации всех сил.

Ключевые слова: право, информационная безопасность, информационное право, зарубежный опыт, информационно-технологическое развитие.

Problem statement. The security of information activities in Ukraine constantly deserves attention, and therefore its recognition as an important component of the life of various subjects of society. The activities of individual entities in the information sphere have a certain impact on the life of the state as a whole. Information security determines its role in the regulation, protection and security of various socially significant legal relations and individual processes. This can determine the main directions of state policy and the content of the activities of the state and non-state bodies related to the management of the information sphere in society. The main issue, in this direction, is information security as a way of management. All over the world management, depending on the dangers has long been accepted as the norm. The reason for this is that the interests of organizations with high performance and achievements do not require administrative intervention. And

those that have any threats, demand administrative attention and intervention. Therefore, it is information security that comes to the fore as a lever of management of the organization.

The norm of part 1 of Art. 17 of the Constitution of Ukraine [1] establishes that “protection of sovereignty and territorial integrity of Ukraine, ensuring its economic and information security are the most important functions of the state, the cause of the Ukrainian people”. Thus, in legal relations in Ukraine information security is considered at the level of sovereignty and territorial integrity, as well as economic security. The above-mentioned constitutional and legal components of the country’s security are developing in the special legislation of Ukraine in certain areas of regulation, in different time frames of the existence of the independence of the modern Ukrainian state.

The Declaration on state sovereignty of Ukraine states that state sovereignty is the “supremacy, independence, com-

pleteness and indivisibility of the power of the Republic within its territory and independence and equality in foreign relations" [2]. This leads to the idea that the meaning of information security as a component of national security is determined from the fact that its source is considered not only the sovereignty of the state, but also the sovereignty of individuals and organizations as subjects of information relations.

Not so long ago, in the research of scientists the state was the main subject of information security. Most researchers supported the view that the problem of protection, security, support, preservation of information security appeared many centuries ago. At the same time, the concept that the key idea of the subject of information security is the preservation of the secrecy of information, differently linked to the ancient times dominated. The arguments for this are references to the first methods of message encryption in various branches of human activity. They date back to the 4th millennium BC. For example, one of the early dummy ciphers was the Caesar cipher, in which each letter in the message was changed by a letter through several positions from the alphabet. This cipher was named Julius Caesar cipher, after the man who used it, with a shift of 3 positions to communicate with generals during military campaigns [3, p. 35–40].

Over the course of history, the attitude of society towards understanding the essence of information security has changed. General, consolidated object or subject of legal relations, information security began to stand out with the content of special rights and obligations.

Analysis of recent publications and research. Among modern legal scholars, dealing with this issue in Ukraine, we propose to consider the studies of the following scientists: N. V. Banchuk, G. V. Vynohradova, O. D. Dovhan, R. A. Kaluizhnyi, K. I. Beliakov, B. A. Kormych, O. V. Copan, A. I. Marushchak, A. I. Movchan, E. I. Nyzenko, V. G. Pylypchuk, A. M. Podoliak and others.

The content of the category "information security" is determined by researchers from the content of the general concept of "security". It is understood, in a broad sense, as a state of security, and in special, public type of legal relations. Some issued of the history of legal research of information security in society are not systematized, for inclusion in the administrative law or information law.

For the purposes of our study, the content of the concept of "information security" is proposed to be understood as a separate type of social activity associated with the creation, circulation and use of information by certain subjects, which is expressed in the rules of conduct with respect to its protection, security, preservation, maintenance of vital needs, interests of people, social communities, society, state, international community.

Formulation of the aims of the article. On the basis of the system applied analysis of legal acts and comparative approach of foreign experience, some results of scientific analysis regarding the development of research of public understanding of information security in the world, as well as its place in information law as a complex branch of law maintenance of vital needs, interests

of people, social communities, society, state, international community are offered.

Presentation of the main material of the study. Modern information law operates in public relations, which arise, are implemented and terminated in the interaction of subjects for information. Its aim, right, its main component have the function of ensuring, namely, compliance with the desired norms in society rules of behavior of subjects and of avoiding deviations that defines the content of the rule of law [4, p. 13–14].

The adoption of the Law of Ukraine “On information” was a significant historical stage in the Ukrainian society on the way of creating a common view on information relations and, accordingly, information security [5]. However, in this Law, the wording of information security has not been provided.

According to legal researchers, there are methodological differences in the understanding of information security at different levels of social relations (national, state, regional, individual organizations). A separate approach was applied to the legal reflection of the security organization of the Unified State Register of Enforcement Proceedings of Ukraine. This approach differs from the approach to the security of a local network in a separate company. This necessitates the definition of such unified regulatory methods, models of protection and protection of information in respect of any entity.

It is believed that state departments of the USA in the late 60-ies of XX century were one of the first to understand and make a confident step towards the decision of the problems of computer information security, when computers

cost a lot of money, and the Internet was born of the few, only military and scientific information networks [6, p. 17].

As to the the paradigm of information security of society. Every human community has its own system of values in the context of information security. It is determined by the history and mentality of the people in which there is any community. This system of values is developed by the experience of previous generations of individual social groups, corporations and the like. The destruction of community values inevitably leads to negative social consequences.

Until recently, the problem of complexity of human information security, social communities, society, state, in Ukraine were considered to be fragmentary. It was believed that only by introducing a legal regime of secrecy, declaring various legal restrictions in the field of preservation, transmission and dissemination of information, it is possible to solve the problems of support, guarantee and protection of information.

Despite the fact that information security as a separate problem was formulated only in the period of intensive computer-telecommunication informatization, it is of general character. It exists as long as humanity exists. It was simply called something else, and it manifested itself in all spheres of activity of people, societies and states. In this era, there is a danger pointed out by Professor Masuda, the author of the concept of informatization of Japan created in the early 70s. He was afraid that people and machines striving to build a democratic state, the implementation of the idea of an open society, would create a police state [7].

Another problem can be considered, for example, on the basis of the analysis of the crisis of the thirties, made by one of the most authoritative sociologists in the world Pytyrym Sorokin. He tried to find the answer to the question: what led to the appearance of such people as Hitler, Mussolini, Stalin? According to Sorokin, there are three reasons for this, each of which is of information origin. The first is a crisis in the system of law, the second is a crisis in the system of truths, the third is the crisis in the system of culture and arts. There is another problem that has been neglected both in the documents and in the already extensive literature on information security. This is a problem of information exchange that deserves separate consideration. [7]

Researches of world experience in this direction remains especially useful for domestic scientists. Therefore, further coverage and study of the formation of understanding of information security in the world is an important step to improve Ukrainian law. Special attention is paid to the countries where the world, advanced technologies, models of implementation of the integrated organization of information security are generated.

Let us draw attention to the foreign experience of the complexity of the study of information security issues arising under the influence of threats of mass dissemination of new information technologies. In 1967, an initiative group of computer security researchers was founded under the patronage of the National Committee of Standards. It included representatives of universities, computer companies, research centers and other organizations. As a

result of such a combination of efforts of industrial and scientific specialists of the United States, the so — called conditionally “rainbow series” was formed — a number of standards and requirements for equipment, software and personnel of various automatic data processing systems belonging to such us government agencies as NASA, the Ministry of Defense, the National Committee of standards, the Ministry of Labor, the Office of Environmental Protection, the Ministry of Arms Control, the National Scientific Society, the Federal Reserve System and finally the Center of the Joint Command of the Armed Forces. According to this model, later a National Center for Computer Security was established, which dealt with these issues systematically in the applied aspect, purposefully and comprehensively, coordinating researchers from public and private organizational structures [8].

In 1981, a similar special center at the US Department of Defense was established, it developed and implemented a specialized “rainbow series” in 1985. Thee standard “Criteria for evaluating trusted computer systems”, called the Orange book (named after the color of the cover (orange) became the most important for assessing the quality of commercial digital products, that process and maintain confidential information. It is now considered as an approximate (model) world standard, including the specification for laser audio disc and shader model OpenGL. Traditionally, although improved, computer security standards in different countries are also called “Orange books”. The model feature of such standards is the maximum flexibility and universality of infor-

mation security assessment of various subjects of social relations under the conditions of their functioning in the Information Society (at the global level of computer telecommunications) [6].

International legal acts can be considered as a way to form universal models of information security organization at the cross-border level. In particular, in the Memorandum of understanding on cooperation in the field of telecommunications and the development of global information infrastructure between the government of Ukraine and the U.S. government, the parties noted their intention to be guided by the principles of creating a global information infrastructure, which introduce private investment, competitive market, flexible regulatory system, access without discrimination and universal service. Such approaches were recorded in the decisions of the First World Conference on telecommunications' development of the International telecommunication Union (Buenos Aires, 1994) [9].

Information security in the UK has its own history and features. The UK does not have its own Constitution. In 1998, the British Parliament approved the Human Rights Act, which gives the European Convention on Human Rights the force of law. The act entered into force in October, 2000.

In July 1998, the British Parliament passed the Information Protection Act, which brings a similar act of 1984 into line with the requirements of the Information Protection Directive adopted by the European Union. This law applies to accounts maintained by public institutions and private companies. It imposes a number of restrictions on the use of personal data and access to ac-

counts. In addition, the law obliges legal entities holding such records, to be recorded at the office for the protection of information.

The Information Protection Commission is an independent agency that ensures compliance with the requirements of the law. In 1997–1998, the Commissioner received more than 4,000 complaints and issued guidance to private, financial intermediaries and debt tracking agencies.

Other legislation also contains provisions on privacy and information. In particular, the laws regulating the maintenance of medical records and the storage of information on consumer loans. The same group includes the law "On rehabilitation of offenders" (1974), the law "On telecommunications" (1984), the law "On police" (1997), the law "On broadcasting" (1996) and the law "On protection from prosecution" (1997). The provisions of these laws are constantly supplemented or partially repealed by the adoption of the Information Protection Act, dated 1998. The law "On witness testimony for the police and criminal investigation authorities" (1984) gives the police the right to enter private homes and conduct searches without a warrant if the owner is arrested for an offence. Although the police have no right to demand documents from a person before arrest, they are allowed to stop and search anyone who is suspected, right in the street. Everyone who is arrested passes a DNA sample for inclusion in the national database [9].

The Law "On interception of communication", adopted in 1985, establishes a number of restrictions that are relevant to the control of telecommu-

nications. In June 1999, the Ministry of the Interior Affairs issued recommendations for the installation of eavesdropping devices, which included numerous amendments to existing legislation. There is a provision aimed to facilitate the installation of eavesdropping devices by Internet service providers. The validity of these devices for up to three months is extended. It is allowed to use eavesdropping devices with roaming capabilities. However, such problems as the control of the judiciary and state oversight of the interception of the information in the recommendations is not affected.

For more than twenty years, steps have been taken repeatedly towards the adoption of the law “On freedom of information”. The “Code of practice on access to government information”, adopted in 1994, provides access to state archives, but includes 15 serious exceptions. Persons whose applications for information have been rejected may file a complaint through the Parliamentary Minister to the Parliamentary Ombudsman. In May 1999, the British government tabled a draft law allowing access to government archives and establishing a Commissioner of information to enforce the laws. This draft contains a number of significant exceptions, and is considered to be even weaker document than the current code. It has been harshly criticized by many politicians who hold different political views, as well as by non-governmental organizations. The “Freedom of information company”, Charter 88 and 23 other organizations launched an action in June 1999 to request a review of the draft law. In response to criticism, Interior Minister Jack Straw announced his intention

to rewrite a number of provisions, but the amended version of the draft has not yet been published [10].

The Scottish Parliament also promised to adopt a stronger Freedom of Information Act as a priority measure. The current British law “On freedom of information” provides for a number of restrictions.

The law “On the observance of state secrets” is the basis of the charges currently against Tory Herat, author of the book “Irish war”, which describes in detail the tracking technique used in Northern Ireland and the UK by police and security services.

The United Kingdom is a member of the Council of Europe and has signed and ratified the Convention on the protection of persons in connection with the automatic processing of personal data, together with the European Convention on the protection of human rights and fundamental freedoms. In addition, the United Kingdom is a member of the Organization for economic cooperation and development. It adopted the OECD Directive on the protection of privacy and international exchanges of personal data.

Each of the British protectorates—the Isle of Man, the Isle of Guernsey and the Isle of Jersey has its own law and its own Commission for the protection of personal data.

On December 11, 2014, the British government released some data on the National Cyber Security program, aimed at combating cybercriminals and protecting the public interest. It became known where it is planned to spend money from the program budget, the annual volume of which exceeds 200 million pounds [11].

In 2015, most of the money was allocated to “strengthen the ability to conduct a sovereign fight against threats”. This item of expenditure provided funding for the British intelligence service GCHQ (analogue of the American CIA), which is the guardian of key networks of national importance. In 2015, GCHQ shared a lot of information about cyber threats with communication companies so that they could strengthen the protection of their networks.

About 30 million pounds from the National Cyber Security program were spent on attracting the Defense Department to combat the hackers. At the same time, the armed forces have their own programs (the budget is about 500 million pounds) in the field of information security.

In 2014, the UK government reported that hackers sponsored by the authorities of some Eastern countries have managed to crack a secure local network at the national level. The defense industry has long been a target for cybercriminals hunting down military secrets.

Other items of expenditure of the government’s anti-hacker program are improving the police response to cyber attacks and raising public awareness.

The report also reported that 81 % of large organizations and 60 % of small companies faced illegal penetration into their computer systems. The size of losses from such break-ins ranged from 65 to 115 thousand pounds for small businesses and 600–1150 thousand pounds for large businesses.

The policy of protecting government secret information in the UK is determined by the Security Policy Frame-

work (SPF) [12], which replaced the previously existing document, Manual of Protective Security (MPS). SPF contains the basic principles of security policies and guidance on safety and risk management for UK government agencies and related bodies. SPF includes around 70 recommendations in the area of information security policy, grouped in 7 sections:

1. Risk management
2. Access control and information classification
3. Staff responsible for information security
4. Ensuring information security
5. Physical security
6. Counter-terrorism activities
7. Business continuity.

The content of SPF is partly developed by the Security Department of the Cabinet of Ministers of UK, partly – by the center for government communications, the main body of the UK in the field of cryptography and protection of government information [7].

Israel takes a separate place among the countries whose experience in the field of information can be useful for studying and borrowing. The way of formation of national and information security has its own unique features. Faced with many unique geopolitical challenges, Israel’s founders knew that the nation’s success would depend on their knowledge, ingenuity, and imagination. The negative environment in which Israel is located has forced it to rapidly form armed forces and intelligence units that were able to take part in a continuous war. The need for continued security has become the driving force of ingenuity that would spread from this tiny country around the world.

The Israelis, having firmly grasped the fact that innovation was the guarantee of national security, have directed their efforts and skills to the development of high technologies in various fields.

Intelligence services have been constantly engaged in the development and implementation of new and innovative ways of interception, decoding and analysis – no matter how they are transmitted and from what sources they would not come out. Since its inception, the closed world of electronic intelligence has existed in almost complete secrecy. For this reason, the intelligence services and divisions do not limit the use of external suppliers of special equipment and innovative technology. Instead, they had to rely on their own development and methods. As a result, it gave impetus to the emergence and development of innovations that gave rise to the most advanced technologies. Unlike many of its neighbors, the Israelis could not just drill wells and extract oil. Their main resource was their own brain. From the very first days as citizens of the new power, they turned science into an instrument of nation-building.

Immigration has become the lever that has set in motion the wheel of Israeli society, turning it into a kind of orderly chaos. The constant flow of immigrants formed a culture that was in constant motion. With this combination of different biographies, skills and abilities bright mosaic of mutual relations and mutual influences appeared. Due to these conditions, the legal information field and administrative bases of information security were created.

In the days of the formation of Israel, David Ben-Gurion made the right con-

clusion that the information security of the country should be based on the development of science. Internal development has always been critical for the country, especially since the army's needs for weapons could no longer be met by external supplies. It is not surprising that every new government of Israel has allocated a significant portion of gross domestic product on defense, spending significant funds on scientific and technological research. According to published data, Israel allocated \$ 8,97 billion to the armed forces in 2002, which is 8,75 % of the gross domestic product. For comparison, Egypt, with a population that is almost 10 times bigger than that of Israel, has spent about half that of its Western neighbour for the same purposes. Israel spends more on national security than on any other need. During the 2003 elections, when the country's economy was in a very poor state and the unemployment rate was almost 10 %, security problems were considered the number one priority and helped Ariel Sharon to take up the position of the Prime Minister.

Around this time, the Mamram center was established, which was to play an important role in information technology development. It was this center that helped to turn this country of kibbutzes and diamond cutters into one of the most vibrant economic high-tech systems in the world. All units of the armed forces own computer and research centres staffed by personnel were trained at Mamram. In addition to military intelligence, Mamram is responsible for the infrastructure of data transmission systems, the introduction of new technologies [7].

At first, Mamram used Philco mainly for data processing and logistics research. However, for operation, management and maintenance, the system required specialists capable of ensuring the smooth operation of the equipment in hot and humid climates. The insects that penetrated into the equipment were of particular concern — that is how the phrase “computer bugs” appeared. Since the computer center was formed a few years before computer science became an academic discipline, Mamram established its own school of computer science education. Graduates of this school have formed an impressive community of information technology specialists. Many people strive to get into this unit, because everybody who serve in it, become very needed in the civil professions. A special approach developed in this unit (in the style of commandos) to solving problems of any complexity, as well as the ability of specialists to find creative solutions with fast and extraordinary methods, are highly demanded by the Israeli society in the field of information security business.

Since its appearance, Israel has not really known what peaceful life was like, and each of the wars has been nothing more than a war for survival. For Israelis, all regional conflicts are as memorable as for Americans their famous baseball championships: the war of independence (1948), the Sinai campaign (1956), the six-day war (1967), the war of attrition (1969–1971), the war of Yom Kippur (1973), the war with Lebanon (1982), the first intifada (1987), the Gulf war (1991), the Al-Aqsa intifada (2000). Perhaps unwittingly, the Israeli security and armed forces have

become something of a national heritage and an industry. From the first days of the state’s existence, its leaders understood that Israel needed one of the best information security systems in the world. Being surrounded by strong enemies, Israel had to compensate for the lack of military power with its only resources — people. The country’s defense capability needed to be supported by the ingenuity of its people and the availability of reliable information [6].

Another Israeli unit called “8200” can be considered the most powerful intelligence service in Israel. Until the former soldiers began to join the ranks of entrepreneurs, this topic was perhaps the most classified. For decades, nothing was known about it at all. The Israelis guarded this secret so carefully that only a very narrow circle of educated people could accurately assess the role it played in the information wars. However, if one follows the activities of the unit in the past years, one can understand what a huge impact it has had on the development of high technology in Israel. This influence was a striking example of a special brand of Israeli innovation, formed on the background of constant threats to national security. In addition, this brand was formed largely under the influence of high creative potential, prioritization of science, technology and education — as a means of compensating for the lack of territory, resources and personnel of Israel.

In foreign sources, the unit “8200” was often compared with the National Security Agency of the United States of America. The task of this unit is to ensure the information security of Israel, as well as the collection, decoding and analysis of millions, if not billions, of

bits of data that this service collects and intercepts with the help of its complex electronic network. It is known that communications within the Palestinian authority and with other Arab countries are closely monitored by Israel. The “8200” division directly monitors the exchange of electronic messages, voice and electronic data flows through communication networks. Yoshi Melman, a correspondent for the daily newspaper Ha’aretz and co-author of the book “Every Spy a Prince”, who has long kept a chronicle of the intelligence services of Israel, calls this unit “the main service in the field of data collection”. It is of a higher rank than military intelligence [9].

In all its goals and tasks, the unit “8200” acts as a giant electronic agency to collect information. Every day and every minute the units of the system accumulate countless electronic signals intercepted by base stations and various interception stations. The division is a team of engineers, mathematicians, scientists, and cryptograph analysts. They all perform various tasks of electronic intelligence, the interception of mainly the output signals of different kinds. That is, employees of the Department monitor and record telephone conversations, intercept fax messages and e-mail messages, monitor the radio exchange and decrypt the message encoding. Information is transmitted to the intelligence center, where computers and complex software sort it, check for keywords and “break” the codes of encrypted messages. Then special analysts and linguists evaluate the information collected.

“8200” performs the same tasks as the General Communications Head-

quarters in the United Kingdom and the Office of National Security in the United States on a daily basis. However, unlike its foreign counterparts, which are civilian government agencies, “8200” is a part of Israel’s military infrastructure. The second difference is that the unit is a serious player in the region and has a significant similarity with similar foreign formations, it can not be compared with global in its capabilities systems and services of the United States, leading projects such as satellite programs Echelon. Around this program, there are many assumptions about the almost unlimited capacity of the Office of National Security to intercept and analyze billions of electronic communications between the United States and other countries. However, the unit has always compensated for the lack of its own resources and budget with ingenuity. In addition, in recent years, Americans and Israelis have established cooperation in matters of information security, politics and intelligence.

Based on this, it can be noted that the administrative regulation of information security of Israel has strict legal regulation as part of the military system of the country. But this regulation has only a general model. The main difference is that against the background of strict regulation, subjects and performers in the field of information security are given a certain freedom to choose ways to overcome threats and risks. A large place is given to the unique human factor and the ability to act freely at its discretion, which is regulated by departmental norms [12].

As to education, Israeli schools and universities pay great attention to the development of STEM-education, in

addition, the practice of cooperation between venture entrepreneurs and University professors is actively introduced. For example, Adi Shamir, who develops cryptosystems, also teaches applied mathematics at the Weizmann Institute. Shamir was one of the founders of NDS, a company specializing in software development for the television industry. In 2012, it was sold to Cisco for \$ 5 billion.

In Israel, the military and commercial spheres are closely linked, and information security is considered to be a priority investment. In Israel, unlike the United States, military service is mandatory, after its passage, soldiers can find themselves in the commercial sphere, as highly qualified specialists. For entrepreneurs, such personnel are of particular value, because they have not only theoretical knowledge, but also practical skills in this area.

Many companies such as Cisco, EMC, Google, Microsoft, IBM and others have opened cyber development centers in Israel. The advantages are obvious – in addition to the use of Israeli technologies, these firms have the opportunity to cooperate with highly qualified specialists.

Over time, there are more and more threats to information security, so, according to Tirosh, the demand for high-tech developments in this area will only grow. Therefore, together with the practical, legislative sphere is keeping pace.

On December 1, 2016 a law prohibiting any electronic spam, including the distribution of advertisements via sms and voice messages recorded on the tape recorder came into force in Israel.

On October 29, 2016, the Knesset adopted the law “On creation of bio-

metric archive”. Its goal is preventing the manufacture of counterfeit ID cards with the help of comparison of fingerprints and photos with those that are kept in biometric police records. All Israeli citizens over the age of 16 will have to go through the procedure of fingerprinting in one of the offices of the Ministry of Internal Affairs [6].

But this is only the external legal side of the information security of Israel. Many regulatory mechanisms are adjusted by departmental acts, which gives some flexibility to the information security procedure.

Among the latest innovations from abroad, it should be noted that on July 15, 2016 the German government approved the White paper plan on defense policy and security, including information security. It clearly states that the Russian Federation has become a real threat, which harms the existing international order and European security. First of all, it is connected with its aggression against Ukraine. Germany announced changes in its information policy towards Russia in the near future. It identifies priority interests that should be protected by the government and law enforcement agencies of the country. We are talking about increasing the amount of funds allocated for defence. The need to improve the overall information security of the entire NATO bloc was declared, for which a number of measures to reprogram the information security and update the organization of its technical equipment is carried out. The special importance of creation of the European missile defense and updating of mechanisms of implementation of information security is noted. Thus, Berlin, together with

NATO countries, declared their position on Russia's policy in Ukraine and the world, starting to create a fundamentally new system of information security of the continent [6].

According to research, information security issues today play a huge, modernized role in the field of high technology, because it is there that information (especially in digital form) becomes both a product and raw material. Modern mass community in the field of information technologies of computer telecommunications (IT) is built on the flows of so-called electronic data from different parts of the world. It is produced, processed, sold and, of course, stolen.

If we consider the security of information that is stored on traditional media (paper, photo prints, etc.), it is achieved, as always, through compliance with physical protection measures. The second side of the protection of such information is related to natural and man-made disasters. At the same time, computer information security, in general, is a broader concept than information security with respect to traditional media. This requires the formation of safety models based on the methods of an integrated approach.

As to the latest challenges of information security in the development of the Global Information Society. Some researchers draw attention to the fact that sometimes in computer networks, the attack lasts a fraction of a second. Sometimes probing for vulnerabilities being slowly stretched on the watch, making the suspicious activity of criminals practically invisible. The main purpose of attackers is always violation of the components of information securi-

ty-availability, integrity or confidentiality [13].

On the way to overcome the problems of information security of organizations and the state, within a fairly short period of time, Ukrainian scientists initiated a number of regulations. First of all, they concerned the prevention by legal means of interference on the personal rights of people, citizens, their social communities, enterprises, organizations, institutions of all forms of ownership, and the like.

Carrying out a legal, comparative analysis of the content of certain international legal acts on human rights and the relevant norms of Ukraine, there are non-isolated facts when unlawful interference of the relevant state bodies in the sphere of private information and the establishment of appropriate departmental regulatory legal restrictions of constitutionally defined rules of conduct in society are allowed. This naturally causes public resistance, conflicts of interests of citizens with the authorities. However, modern Ukrainian scientists are increasing their research in this area. The main directions of activity on the organization of adequate models of information security of a person, a citizen, individuals, society and the state were identified [10].

According to Ukrainian scientist B. A. Kormych, the legal practice is based primarily on the principle of freedom of information and guarantees of information rights and freedoms of a person, while considering the rights of the state to regulate the information processes in the context of its general sovereign rights [14, p. 91–92].

In the analytical report of the Ukrainian scientists of the National In-

stitute for Strategic Studies, the problem of information security was considered from a slightly different angle. They put the issues of adequate development of information space and information processes, above all their economic component in the foreground. It was emphasized that “the key problem of information security is to assess the compliance of the information space existing in the state with the needs of its citizens, the demand and supply of information services in the places close to the users and at a convenient time for them. Historical experience shows that countries that have not been able to replenish the information space with more effective technologies in a timely manner have slowed their economic development. Conversely, countries that had strong information potential quickly regained their role in the global division of spheres of influence even after military defeats (for example, Japan after World War II). Therefore, filling the information space with the latest technologies that can significantly improve both the adequacy of the reflection of reality and the productivity of information activities in society is an urgent need, which, in turn, determines the possibility of protecting national interests” [15].

The law of Ukraine “On the basics of national security of Ukraine” [5] does not contain a separate interpretation of the concept of information security, considering it only as one of the components of national security, which is determined by the specific threats, challenges, dangers to national interests. This indicates a lack of consideration by the developers of this legislative act of

all scientific developments of Ukrainian researchers.

Most importantly, a significant drawback of many scientific definitions of national and information security in its composition is their focus only on the protection of interests, and not the creation of preventive conditions for the existence of subjects of this security. This approach narrows the content of public understanding of its functional sphere, which replaces the usual (traditional) functions of the state and significantly limits democratic human rights and freedoms.

It should be noted that in the Ukrainian legislation, in some special laws, the definitions of information security are submitted one-sidedly. For example, the legal definition of information security presented in the National Informatization Program has such a drawback. In particular, paragraph 3 of section IV of this Program states: “Information security is an integral part of political, economic, defense and other components of national security. The objects of information security are information resources, channels of information exchange and telecommunications, mechanisms for ensuring the functioning of telecommunication systems and networks and other elements of the country’s information infrastructure” [8, 15].

At the same time, the concept of information security of man and society, the conditions of existence of which are determined primarily by their natural rights and duties, becomes relevant only in the context of the development and implementation of the ideas of natural law, in particular human rights, citizens’ rights. Everything else is secondary, including substantive techno-

logical aspects of information relations. Therefore, it is extremely important to take into account the foreign experience of developed countries to restore their own sphere of information security.

Summary. We are confident that our own information security will be unique, built on the principles of harmony and interaction of state influence and non-governmental organizations, organized based on clear regulations, but with a certain range of opportunities for improvisation of its subjects.

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FEATURES OF THE REALIZATION OF STATE PERSONNEL POLICY IN THE EDUCATION IN UKRAINE

Abstract. In the article the features of realization of personnel policy of the state in the sphere of education are researched. The author considers it as the purposeful strategic activity of the state, connected with the planning and forecasting of the formation, professional development and rational use of personnel in the field of education, the definition of goals and priorities of personnel and the state order for the training of specialists with higher education. It is argued that this is also an integral part of the state's strategy for the formation and rational use of the human potential of society.

It is shown that the structure of the state personnel policy in the field of education, as well as the structure of the state personnel policy in general, is based on the principles, includes entities, objects, mechanisms of formation and implementation. The basic principles of state personnel policy in the field of education are social justice, complexity and consistency of its implementation; balance of

public interests and interests of certain social groups; professionalism; balance of representation of experienced and young workers with regard to gender equality; responsibility of the state for creation of preconditions for realization of vital interests of the person, realization by citizens of the right to education and labor; mutual respect between the individual and the state, employee and employer; partnership between the state and the non-governmental sector; continuity of training.

In addition, according to the author, as the principles of state personnel policy in the field of education, it is proposed to consider the rules based on foreign and domestic experience, which are the basis of the activity of the subjects on the formation and implementation of personnel policy of the state — the bodies of state power and local self-government, departments, institutions, organizations, enterprises in the field of education.

The ineffectiveness of the state cadre policy leads to the fact that there is a significant gap between the requirements of employers and the level of education in Ukraine. It is also determined that the mass of higher education necessitates the optimization of the state order in order to bring it into line with the real needs of the national economy.

Keywords: state personnel policy, public administration, public administration, mechanisms of public administration, education of Ukraine, higher education of Ukraine, state personnel policy in the field of education.

ОСОБЛИВОСТІ РЕАЛІЗАЦІЇ ДЕРЖАВНОЇ КАДРОВОЇ ПОЛІТИКИ У СФЕРІ ОСВІТИ В УКРАЇНІ

Анотація. Досліджено особливості реалізації кадрової політики держави у сфері освіти як цілеспрямованої стратегічної діяльності держави, пов'язаної з плануванням та прогнозуванням формування професійного розвитку та раціонального використання кадрів у сфері освіти, визначенням цілей і пріоритетів кадрової діяльності та державного замовлення на підготовку фахівців з вищою освітою. Аргументовано, що це також й складова стратегії держави з формування й раціонального використання кадрового потенціалу суспільства.

Показано, що структура державної кадрової політики у сфері освіти, як і структура державної кадрової політики загалом, базується на принципах, включає суб'єкти, об'єкти, механізми формування та реалізації. Основні принципи державної кадрової політики у сфері освіти — це соціальна справедливість, комплексність та послідовність її проведення; збалансованість суспільних інтересів та інтересів окремих суспільних груп; професіоналізм; збалансованість представництва досвідчених та молодих працівників з урахуванням гендерної рівності; відповідальність держави за створення передумов для реалізації життєво важливих інтересів людини, реалізації громадянами права на освіту і працю; взаємоповага у відносинах між особою та державою, працівником та роботодавцем; партнерство держави і недержавного сектору; безперервність навчання.

Зокрема, принципами державної кадрової політики у сфері освіти пропонується розглядати сформульовані на основі зарубіжного та вітчизняного досвіду правила, які покладені в основу діяльності суб'єктів з формування й реалізації кадрової політики держави — органів державної влади та місцевого самоврядування, відомств, установ, організацій, підприємств у сфері освіти.

Неефективність державної кадрової політики спричинює те, що існує суттєвий розрив між вимогами роботодавців та рівнем освіти в Україні. Також визначено, що масовість вищої освіти зумовлює необхідність оптимізації державного замовлення відповідно до реальних потреб національної економіки.

Ключові слова: державна кадрова політика, державне управління, публічне управління, механізми державного управління, освіта України, вища освіта України, державна кадрова політика у сфері освіти.

ОСОБЕННОСТИ РЕАЛИЗАЦИИ ГОСУДАРСТВЕННОЙ КАДРОВОЙ ПОЛИТИКИ В СФЕРЕ ОБРАЗОВАНИЯ В УКРАИНЕ

Аннотация. Исследованы особенности реализации кадровой политики государства в сфере образования как целенаправленной стратегической деятельности государства, связанной с планированием и прогнозированием формирования профессионального развития и рационального использования кадров в сфере образования, определением целей и приоритетов кадровой деятельности и государственного заказа на подготовку специалистов с высшим образованием. Аргументировано, что это также и составляющая стратегии государства по формированию и рациональному использованию кадрового потенциала общества.

Показано, что структура государственной кадровой политики в сфере образования, как и структура государственной кадровой политики в целом, базируется на принципах, включает субъекты, объекты, механизмы формирования и реализации. Основные принципы государственной кадровой политики в сфере образования — это социальная справедливость, комплексность и последовательность ее проведения; сбалансированность общественных интересов и интересов отдельных общественных групп; профессионализм; сбалансированность представительства опытных и молодых работников с учетом гендерного равенства; ответственность государства за создание предпосылок для реализации жизненно важных интересов человека, реализации гражданами права на образование и труд; взаимоуважение в отношениях между лицом и государством, работником и работодателем; партнерство государства и негосударственного сектора; непрерывность обучения.

Кроме того, принципами государственной кадровой политики в сфере образования предлагается рассматривать сформулированные на основе зарубежного и отечественного опыта правила, которые положены в основу деятельности субъектов по формированию и реализации кадровой полити-

ки государства — органов государственной власти и местного самоуправления, ведомств, учреждений, организаций, предприятий в сфере образования.

Неэффективность государственной кадровой политики приводит к тому, что существует существенный разрыв между требованиями работодателей и уровнем образования в Украине. Также определено, что массовость высшего образования вызывает необходимость оптимизации государственного заказа для приведения в соответствие с реальными потребностями национальной экономики.

Ключевые слова: государственная кадровая политика, государственное управление, публичное управление, механизмы государственного управления, образование Украины, высшее образование Украины, государственная кадровая политика в сфере образования.

Problem statement. Both the success of the reform of the state and the development of society depend, first of all, on the level of professionalism and quality of training of management personnel, working not only in state authorities and local self-government, but also in all spheres of public life. *'The need to radically improve the quality of human resources, ensuring its effective professional development is conditioned by the need for highly skilled personnel, erudite, competent managers with innovative thinking, able to responsibly make managerial decisions'* [1, p. 3]. At present, the reform of the State Personnel Policy is taking place in Ukraine. In today's conditions of globalization and the need to increase the country's competitiveness, it is the improvement of public administration and administration at the state and regional levels is an important criterion for a successful solution to social problems and the strengthening of statehood (O. Zubchuk) [2].

Analysis of recent publications on the issues and identification of previ-

ously unsettled parts of the general problem. Recently, the State Policy has become the subject of research by researchers in the context of the prospects for building an efficient and competent public service. The authors reveal the most important problems of human resources and staffing of the main spheres of society, as well as proposals for their research and practical solution. There is a considerable number of the following works dealing with issues of the State Personnel Policy: analysis of theoretical foundations of the development of the State Personnel Policy (V. Averianov, H. Atamanchuk, V. Bakumenko, T. Vytko, V. Hoshovska, S. Dubenko, Y. Kovbasiuk, V. Kniazev, V. Luhovyi, V. Malynovskyi, N. Nyzhnyk, O. Obolenskyi, V. Oluiko, L. Pashko, S. Serihin, V. Soroko, Yu. Surmin and others) in the domestic scientific literature [3–4]. The article of T. Vytko describes the theoretical principles of the State Personnel Policy, in particular its conceptual categorical apparatus, examines the current state of some personnel processes in the civil service of Ukraine,

analyses their normative legal support and outlines the prospects for building an efficient and competent public service [5]. It should be noted that in the scientific report of the author's collective of the National Academy of Public Administration under the President of Ukraine on the basis of the Decree of the President of Ukraine № 45/2012 'On the Strategy of the State Personnel Policy for 2012–2020' [6] the results of analytical comprehension of the essence, content of the state personnel policy, and ways of implementing its strategy at the present stage of state-administrative reforms in Ukraine [7]. There are also researches of problems of the State Personnel Policy in the Field of Education through the prism of the problem of administrative efficiency and competitiveness of the state (O. Zubchuk) [8].

Selection of previously unsettled parts of the general problem. Despite current research on the theoretical and methodological and organizational legal principles of the State Personnel Policy, the current state of formation and functioning, prospects for the development of the State Personnel Policy in the Field of Education require additional research. In particular, improvement requires a mechanism for its implementation.

Formulating the goals of the article (Statement of the task). The purpose of our article is to find out the essence and peculiarities of the State Personnel Policy in the Field of Education as a component of the State Personnel Policy. The task is to find out the characteristic features, to analyse the current state of formation and implementation of the State Personnel Policy in

the field of education in Ukraine. The object of research is the social relations that arise in the context of the implementation of the State Personnel Policy in Ukraine. The subject of the study is the mechanism of implementation of the State Personnel Policy in the field of education as a component of the State Personnel Policy in Ukraine.

Description of the main results of the study. The content, scope, limits of state regulation of personnel processes, the level of their decentralization and democratization depend on the strategy of further development of the state. The State Personnel Policy Strategy for 2012–2020 was adopted in the sphere of personnel policy, in particular [9]. The Concept of the development of Ukrainian education for 2015–2025 [10] was developed (the project was proposed for public discussion at one time) in the sphere of education. The authors of the concept (expert group under the Ministry of Education and Science of Ukraine, founded in July 2014) stressed that 'there were accumulated a number of systemic problems throughout the period of existence of independent Ukraine in the educational sector of the country; the main ones being the decline of the material and technical base, low wages payment to teachers, and reducing the social status of education workers' [11]. Experts also called, during the promotion of the draft Concept of the Problems of the Educational System of Ukraine, as 'the inefficient, excessive centralized and outdated system of governance and financing, the growing inequality in access to quality education, the excessive commercialization of educational services, corruption and the reduction

of the quality of education' [12]. It is stated in the Concept.

What is the State Personnel Policy in the Field of Education today? In particular, in the field of higher education. The State Personnel Policy in Education is 'a set of principles, methods of actions of state educational authorities on the organization of human resources of the industry on the basis of the formation, support and development of educational values and ideals, norms, rules, procedures capable of ensuring the integrity and sustainability of the education system in accordance with state-owned targets' [13, p. 36]. We can note that the State Personnel Policy in the Field of Education of Ukraine is a purposeful strategic activity of the state related to the planning and forecasting of the formation, professional development and rational use of personnel in the field of education, the definition of goals and priorities of the personnel and the state order for the training of specialists with higher education. But this is also a part of the state's strategy for the formation and rational use of the human resources of society.

The structure of the State Personnel Policy in the Field of Education, as well as the structure of the State Personnel Policy in general, is based on certain principles, including entities, objects, mechanisms of formation and implementation. The basic principles of State Personnel Policy in the Field of Education are those that form the basis of the construction and implementation of Personnel Policy in the country. There are among them, first of all, such as 'social justice, complexity and consistency of its implementation; balance of public interests and interests of certain social

groups; professionalism; balance of representation of experienced and young workers with regard to gender equality; responsibility of the state for creation of preconditions for realization of vital interests of the person, realization by citizens of the right to education and labour; mutual respect between the individual and the state, employee and employer; partnership between the state and the non-governmental sector; and continuity of study' (M. Bilynska) [14, p. 4].

In addition, we propose, as the principles of State Personnel Policy in the Field of Education, to consider the rules based on foreign and domestic experience, which are the basis of the activity of the subjects on the formation and implementation of State Personnel Policy of bodies of state power and local self-government, departments, institutions, organizations and enterprises in the Field of Education.

The subjects of State Personnel Policy in the Field of Education are considered by the Verkhovna Rada of Ukraine, the President of Ukraine, the Government of Ukraine (and authorities authorized by it, institutions, departments and organizations), territorial bodies of state power and bodies of local self-government. The object of the State Personnel Policy in the Field of Education of Ukraine is a set of relevant legal norms, principles, forms, methods and tools that ensure the effectiveness of the formation, development, use of personnel in the field of education. At the same time, it is possible to consider pedagogical and scientific and pedagogical workers of the sphere of education, the activity of which is aimed at the direct influence

of the subjects of personnel policy in this area.

As I. Husak noted, the feature of the New State Personnel Policy is that *'the state and the person act as social partners in professional work. The defining principle of modern personnel activity is the achievement of a harmonious combination of the interests of the individual and the state, individual and national interests and the promotion of creative self-realization of the individual'* [15, p. 296]. Therefore, in our opinion, it should be noted that the State Educational Policy in the Field of Education focuses on human potential. That is, the State Personnel Policy in the Field of Education is a human potential and its formation, implementation in the field of education, managerial decisions, personnel work, institutions and mechanisms of social partnership. We can also determine that the subject of the State Personnel Policy in the Field of Education is a social relation to the formation, reproduction, development and use of pedagogical and scientific and pedagogical as well as administrative and administrative personnel in the field of education. Accordingly, the mechanisms of formation of the State Personnel Policy in the Field of Education are a set of actions of state institutions and other actors aimed at developing the human resources management system and forming its potential opportunities, while mechanisms for implementing the State Personnel Policy in the Field of Education are a set of legal norms, principles, tools that ensure the effective selection, preparation, use and development of human potential in the field of educational activities.

Today, the reform of staffing of the Education System is one of the priorities of the State Personnel Policy of Ukraine. The development and implementation of the modern Personnel Policy of Ukraine in the Field of Education requires an effective human resources system, which includes all components of it as from managerial decisions to staffing institutions and organizational structures that carry out the integral management of the formation and implementation of the personnel policy in the field of education in order to achieve the identified development priorities of society. V. Oharenko determines that the specifics of the educational system in Ukraine as the object of personnel policy are fundamental features of the teacher's profession [16]. Consequently, the authors research the set of elements of the educational system and their interaction, relationship and mutual assistance. Therefore, the essence of the management of the Education System can be defined as activity aimed at creating pedagogical, social, personnel, legal, organizational, material and financial and other conditions that are necessary for the normal functioning and development of the industry and the realization of its goal.

In this context, we consider the modern System of Higher Education in Ukraine, analysing it in connection with managerial decisions and the formation of the State Personnel Policy of Ukraine. The modern System of Higher Education is a highly dynamic, open and flexible system. It is capable of responding adequately to changes in the external economic environment. Today, the System of Higher Education itself is transformed to a certain extent in or-

der to provide an in-depth and multidimensional compliance with the actual demands of social progress in the conditions of the formation of the knowledge economy. In particular, this is a task of providing highly skilled personnel. Consequently, the key trend in the development of higher education in modern conditions is the large-scale growth of its importance in the formation of the knowledge economy. This implies the synthesis of the functions of higher educational institutions as transmitters of knowledge and information and as generators of innovative ideas. This tendency is manifested in the increase in the length of the educational process, the increase in the number of students, the increase in the coverage of the population by higher education, the share of people with higher education in the vast majority of countries, and not only in Ukraine.

Taking into account the peculiarities of the State Personnel Policy in the context of the priority tasks of the development of the Ukrainian economy, the following tendency of the development of higher education follows as the change of requirements to the content, methods and forms of the educational process. Consequently, another task is put in the context of State Personnel Policy. At the same time, the educational process should be focused on the training of personnel for the national economy. They must have professional knowledge, skills, abilities, and the ability to learn throughout life, to master the innovations, to work in a team, to conduct effective inter-ethnic dialogue, to improve them and to develop creative and creative abilities. Moreover, improving the quality of the organiza-

tion of the educational process in higher educational institutions provides for its full support and regular updating of the material and technical base (training laboratories, lecture rooms and specialized offices), Computer Park, introduction of information and communication technologies, etc.

At the same time, the main principles of the State Educational Policy, enshrined in the National Education Development Doctrine and the National Strategy for the Development of Education in Ukraine. They provide for the implementation of a number of measures to reform the Higher Education System in Ukraine in the new social and economic conditions and taking into account global (general civilization) tendencies development of higher education.

Thus, it is absolutely justified to distinguish the decisive role of higher education in social progress, scientific and technological progress, the innovative development of the national economy and the formation of the knowledge economy. As these issues were investigated by I. Kaleniuk, O. Honta, M. Verbovyi and N. Kholiavko, the integration of higher education in Ukraine into the European and world educational space is slow. But the main characteristic features of the knowledge economy are as follows: rapid development of knowledge, transformation of knowledge into direct productive force, expansion of the knowledge and intensive sector, acceleration of processes of informatization and computerization [17]. The factors of competitiveness, factors and indicators of world leadership of the countries are significantly changed in such circumstances. In particular, the

importance of intellectual resources in the global competitiveness system is increasingly increasing. One of the central places among the set of factors and indicators of competitiveness of the national economy are information and communication technologies [18]. However, the same requirements are put forward to the person as a carrier of advanced knowledge and the driving force of economic growth of the country.

Higher education provides fundamental scientific, professional and practical training, obtaining citizens of educational and qualification levels in accordance with their vocations, interests and abilities, improvement of scientific and professional training, retraining and improvement of their qualification [19].

The training of specialists with higher education is carried out by appropriate educational or scientific programs at the following levels of higher education:

1. Elementary Level of Higher Education (Short Cycle), which corresponds to the sixth level of the National Qualifications Framework [20] and involves gaining general cultural and vocational training, special skills and knowledge as well as some experience in their practical application in order to fulfil the typical tasks provided for primary positions in the relevant field of professional activity.

2. The First Level of Higher Education (Bachelor's degree) corresponds to the seventh level of the National Qualifications Framework and involves obtaining the person theoretical knowledge and practical skills and skills sufficient to successfully complete the

professional duties of the chosen specialty.

3. The Second Level of Higher Education (Master's degree) corresponds to the eighth level of the National Qualifications Framework and involves obtaining a person with in-depth theoretical or practical knowledge, skills, skills in the chosen specialty (or specialization), general principles of the methodology of scientific and/or professional activity, other competences, sufficient for the effective performance of tasks of an innovative nature of the corresponding level of professional activity.

4. The Third Level of Higher Education (Educational-Scientific/Educational-Creative Level) corresponds to the ninth level of the National Qualifications Framework and involves gaining the theoretical knowledge, skills, skills and other competencies sufficient to generate new ideas, solve complex problems in the field professional and/or research and innovation activity, mastering the methodology of scientific and pedagogical activity, as well as conducting own scientific research, the results of which have scientific novelty, theoretical and practical significance.

5. The Scientific Level of Higher Education corresponds to the tenth level of the National Qualifications Framework. It involves acquiring competencies in the development and implementation of methodologies and research methods, the creation of new system-building knowledge and advanced technologies, and the resolution of an important scientific or applied problem of national or global significance.

Obtaining higher education at each level of higher education involves the

successful completion of a person's relevant Educational or Scientific Program in Ukraine. It is the basis for awarding a corresponding degree of higher education (Junior Bachelor degree, Bachelor degree, Master degree and Doctor of Philosophy (Ph.D.)/Doctor of Arts (D.A./DArts).

As of the beginning of 2017–2018, the training of specialists with higher education was carried out by 661 institutions of higher education in Ukraine (Table 1). The number of students who obtained higher education was 1,539 thousand people (at the beginning of 2016–2017 academic year – 657 and

Table 1.

Training of specialists with higher education in Ukraine at the beginning of 2017–2018 [21]

| | Quantity of HEI (universities), units | Number of persons | | |
|------------------------|---------------------------------------|---------------------|----------|------------|
| | | enrolled (freshers) | students | graduators |
| Ukraine | 661 | 323577 | 1538565 | 421131 |
| Vynnytsia Oblast | 23 | 9366 | 44955 | 9495 |
| Volyn Oblast | 14 | 6018 | 25288 | 7480 |
| Dnipropetrovsk Oblast | 55 | 25061 | 113079 | 31208 |
| Donetsk Oblast | 29 | 7513 | 32186 | 8747 |
| Zhytomyr Oblast | 20 | 6911 | 29942 | 8097 |
| Zakarpattia Oblast | 14 | 5163 | 23695 | 5480 |
| Zaporizhzhia Oblast | 24 | 13191 | 67444 | 19548 |
| Ivano-Frankivsk Oblast | 16 | 8446 | 37088 | 10960 |
| Kyiv Oblast | 21 | 5708 | 27545 | 8404 |
| Kirovohrad Oblast | 16 | 3353 | 14433 | 4442 |
| Luhansk Oblast | 13 | 4738 | 19120 | 5333 |
| Lviv Oblast | 43 | 26687 | 123148 | 32222 |
| Mykolayiv Oblast | 17 | 6806 | 31640 | 8484 |
| Odesa Oblast | 40 | 21408 | 107517 | 31914 |
| Poltava Oblast | 18 | 9875 | 46224 | 12383 |
| Rivne Oblast | 14 | 7198 | 32473 | 10782 |
| Sumy Oblast | 14 | 7110 | 34604 | 9582 |
| Ternopil Oblast | 18 | 9701 | 40992 | 10792 |
| Kharkiv Oblast | 65 | 33294 | 171298 | 42672 |
| Kherson Oblast | 21 | 6027 | 26635 | 7735 |
| Khmelnitskyi Oblast | 18 | 6687 | 30983 | 8289 |
| Cherkasy Oblast | 16 | 6995 | 37035 | 12537 |
| Chernivtsi Oblast | 16 | 6835 | 29873 | 8178 |
| Chernihiv Oblast | 16 | 4281 | 20113 | 6137 |
| the city of Kyiv | 100 | 75205 | 371255 | 100230 |

1,587 thousand) in these institutions. In 2017, institutions of higher education were issued 421 thousand specialists, which are 34 thousand people (8,9 %) more than in 2016.

However, due to the lack of a flexible response to demographic changes in the field of higher education, a number of imbalances have emerged. So, the number of children aged 15–19 decreased by 41 % during 2000–2017, and the number of students decreased by 8 %. The gradual reduction in the number of applicants was delayed and was very slow. So, in 2015, 4/5 Ukrainian youth received higher education. In 2017, the situation remained unchanged, as since 80 % of school graduates fell in their statistics on entering higher education institutions (HEI) (universities), compared with 50 % in 2000.

There is, therefore, a significant gap between the requirements of employers and the level of education in Ukraine. 30 % of Ukrainians feel that they have a higher level of education than they need to do their job. Another disproportion is that the total number of students decreased by 33 %, while the number of those studying at the state budget cost was only 19 % during 2010–2017. In 2017, more than half of enrolled university students (freshers) as 51 % of the total were studying for state funds, compared with 38 % in 2010. The number of students per teacher, taking into account the daytime, evening and extra-mural form of education, amounted to about 11 people in 2017, while the average for the countries of Europe was 15.4 persons in 2015 [22].

In this regard, on M. Bobrytska's opinion that *'satisfaction of the re-*

quests of the state, society and citizens of Ukraine concerning the improvement of the quality of educational services to the level of European, is possible in the conditions of implementation of approaches; taking into account the fact that the State Personnel Policy in the training of employees for the Education System should be an integral part of the State Personnel Policy' [23, p. 35].

Conclusions. Both non-reformation of the Ukrainian economy and reducing the number of jobs in the real sector of the economy stimulate the demand for abstract 'universal' educational specialties (manager, economist, lawyer and journalist). At the same time, the mass of higher education determines the need to optimize the state order to bring it into line with the real needs of the national economy; as well as the active introduction of higher education in the educational and scientific activities of the entrepreneurial component. The level of education quality in Ukraine is very low, which does not correspond to the high level of coverage of higher education.

The imperfection of the State Personnel Policy in the Field of Education necessitates the development of scientifically based policy in the preparation of pedagogical, scientific and pedagogical and scientific personnel, adequate to the tasks and challenges of our time. Despite the significant steps taken to reform the management of the Education System, education in Ukraine continues to lag behind the needs of citizens, society, the state and the market. One of the reasons is that the quality of education deteriorated for decades, not least in terms of personnel issues in the conditions of the actual removal of

managers from the public discussion of accumulated problems.

Thus, the study of factors and main tendencies in the development of higher education and the mechanisms for their implementation provides an opportunity for a deep analysis of educational processes. Thus, it will contribute to the introduction of a competent approach in national education, to ensure comprehensibility and comparability of learning outcomes, competences and qualifications, degrees for all stakeholders (interested parties) and in such a way to create a basis for European and global integration taking into account the main tendencies in the development of higher education.

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THE ROLE OF THE ORTHODOX CHURCH OF UKRAINE IN THE CURRENT PROCESSES OF STATE FORMATION

Abstract. The article shows the role of the Orthodox Church of Ukraine in strengthening the processes of statehood and unity of the Ukrainian people in the context of political, economic and cultural changes in the life of Ukraine. The real problems and possible ways of spiritual unity of the Ukrainian people are analyzed, as well as the main aspects of state formation in the national theological and political thought. It is substantiated that the dialogue between the Ukrainian Christian Churches and society will always be the basic element of social development and the platform of democratization processes in Ukraine.

From the point of view of the social doctrine of the Church we can conclude that the self-organizing spiritual and social processes that take place at the level of church parishes of horizontal ties effectively influence the development of the processes of state formation and the whole civil society in Ukraine. Taking into

account the situation as a whole, there is a need to reconsider the positions regarding the further development of the dialogue between the Church and the state in the process of state building, focusing on the motivation of self-organization processes in governance at the level of church communities, potential opportunities for cooperation between the institutes of the Church, state and civil society in the spiritual, educational spheres, achieving parity at the level of vertical-horizontal ties in order to balance: the interests of the subject and the object of public administration.

The author is convinced that in order to establish close relations between the state and the Church in the processes of state formation in management it is necessary not local and not fragmentary but constant and steady social self-organization of church parishes (social service, education, upbringing, preaching, communication) in conjunction with an effective state management. It should also take into account the fact that at the level of the church life of the Orthodox Church of Ukraine and the formation of the social doctrine of the Church it is necessary to form a general idea of the further development of relations between the state and the Church in management.

Keywords: state, Christianity, interaction, dialogue, unity, politics, globalization, economy, democracy, modernization.

РОЛЬ ПРАВОСЛАВНОЇ ЦЕРКВИ УКРАЇНИ В СУЧАСНИХ ПРОЦЕСАХ ДЕРЖАВОТВОРЕННЯ

Анотація. Висвітлено роль Православної Церкви України у зміцненні процесів державності та єднання українського народу у контексті політичних, економічних та культурних змін у житті України. Проаналізовано реальні проблеми та можливі шляхи духовного єднання українського народу, а також головні аспекти державотворення у вітчизняній богословській й політологічній думці. Обґрунтовано, що діалог Українських Християнських Церков та суспільства постійно буде базисним елементом суспільного розвитку та платформою процесів демократизації в Україні.

З точки зору соціального вчення церкви, можна дійти висновку, що самоорганізаційні духовні та соціальні процеси, які відбуваються на рівні церковних парафій горизонтальних зв'язків, ефективно впливають на розвиток процесів державотворення та громадянського суспільства в Україні. Зважаючи на ситуацію в цілому, виникає потреба переглянути позиції щодо напрямів подальшого розвитку діалогу церкви та держави у процесі державотворення, акцентуючи увагу на мотивації самоорганізаційних процесів в управлінні на рівні церковних громад, на потенційних можливостях співпраці інститутів церкви, держави та громадянського суспільства в духовній, культурній, освітній сферах, на досягненні паритету на рівні вертикально-горизонтальних зв'язків з метою збалансування інтересів суб'єкта та об'єкта державного управління.

Визначено, що для налагодження тісних взаємовідносин держави і церкви у процесах державотворення в управлінні потрібна не локальна і не фрагмен-

тарна, а постійна та стійка суспільна самоорганізація церковних парафій (соціальне служіння, освіта, виховання, проповідь, спілкування) у поєднанні з ефективним державним управлінням. Слід також зважити на ту обставину, що на рівні церковного життя Православної Церкви України та формування соціального вчення церкви потрібно сформулювати загальне уявлення щодо подальшого розвитку взаємовідносин держави та церкви в управлінні.

Ключові слова: держава, християнство, взаємодія, діалог, соборність, єдність, політика, глобалізація, економіка, демократія, модернізація.

РОЛЬ ПРАВОСЛАВНОЇ ЦЕРКВИ УКРАЇНИ В СОВРЕМЕННЫХ ПРОЦЕССАХ ГОСУДАРСТВЕННОГО СТРОИТЕЛЬСТВА

Аннотація. Показана роль Православної Церкви України в укріпленні сучасних процесів державного будівництва та єдності українського народу в контексті політичних, економічних і культурних змін у житті України. Проаналізовані реальні проблеми і можливі шляхи духовного єдності українського народу, а також головні аспекти державного будівництва в оточенні богословської і політологічної думки. Обґрунтовано, що діалог Українських Християнських Церквей і суспільства постійно буде базисним елементом суспільного розвитку і платформою процесів демократизації в Україні.

С точки зору соціального вчення церкви, можна прийти до висновку, що самостійні організаційні духовні і соціальні процеси, які відбуваються на рівні церковних приходів горизонтальних зв'язей, ефективно впливають на розвиток процесів створення держави і всього громадянського суспільства в Україні. Приймаючи до уваги ситуацію в цілому, виникає потреба переглянути позиції щодо напрямків подальшого розвитку діалогу церкви і держави в процесі створення держави, акцентуючи увагу на мотивації самостійних організаційних процесів в управлінні на рівні церковних общин, на потенціальних можливостях співпраці інститутів церкви, держави і громадянського суспільства в духовній, культурній, освітній сферах, на досягненні паритету на рівні вертикально-горизонтальних зв'язей з метою балансування інтересів суб'єкта і об'єкта державного управління.

Обзначено, що для налагодження тісних взаємовідносин держави і церкви в процесі створення держави в управлінні потрібна не локальна і не фрагментарна, а постійна і стійка суспільна самоорганізація церковних приходів (соціальне служіння, освіта, виховання, проповідь, спілкування) в поєднанні з ефективним державним управлінням. Слід також звернути увагу на те, що на рівні церковного життя Православної Церкви України і формування соціального вчення церкви необхідно сформувати загальні уявлення щодо подальшого розвитку взаємовідносин держави і церкви в управлінні.

Ключевые слова: государство, христианство, взаимодействие, диалог, соборность, единство, политика, глобализация, демократия, модернизация.

Statement of the problem in general outlook and its connection with important scientific and practical tasks.

Social development on the threshold of the 21 century is accompanied by global changes in the spheres that determine the living conditions of people at the global and national levels. Increasingly church figures, scholars, politicians, and government officials point out that it is necessary to deepen the dialogue between the Church and the state, actively involving believers in the processes of state-building. The question of finding a constructive interaction between the Church and the state never loses its relevance. The preservation and development of Ukrainian statehood and democratic civil society is impossible without the support of the spiritual and moral values of modern Christianity, which sanctified church-state relations during the centuries-long history of the Ukrainian people. Christianity itself became the spiritual foundation of the spiritual culture of Ukraine. Therefore, today, among the numerous massive state decision-making processes, the state-building processes, the strengthening of the security of society's life in dialogue with religious organizations take on a special place. The interaction between the Church and the state will be the key to strengthening Ukrainian statehood, stability in public life, religious, cultural and historical heritage for future generations.

It is known that the Ukrainian Orthodox Churches: the Ukrainian

Orthodox Church (UOC); the Ukrainian Orthodox Church of the Kyiv Patriarchate (UOC-KP); the Ukrainian Autocephalous Orthodox Church (UAOC) having come a long way to overcome the split, with the blessing of the Apostolic Constantinople and His All Holiness the Ecumenical Patriarch Bartholomew (Arhondonis) on December 15, 2018 created a new united – The Orthodox Church of Ukraine (OCU), choosing a new Primate – His Beatitude Metropolitan of Kyiv and of all Ukraine Epiphanius. On January 6, 2019 the Orthodox Church of Ukraine received from the Ecumenical Council Tomos of autocephaly.

Analysis of latest research where the solution of the problem was initiated. Studying a large number of scientific monographs, theological sources, various articles on state-building, spiritual unity of the Ukrainian people, it becomes clear that this actualizes the need for a scientific-theological and secular dialogue on the issues of the development of the state and the nation. The scientific development of this problem was carried out both by foreignersresearchers (M. Weber, R. Niebuhr, N. Wright, A. Storki, T. Bremer, G. Kung, D. Carson, etc.), as well as domestic researchers (K. Govorun, V. Bad, M. Marinovich, P. Tolochko, V. Lubsky, P. Yarotsky, A. Kolodny, V. Bondarenko, L. Filipovich, J. Chernomorets, V. Yelensky, A. Derkach, V. Kirilenko, O. Sagan, O. Shuba,

M. Piren, M. Palinchak, V. Bebik, V. Petrenko, M. Cherenkov, A. Zinchenko, J. Kannish, S. Plokhii, A. Subtelny, V. Ulyanovskii, M. Kudryakov, I. Isichenko, O. Drabinko, I. Matselyukh, S. Golovin, I. Znechkov).

In recent decades, the problem of state-building, the unity of the Ukrainian Orthodoxy attracted special attention of church figures and many secular scholars. But today there are practically no comprehensive studies devoted to the consideration of the processes of constructive dialogue between the state and the Church, spiritual state-building in the field of state administration. It should be noted that today there is a lack of fundamental and special scientific papers on public administration that would be devoted to the theological analysis of the multifaceted process of relations between the Orthodox Church of Ukraine and the Ukrainian state.

Aims of paper. Formulating the goals of the article (statement of the task). The purpose of the article is to solve a scientific and theoretical task of disclosing the role of the Orthodox Church of Ukraine in the processes of state formation and the search for ways of spiritual unity of the Ukrainian people.

The purpose of the research led to the setting and solving of the following tasks:

- to characterize the process of formation and development of the main directions of interaction between the state power and the Orthodox Church of Ukraine in the processes of state building;

- to reveal the ways of spiritual unity of the Ukrainian people;

- to suggest ways to improve the main directions of interaction between the Ukrainian state and the Ukrainian Christian Churches.

Exposition of main material of research with complete substantiation of obtained scientific results. It is known that the spiritual and cultural revival in post-totalitarian countries became possible only after the elimination of the wicked communist regime, when the freedom-loving Ukrainian people chose a democratic form of life. In spite of failed economic reforms, political manipulation, and comprehensive corruption, society has grown from communist stagnation to civic engagement. Man began to be interested in issues of spiritual culture, religion, theology, philosophy, rights and freedoms, entrepreneurial activity, modernization and problems of transformation of social consciousness.

It is easy to see that the role of religious institutions in the transformation of all aspects of the life of the post-totalitarian countries of the former Soviet Union has undeniably increased. If in Soviet society religious life was limited, focused exclusively on the internal spiritual issues of Christian life and temple worship, then with the onset of democratic reforms, religion became a significant force in shaping the processes of state building and the building of civil society.

Religious communities try to become a harmonious integral part of the Ukrainian state, society, recognized spiritual and moral strength, which has a high social authority. For the first time after many centuries Ukrainian Christian churches have acquired the right independently, without interfe-

rence from secular authorities, to determine their place in society, to build their relations with the state and civil society. The cardinal transformations in the Ukrainian state, socio-political reforms, new challenges of the modern world create new conditions for the development of a comprehensive religious life. Indeed, the clergymen's active position became more and more noticeable. They are actively involved in public discussion on the main issues of the present: state building, strengthening of national security of the state, politics, economy, business and formation of civil society. Nowadays, in the context of the reformation of Ukraine, a real dialogue between the Church, the state and civil society becomes of fundamental importance. An example of this is the constructive cooperation of the state with the All-Ukrainian Council of Churches and Religious Organizations (UCCRO) [1], which is a representative inter-confessional consultative and advisory body and operates on a voluntary basis. The members of the Council are religious centers of religious associations (confessions) operating in Ukraine, whose statutes are registered in accordance with the procedure established by the legislation of Ukraine, presented by their leaders at the Council.

It is clear that this dialogue is connected with all components of life — political, religious, economic, legal, organizational and other cultures. The task of Christian theology is to preach about God, it actualizes the understanding that religious faith carries the absolute truth about God, state, man, society, politics, business and the challenges of modern civilization.

And, finally, the most important thing. In our opinion, one of the most global problems of contemporary Ukrainian society is not only war, poverty and corruption, but also spiritual hatred. It is compelled to state that the scale of this problem ultimately demonstrates the low level of social and humanitarian policy of the state, the educational and social service of the Christian Churches. Strangely enough, scientific discussions about the national idea, culture, language of worship, ecclesiastical autocephaly, freedom of religious communities and the modernization of Ukrainian society are not suppressed today.

It would be more accurate to speak about the spiritual principles of the Ukrainian nation. These are the values of human freedom, the ideals of democracy, the movement towards modernization, success, prosperity, unity and understanding. It is worth to understand that the formation of a national idea is not an end in itself, but an effective, practical and constructive path to the prosperity of the state and all citizens of Ukraine. The realization of the national idea is a practical attempt to create such a social system that would harmonize the interests of all Ukrainian citizens on the principles of freedom, religious pluralism, economic prosperity, fraternal understanding, tolerance, respect, unity and Christian love.

It is known that the Christian Church, which develops its own spiritual culture, conducts missionary activity, carries out education, primarily on the basis of its own spiritual ideal, that is, in the unity of being with the Living Christ. And such a spiritual ideal cannot be formulated in isolation from the

spiritual life of a Christian with God, be something artificially thought up by scholars, political scientists, image makers and desirable exclusively for politicians. The purpose of the Church is the transformation of humanity's life in the light of Christ's love, the conversion of entire nations into the discipleship of Christ, which of course, have the right to have their own Church and are able to provide the full spiritual life of modern democratic countries. It is under such conditions that ecclesiastical autocephaly fully fulfills its historical mission and evolves into a true spiritual path to God. Although the path of a believer to a true and complete life in Christ is long and complicated, it's necessary to become well the way more and more solid and confident in it now, every day, because, in our opinion, we are going rather vaguely and uncertainly.

It should be noted that the most prominent figure in the life of the Ukrainian Orthodoxy of the second half of the 20th – the beginning of the 21st century – the Primate of the Ukrainian Orthodox Church, His Beatitude Metropolitan of Kiev and All Ukraine Volodymyr (Sabodan) (1935–2014), reflecting on the ministry of the Church, emphasized that there were times, when everything was solved by the verbal preaching of the church ambon. But today the task of the modern theologian is both the explanation and the development of the social doctrine of the Church. “Modernity requires a dynamic, but at the same time, deep, Orthodox understanding of the problems of the life of society. Orthodox theologians, taking into account all the transformations of the modern world,

must now pay special attention to social problems, and church and secular media provide our theologians with an opportunity to convey their thoughts and views to society” [2, p. 368–371]. That is why, according to Professor Yuri Chornomorets, the Church, which has its own initiatives for the family, the educational sphere, the economy and the state, is influential in society [3]. “In the local community, the Christian social doctrine sees the likeness of the family, the likeness of the parish. Without living local communities, without self-government, a healthy social organism of the nation is impossible. The rule of law state from above, social solidarity from below, the maintenance of human rights everywhere – here are three maxims that will save Ukraine” [4].

Obviously, Ukrainian Churches, along with Ukrainian society, are looking for answers to a number of critical issues of human existence. For the sake of justice, it should be noted that today it is not always easy for a priest and a theologian to respond to criticism: “Why does the Church silence the fact that the people are dying?” “Why is Ukraine lacking church unity and understanding?” In what society we live, which state we build, where we are moving, what future our children will have, how far away are we from true Christian values? Reflections on these issues should form the main content of the social doctrine of all Christian churches, political theology in dialogue with state administration. It is known that the history of mankind and the Church, in particular, suggests that building a strong state, overcoming mass poverty, breaking corruption

cannot be without law, a fair model of a high-performing economy and moral responsibility of society. It is fundamentally important for the Church to speak of missionary work, education, enlightenment, education, social responsibility of the Church, state, business, charity and help to our neighbor. Thus, the Church must have a purposeful constant spiritual and social work with society. This work involves the formation of social activity of parishioners in the life of modern society. Not only secular scholars, but also church leaders have to admit that the sphere of modern education, youth and information policy have been most severely affected by the false isolationist model of the development of parish life.

Therefore, cooperation between the Church and the state in influencing the spiritual and cultural life of society, which includes morals, culture, language, literature, spirituality, religious values of man, family, and labor collective, is especially important. The elite of the society, the state, political parties, public and religious organizations should carry out preventive and educational work on the reduction of the social base of destruction, violation of human rights, corruption, etc. The problem of determining the ways of the spiritual unification of the Ukrainian people is due, on the one hand, to understanding the processes of state formation, national politics, geopolitical strategies, and, on the other, the adequacy of theological reflection on the challenges of modern civilization, on which the future mission of Christianity in the world depends to a large extent. It should be emphasized that the idea of spiritual unity of the

Ukrainian people is in demand in society, "since there is an objective need for the self-knowledge of the people themselves, their essence, and accordingly, the substantiation of self-worth and self-importance of their existence" [5, p. 37]. However, the search for the spiritual model of Ukraine's development and national idea is complicated by the fact that the modern man is unduly burdened with political manipulation, ideologization of culture in the context of exclusively material values of the development of mankind. The global dominance of financial interests, the so-called philosophy of success, the total commercialization of being, on the basis of which the social life is built, destroys the most important thing – the attraction of man to the sphere of spirit, culture and religion.

We emphasize that from the standpoint of Christianity, nourishing and effective form, the national idea of the spiritual development of Ukrainian society acquires through the prism of Christian values that form the spiritual foundation of religious, moral, spiritual, cultural, historical, national, political and social life in the Ukrainian state, and determine spiritual vectors of orientation of a Christian. It should also be noted that in the history of mankind Ukraine was formed as a kind of Christian democratic republic.

Of course, Christian values are not necessary to idealize the church's sphere of life, including the attitude of the people towards the Church. But in general, the Church, in the light of its own shortcomings, of weakness, of inertia, of a certain social passivity, tries to "reach" the consciousness, the mind of the people, calling on it to become a path of respon-

sibility towards God, state creation, understanding, forgiveness, democracy and modernization. Consequently, not only the rapid pace of destruction of the principles of the rule of law, distortion of the judicial system, restriction of freedom of speech, contempt for human dignity, and above all the question of the spiritual integrity, strength and spiritual unity of the Ukrainian people were and today are threatened factors for the Ukrainian nation. It should be noted that the psychology of the split, the mythologization of history [6], the Soviet mentality, the provincial, peasant thoughts of some church hierarchs, the politicization of church life, on the basis of which politicians build their election campaigns, restrict the most important – the ability of the Church of Christ to bear the joyous news of the renewal of being in unity with Live God, and also introduce the real power of social and spiritual transformation of all mankind.

In our opinion, it is Christianity that occupies a special place in the concept of the unification of the Ukrainian people, which must be realized as a factor in stabilizing the moral and ethical state of the people and the state. The light of the doctrine of Christ illuminates a different form of human activity – politics, culture, economics, art, literature, painting, journalism. The proposed theological concept of the unity of the Ukrainian people in principle and in essence forms the methodological basis of the unifying basis for the consolidation of different denominations into a united, harmonized social community – the Ukrainian people [2; 9]. “Without prejudice to the national and religious sentiments of other peoples,

the Ukrainian christological national idea initiates the spiritual aspirations of the mystical knowledge of Genesis; respect for the human person, ethnic and religious communities; the establishment of peace-loving ties based on the mutual understanding of peoples” [5, p. 43]. The Christian idea of unity is characterized by openness. Practically all confessions of Ukraine can join it. Moreover, it proceeds from the possibility of its perception by other peoples at any depth of penetration into the essential basis of Christian doctrine. One cannot but agree with the reflections of the many-year prisoner of the Soviet camp system, the confessor of the Ukrainian Greek Catholic Church, Cardinal Josyf Slipyj (1892–1984): “Lack of feeling and understanding of unity in the basic issues of the life of the Church and the people is our misfortune, this is our original sin!” [7, p. 49]. “Our common national flaws are divisions and breakdowns, quarrels and strife. We gladly conquer and rely on strangers to compete with each other and to harm our native cause. God would give us all the opportunity to come to our senses from the mountain to the floor and think about the future of the goodness of Ukraine and its Church in order to cast their ambitions and selfish wishes and benefits, and God and Ukraine were put forward as the leading idea of our lives, thoughts and deeds!” [7, p. 19].

We emphasize that the unity of the people can really be built only on the principles of unity, pluralism of thought, freedom of speech, national accord, love, forgiveness, respect and tolerance – this is an indisputable truth. It is the Orthodox Church of Ukraine that

have to do their utmost to prevent the Ukrainian people from confronting any interethnic misunderstandings, provocations, hostility, political manipulation, and above all – military conflicts.

In our opinion, the experience of parish life shows that only the orientation towards the own ways of development, formation and establishment of the Gospel can be effective and aimed at the implementation of the universal sacred mission of the Orthodox Church of Ukraine. Therefore, in order to adapt national models of catechism, enlightenment, missionaries to the challenges of the modern world, an important task is the formation of a self-sufficient system of church communities, which, despite the unity with all the Orthodox Churches of the world, despite the universal openness to all nations and peoples, has been guided by its own history, mentality, culture and theological tradition. “Ukrainian theological thought has always focused on the real problems of man, his suffering, aspirations and interests. The fate of a particular person is more important than the question of the borders of the empire, the geopolitical strategies of the future world. State imperial interests are always secondary in comparison with the questions of Christian anthropology.

Human personality – the highest value in the eyes of God. The life of mankind – in the captivity of political speculation, the totalitarian model of the development of society destroys the very man created in the image and likeness of God. Conquest of the will of a free person through party strife, state contradictions, ideological contradictions by informational manipulation of some earthly external authority, na-

tional or imperial, must be regarded by a Christian as a violation of God established order. To live in love, harmony, respect for one another convinces us that this is the eternal, self-evident truth of Christianity. To the modern Orthodox Christian it is important to destroy the ambitious imperial ideological and narrow-minded patterns of perception of Orthodoxy” [8, p. 26].

Conclusions. Thus, there are all prerequisites to state that state formation and the spiritual idea of Ukraine’s development, which corresponds to the history, culture and mentality of the Ukrainian people, must be based on a unchanging religious basis. [9, p. 18]. Summarizing the above, it should be noted that the struggle of spiritual ideas is concentrated in the mind and heart of each human [10, p. 126]. Christianity appeals to the heart, mind, consciousness, conscience of every modern person. In other words, today the Orthodox Church of Ukraine under the direction of Metropolitan Epiphanius (Dumenko) needs to make a lot of effort in order to re-emerge in the hearts of contemporaries the light of the religious faith and to burn the fire of Christian hope. Only then it will be possible to talk about qualitative transformations in politics, economy and genuine modernization in the Ukrainian society.

It should be noted that while investigating the religious culture of a country, scholars and future civil servants must remember the existence of many regional and national variations of religious culture. By studying the church history, psychology, culture and mentality of the Ukrainian people, assessing the geopolitical position of Ukraine, taking into account the real aspirations

of church parishes to their own cultural and social identity, the issue of updating the peculiarities and uniqueness of the religions of Ukraine becomes more and more obvious.

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INNOVATIVE ASPECTS OF MANAGEMENT OF MODERN HIGHER EDUCATION – AN IMPORTANT BASIS FOR ITS SUCCESSFUL REFORMATION IN THE ERA OF TRANSITION TO INFORMATIONAL SOCIETIES

Abstract. The main innovative aspects of management of modern higher education, which are caused by the transition of societies from post-industrial to informational status, are analysed. The article substantiates the provisions concerning: a) the nature and specifics of radical modernization of education in general and higher education directly; b) the role and significance of innovations in the management of institution of higher education; c) new approaches to the formation of public administration in the development of higher education; d) human dimension in the transformation of higher education and its management. It is noted that innovation changes in higher education are ambiguous and can be classified by such a system: a) by the real level of novelty; b) on the peculiarity of their implementation (one-time, systemic, diffuse, etc.); c) in the state of imple-

mentation successful or completed, incomplete, etc.). The emphasis is on the fact that there are many different theories of the development of education in general and higher education directly: the theory of selective development; theory of resource membership; theory of structural and situational development; the theory of neoinstitutional development; phenomenological theory and others. The thesis on state administration of higher education as an organized independent part of the overall process of public administration is substantiated, which includes the development, adoption and practical recommendation of organizational, coordinating, regulatory, motivational, controlling influence on the system of higher education, its development and progressive functioning. Attention is drawn to the fact that in the process of analysing the innovative aspects of the development of higher education three possible theoretical and methodological approaches are used: functional, technological, theoretical. It is substantiated that there is every reason to point out that “development of education” is a much wider, voluminous process than simply “updating of education”, because because of it education acquires qualitatively new features. The same applies to the term “modernization of education”, or the term “education update”, under which we most likely have to see some aspects of education.

Keywords: education, higher education, innovations in the education system, innovative components of the transformation of modern higher education.

ІННОВАЦІЙНІ АСПЕКТИ УПРАВЛІННЯ СУЧАСНОЮ ВИЩОЮ ОСВІТОЮ – ВАЖЛИВІША ЗАСАДА УСПІШНОГО ЇЇ РЕФОРМУВАННЯ В ДОБУ ПЕРЕХОДУ ДО СУСПІЛЬСТВ ІНФОРМАЦІЙНОГО ХАРАКТЕРУ

Анотація. Аналізуються основні інноваційні аспекти управління сучасною вищою освітою, що зумовлені переходом суспільств від постіндустріального до інформаційного стану. Обґрунтовуються положення, що стосуються: а) характеру і специфіки радикальної модернізації освіти загалом та вищої освіти, безпосередньо; б) роль і значення інновацій в управлінні ЗВО; в) нові підходи до формування державного управління розвитком вищої освіти; г) людський вимір у трансформації вищої освіти та управління нею. Зазначається, що інноваційні зміни у вищій освіті мають неоднозначний характер і можуть класифікуватися за такою системою: а) за реальним рівнем новизни; б) за особливістю їх здійснення (разові, системні, дифузні тощо); в) за станом впровадження (успішні або завершені, незавершені і т. ін.). Робиться акцент на тому, що існує чимало різних теорій розвитку освіти в цілому і вищої освіти, безпосередньо: теорія селективного розвитку; теорія ресурсної належності; теорія структурно-ситуативного розвитку; теорія неінституційного розвитку; феноменологічна теорія та ін. Обґрунтовується теза щодо державного управління вищою освітою як організованої самостійної частини загального процесу державного управління, яке включає розробку, прийняття та практичну рекомендацію організаційних, координаційних, регулюючих, мотиваційних, контролюючих впливів на систему вищої освіти, її

розвиток та прогресивне функціонування. Звертається увага на те, що в процесі аналізу інноваційних аспектів розвитку вищої освіти використовується три можливих теоретико-методологічних підходи: функціональний, технологічний, теоретичний. Обґрунтовано, що “розвиток освіти” — це набагато ширший, об’ємний процес, ніж просто “оновлення освіти”, оскільки завдяки йому освіта набуває якісно нових ознак. Те ж саме стосується і терміна “модернізація освіти”, або терміна “оновлення освіти”, під якими, скоріше маємо вбачати окремі аспекти освіти.

Ключові слова: освіта, вища освіта, інновації в системі освіти, інноваційні складові трансформації сучасної вищої освіти.

ИННОВАЦИОННЫЕ АСПЕКТЫ УПРАВЛЕНИЯ СОВРЕМЕННЫМ ВЫСШИМ ОБРАЗОВАНИЕМ – ВАЖНОЕ УСЛОВИЕ УСПЕШНОГО ЕГО РЕФОРМИРОВАНИЯ В ПРОЦЕССЕ ПЕРЕХОДА К ОБЩЕСТВАМ ИНФОРМАЦИОННОГО ХАРАКТЕРА

Аннотация. Анализируются основные инновационные аспекты управления современным высшим образованием, которые обусловлены переходом обществ от постиндустриального к информационному состоянию. Обосновываются положения, которые касаются: а) характера и специфики радикальной модернизации образования в целом и высшего образования непосредственно; б) роль и значение инноваций в управлении высшими учебными заведениями; в) новые подходы к формированию государственного управления развитием высшего образования; г) человеческий фактор в трансформации высшего образования и управления им. Указывается на то, что инновационные изменения в высшем образовании имеют неоднозначный характер и могут классифицироваться по такой системе: а) по реальным уровням новизны; б) по особенности их осуществления (разовые, системные, диффузные и т. п.); в) по состоянию внедрения (успешные или завершенные, незавершенные и т. д.). Делается акцент на том, что существует немало различных теорий развития образования в целом и высшего образования непосредственно: теория селективного развития; теория ресурсной принадлежности; теория структурно-ситуативного развития; теория неоинституционального развития; феноменологическая теория и другие. Обосновывается тезис относительно государственного управления высшим образованием как организованной самостоятельной частью общего процесса государственного управления, которое включает разработку, принятие и практическую реализацию организационных, координационных, регулирующих, мотивационных, контролирующих воздействий на систему высшего образования, его развитие и прогрессивное функционирование. Обращается внимание на то, что в процессе анализа инновационных аспектов развития высшего образования используется три возможных теоретико-методологических подхода: функциональный, технологический, теоретический. Обосновано, что “развитие образования” — это более широкий, объемный процесс, чем просто “обновления образования”, поскольку благодаря ему образование приобретает

качественно новые признаки. То же самое касается и термина “модернизация образования”, или термина “обновления образования”, под которыми скорее всего имеем видеть отдельные аспекты образования.

Ключевые слова: образование, высшее образование, инновации в системе образования, инновационные составляющие трансформации современного высшего образования.

The relevance of this problem is substantiated by the irreversibility of the actual revolutionary nature of the transformations inherent in modern education in general and higher education. In our opinion, the transition from the so-called “knowledge” higher education to “activity” education dominates due to the variety of problems existing here, as well as qualitative aspects. As noted by the OECD Secretary General A. Shliahter, the world economy pays you more for what you know, because Google knows everything. It pays you for what you can do with what you know. Among all aspects of the radical transformation of higher education, its management, especially management of the state, in the modern era of transition to information societies, innovations took one of the prominent places. What they are substantiated by, what they are, what their specificity as to the higher education is, what are innovative tools and technologies, what is the peculiarity of their use — the list of such questions can be continued. In general, there is a real need for a more substantive understanding and theoretical study of these and other issues and problems, which significantly exacerbates the relevance of this problem.

Degree of scientific development of the designated problem. The issues of innovative development and innova-

tive management of higher education were studied in detail and are now being developed by foreign scientists such as N. Barber, N. N. Bennett, K. Robinson, M. Fullan, M. Yavorska, and domestic (Ukrainian) V. Andrushchenko, N. Boychenko, M. Hanson, M. Holovaty, L. Danilenko, S. Kalashnikova, V. Kremen, V. Lugovyi, Yu. Molchanova, N. Protasova, A. Symenets-Orlova, A. Struieva, S., Semeniuk, S. Terepyshchyi, B. Chiyhevsky, M. Shevchenko and others. We draw attention to the fact that the issues of political and legal changes in the countries, which actively affect the development of higher education, organizational and managerial aspects, through which the functioning of higher education is improved, occupy a prominent place in the special works on this topic. However, the nature of the innovative components of the development of higher education and its management, using innovation, primarily by such a major subject as the state, remain much less developed.

The purpose of the article is to consider and analyze the main innovative aspects of public administration of modern higher education adequately to the peculiarities of its development and social transformation.

Presentation of the main material. Obviously, we should start with a fairly

clear definition of the essence, meaning, content of the radical changes taking place in modern higher education, including in Ukraine today.

“Development of education”, according to the definition of the Ukrainian researcher I. Semenets-Orlova — is “irreversible, vector of changes in education, major update for a transition to qualitative new state with new educational interests, goals, content, structure, institutional mechanisms, with simultaneous removal of obsolete attributes of educational organizations, that outlived its functional load: a complex process of interaction between the progressive and regressive components of education with a priority of progress” [9, p. 69]. As you can see, among the components of this ambiguous process, the “political and managerial mechanisms” occupy a prominent place. Such mechanisms include the following main ones: a) state policy in the field of education; b) state management of education; c) organizational and managerial mechanisms.

At the same time, there is every reason to point out that “the development of education” is a much broader, voluminous process than just “the renewal of education”, because thanks to it education gains qualitatively new features. The same applies to the term “modernization of education”, or the term “renewal of education”, under which some aspects of education are likely to be seen.

Changes, innovations in higher education have different and ambiguous character, concerning their essential features. So, the American researcher M. Hanson identifies three main types of change: planned, sudden and evolu-

tionary [2, p. 313–314]. The planned changes are in advance thought over, to a certain extent predictable changes, in advance understandable for the participants of the management process. Sudden changes are less expected and therefore they are not always meaningful and effective. Evolutionary changes, as a rule, are the most causal, logical, although the results obtained from their implementation are not always sufficiently justified. N. Henson who was already cited, distinguished also so-called forced changes that are not always expected-productive.

It is appropriate to classify changes in higher education according to the following system: a) changes in the level of their novelty. They can be critical (radical) and less significant (secondary), and sometimes even tenured; b) changes of feature implementation (one-time, systemic, diffuse, etc.); c) changes of the state of implementation (successful or completed; unfinished) and the like.

Educational changes, reforms now take place in fact in most societies, but not everywhere they give the desired effect. M. Fullan, in particular, points out that the success of reforms can be estimated by the formula: $E = ISA$. In this formula, E is the coefficient of efficiency of the system; M is the motivation of the system to reforms; C is the ability to reforms; A — support, designed to a certain responsibility [12; 13]. In this case, the remark of I. Semenets-Orlova is appropriate to in the context that “the experience of developed countries showed that the educational sector has progressed simultaneously with the political changes in management that have led to economic competitiveness,

transparency and the welfare of society” [9, p. 9]. This conclusion is quite true of higher education in the former and modern Ukraine.

There are many different theories of the development of education in general. Among them the most popular are the following ones: the theory of selective development (H. Aldrich, M. Hannan); the theory of resource supplies (G. Selensik); theory of structural-situation (P. Yadurens); the neoinstitutional development theory (J. Mayer); phenomenological theory (B. Heinings). However, there is every reason to agree with the S. Terpyshchyni, who believes that “in the post-industrial (information) era decreases the possibility of precise calculation procedural aspects of the educational changes, it becomes less clear what the optimization measures for this system should be implemented at a specific point in time” [10, p. 9]. These theories should be taken into account when analyzing innovation processes in higher education.

In the education system there are three main subjects – the person (the individual), the state, the society, which should now be actually equal partners, and therefore the management of education, including above, should have a state-public character. This is the basis not only for the democratization of education, but also for its further intensive innovative development.

State education management, in our opinion, is an organized independent part of the overall process of public administration, which includes development, adoption and practical recommendation of organizational, coordination, regulatory, motivational,

controlling impacts on the system of higher education, its development and progressive functioning. Tools, levers, incentives, and methods by which the state affects education and its functioning, development, improvement constitute a state management system in education [3, p. 5].

Many specialists in the field of education management use the term “management of innovation and educational activities”. So I. Semenets-Orlova understands under this term “the instrumental branch of modern management, including administrative-regulatory, organizational, economic and socio-psychological forms and methods for efficient updates of training highly qualified specialists” [9, p. 70]. We can agree with this.

When talking about innovation in education as a general, we use one of the three main approaches to understanding its essential features:

a) functional approach. This refers to a purposeful change, through which education acquires a fundamentally new state (A. Prigozhyn);

b) technological approach. We are talking about certain technological and economic actions, the process of activity;

c) theoretical approach. Innovation is a purposeful, science-based managed process that involves the solution of a specific problem (J. Soros) [1].

Innovation in education is a complex and ambiguous phenomenon: (what we call innovation). So, according to the well-known Ukrainian teacher V. Kremyn, there are more than 100 different definitions of innovation [11]. Let us remember that according to the Law of Ukraine “On innovation activity”,

innovations mean actions that significantly improve any sphere, production, etc [4]. At the same time, we draw attention to the fact that the human dimension of higher education – despite the technologies, organizational foundations, and innovations – has been and remains decisive for the sphere of higher education, no matter what country it is reformed in. The role of man, a leader in the reform of education was investigated and is being investigated by V. Andrushchenko, N. Bennetti, M. Barber, M. Holovaty, D. Gopkina, V. Kremen and many other scientists in the world and in modern Ukraine.

Many scientists, in particular in Ukraine – M. Bahatchenko, L. Daniyenko, S. Kalashnikova, A. Sbruieva and others determine, – I. Semenets-Orlova writes, the phenomenon of leadership in education as a new management paradigm [9, p. 159].

Among the many problems of management of modern education, let us highlight the problem of training of heads of education. N. Protasov and Yu. Molchanova say not only on the direction of the consistent improvement of knowledge, but also on the development of the personal sphere of managers, motivation of continuous professional self-improvement and self-education [7, p. 216–217].

Summary. Innovative development of higher education, its radical transformation adequately to the needs of social progress of societies is the objectively-natural phenomenon. At the same time, such transformations require changes in the system of public administration of higher education, changes in the management of higher education directly on innovative principles. A

deeper rethinking of these problems will make it possible to choose and effectively use for this purpose newer, more progressive methods, methods, technologies that are being developed in societies of transition, the information state, in which the Ukrainian society today is.

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STRATEGIES FOR REGULATION OF SOCIO-ECONOMIC RELATIONS IN CONSTRUCTION

Abstract. The article clarifies that a concept is the basis of the methodological fundament of government regulation of socio-economic relations in any field. In order to distinguish between modern concepts, the peculiarities of socio-economic relations in the field of construction and the disadvantages of state regulation of this sphere are determined first of all. Taking into consideration the considered aspects, it was discovered that in recent years, the new concepts of state regulation of social and economic relations in construction have become widespread: the neo-institutional concept; “FutureStep” concept; the concept of “Activating State”; the concept of Policy Networks; Micro Strategy concept; concept of “Management by Objectives”; Change concept; the concept of a Public-Private Partnership. Each

of the above mentioned strategies provides for a flexible mechanism for government regulation of socio-economic relations with the consistent improvement of its interaction with various spheres of state activity. It is proved that applying the concepts and strategies given in the article contributes to the impact on the speed of economic processes, the efficiency of decisions in the aspect of government regulation of the construction industry. In particular, the article considers strategies, combining different approaches and tools that allow more effective coordination of processes and management entities, more focus on the aspect of sustainable development, allows to solve urgent problems effectively, stimulate a significant increase in labor productivity in the industry, to carry out effective management in conditions of unpredictable factors, and for instance, the concept or strategy of a public-private partnership creates an opportunity to focus on planning and ensuring the implementation of large-scale construction projects.

Keywords: concept, concept of regulation, socio-economic relations, construction, construction industry, government regulation.

СТРАТЕГІЇ РЕГУЛЮВАННЯ СОЦІАЛЬНО-ЕКОНОМІЧНИХ ВІДНОСИН У БУДІВНИЦТВІ

Анотація. З'ясовано, що основою методологічного базису державного регулювання соціально-економічних відносин у будь-якій галузі є концепція. Для виокремлення сучасних концепцій та стратегій насамперед визначено особливості соціально-економічних відносин у сфері будівництва та недоліки державного регулювання даної сфери. З огляду на розглянуті аспекти, виявлено, що останніми роками значного поширення набувають новітні концепції та стратегії державного регулювання соціально-економічних відносин у будівництві, а саме: неоінституційна концепція; концепція “FutureStep”; концепція “активізуючої держави”; концепція політичних мереж; мікростратегічна концепція; концепція “управління за результатами”; концепція змін; концепція або стратегія державно-приватного партнерства. Кожна з наведених стратегій передбачає забезпечення гнучкого механізму державного регулювання соціально-економічних відносин з послідовним удосконаленням його взаємодії з різними сферами державної діяльності. Обґрунтовано, що застосування наведених концепцій та стратегій сприяє посиленню впливу на швидкість економічних процесів, підвищенню ефективності рішень в аспекті державного регулювання будівельної галузі. Зокрема, розглянуті стратегії, поєднуючи різні підходи та інструменти, дають можливість ефективно координувати процеси та суб'єкти управління, більше фокусуватись на аспекті стійкого розвитку, дозволяє ефективно вирішувати нагальні суспільні проблеми, стимулювати істотне підвищення продуктивності праці в галузі, здійснювати ефективне управління в умовах непередбачуваних чинників (наприклад, концепція або стратегія державно-приватного партнерства створює можливість зосередитись на плануванні та забезпеченні виконання великомасштабних будівельних проектів).

Ключові слова: стратегія, концепція регулювання, соціально-економічні відносини, будівництво, будівельна галузь, державне регулювання.

СТРАТЕГИИ РЕГУЛИРОВАНИЯ СОЦИАЛЬНО-ЭКОНОМИЧЕСКИХ ОТНОШЕНИЙ В СТРОИТЕЛЬСТВЕ

Аннотация. Установлено, что основой методологического базиса государственного регулирования социально-экономических отношений в любой отрасли является концепция. Для выделения современных концепций и стратегий прежде всего определены особенности социально-экономических отношений в сфере строительства и недостатки государственного регулирования данной сферы. Учитывая рассмотренные аспекты, выявлено, что в последние годы широкое распространение приобретают новейшие концепции и стратегии государственного регулирования социально-экономических отношений в строительстве: неоинституциональная концепция; концепция “FutureStep”; концепция “активизирующего государства”; концепция политических сетей; микростратегическая концепция; концепция “управления по результатам”; концепция изменений; концепция или стратегия государственно-частного партнерства. Каждая из приведенных стратегий предусматривает обеспечение гибкого механизма государственного регулирования социально-экономических отношений с последовательным совершенствованием его взаимодействия с различными сферами государственной деятельности. Обосновано, что применение приведенных концепций и стратегий способствует усилению влияния на скорость экономических процессов, способствует повышению эффективности решений в аспекте государственного регулирования строительной отрасли. В частности, рассмотренные концепции и стратегии, сочетая различные подходы и инструменты, позволяют более эффективно осуществлять координацию процессов и субъектов управления, в большей степени фокусироваться на аспекте устойчивого развития, эффективно решать насущные общественные проблемы, стимулировать существенное повышение производительности труда в отрасли, осуществлять эффективное управление в условиях непредсказуемых факторов (например, концепция или стратегия государственно-частного партнерства дает возможность сосредоточиться на планировании и обеспечении выполнения крупномасштабных строительных проектов).

Ключевые слова: стратегия, концепция регулирования, социально-экономические отношения, строительство, строительная отрасль, государственное регулирование.

Problem statement. Significant changes in the environment (intensification of information flows, the development of telecommunications, finance) which took place at the turn of the 20th–21st centuries changed the role of space and time in the management and activities of industrial and

economic enterprises; and contributed to the development and formation of new concepts and management models, which are reflected in the public management of the construction industry. In practice, there took place the establishment of a new economic formation, flexible and mobile, which is controlled by economic flows capable to change the spheres of activity and consumption of wealth. In other words, it shows a change in the modern socio-democratic paradigm of governance to one that is more responsive to the demands of the information society, based on pluralism, new needs and values, methods, etc. Consequently, there was a need to define new concepts and strategies of socio-economic relations in the field of construction.

Analysis of recent research and publications. Leading scientists and researchers, such as I. Brailovskyi, O. Vinnyk, O. Haman-Holutvynova, A. Dehtiarev, O. Zalunina, K. Listratov, I. Malkovska, V. Melko, K. Pavliuk, L. Shulhina, L. Shutenko, etc., were engaged in researches in this sphere. At this stage, special attention is required to the issue of modern concepts of regulation of socio-economic relations.

Formulation of the objectives of the article. The objective of this article is to analyze modern strategies and concepts of regulation of socio-economic relations in construction and their controlling influence.

Presentation of the basic material. A concept is the basis of the methodological foundation of government regulation of socio-economic relations in any industry. The scientific concept as a theoretical imperative shall both reflect ways of understanding the pro-

cesses and phenomena occurring and explore ways to solve the identified problems, offer directions of economic growth and development. Any scientific concept reflects the most important provisions that harmonize and link theoretical knowledge with practical experience. The principles and approaches of a certain scientific concept can be implemented as a certain strategy of government regulation of socio-economic relations.

Analysts note that construction is a priority sector of economic development, but in the crisis it is necessary to pay special attention to the study of factors affecting the construction sector of the country [1]. At the same time, one of the decisive factors influencing the construction industry is the efficiency of government regulation. The efficiency of the construction industry depends on the mechanisms of government regulation. Government regulation of construction should be considered as a set of measures of state bodies of legislative, executive and control nature aimed at stabilization and adaptation of the current economic system to the changing conditions of development of the country (region) [2].

The main stakeholders of socio-economic relations in construction can perform various functions and, depending on this, receive the appropriate name, namely [3, p. 536]:

1) investor is an investment entity in the field of capital construction which decides on investing of internal, borrowed or obtained funds (investments) in the investment projects belonging to the fixed assets;

2) client is an investment entity in the field of capital construction, pro-

cures from the contractor design and survey, construction and related works. The role of the client can be performed by the investor himself or his authorized person, including consulting and/or engineering organization specializing in construction;

3) contractor is an organization or an individual entrepreneur, who on a contractual basis undertakes to perform design and survey, construction and related work at the order of the client for a fee.

Features of socio-economic relations in the field of construction are determined by the products of construction — commissioned production facilities, non-production facilities and infrastructure, including the necessary equipment for their operation. Features of technical and economic character are as follows [4]:

- heterogeneity and originality of the products, which differ in the nature of production and functional purpose, which requires individual approaches to each facility under construction, taking into account its purpose and use, construction site, client's requirements;

- real estate of construction projects (as a rule, location of a construction site coincides with a place of usage), which requires mobility of means of production, since in the process of construction all means of production and labor are to be moved on the site, depending on the stages of the technological cycle, and this significantly increases the production costs associated with transportation, installation, dismantling of equipment, construction machines and mechanisms, transport of labor, etc.;

- the impact of climatic conditions on the production process which re-

quires for each case specific design and layout solutions, changes in wages of builders depending on the conditions of work, season, temperature, etc.;

- influence of the time factor, which is manifested in a fairly long production cycle which, in its turn, determines the long return period of capital investments and the presence of work in progress;

- a high level of one-time costs required to start the production cycle and the withdrawal of funds from circulation for a considerable period, which means their actual freezing up to a certain time;

- specific commodity relations between the manufacturer and the consumer of construction products arising before the start of the production process and which are implemented through a system of contractual relations.

At the same time, the functioning of the state is associated with transaction costs. And they are the more the larger number of transactions are made by the state as a guarantor of the contract terms. The more active role of the state is in the specifying and protecting property rights, the more complex the internal structure of the administration is and the more information circulating in it is distorted. Therefore, the state "failures" should be taken into account along with the "failures" of the market, which today can be attributed to [2]:

- the discrepancy between revenues and expenses — it is much more difficult to turn the state into a bankrupt even if it fails to fulfill its obligations;

- the lack of clear criteria to efficiency of government actions: government agencies substitute them with

self-developed standards, and then the government actions are evaluated by these self-established criteria (increase in revenue, expansion of state control etc.);

- the high probability of achieving results that are different from the set tasks: the growth of information, monitoring and controlling costs that accompany the development of the state creates the prerequisites for the deviation of the implemented tasks from the set ones;

- unbalanced distribution of enterprise resources, therefore, one has to choose between two imperfect alternatives: the distribution of property rights is based on market exchange, which operates without expenses, with private performance guarantees and the transfer of control over the exchange of powers to the state, which acts in the interests of the parties to the contract.

Taking into account the considered aspects, it should be noted that in recent years the new concepts and strategies of government regulation of socio-economic relations in construction have become widespread, namely:

- Neo-Institutional concept;
- FutureStep concept;
- Activating State concept;
- Policy Networks concept;
- Micro Strategy concept;
- Management by Objectives concept;
- Change concept;
- Public-Private Partnership concept or strategy.

Each of the above mentioned strategies provides for a flexible mechanism of government regulation of socio-economic relations with the consistent im-

provement of its interaction with various spheres of government activity.

Speaking about the essence of the new institutional theory and its practical value in the field of public administration research, it focuses on the “analysis of transaction costs”, forming an original theoretical basis for solving the issue of the effectiveness of various institutional forms and interaction coordination between different management entities. According to representatives of this theory, taking into account transaction costs, it is possible to achieve the greatest efficiency of public management [5].

The FutureStep concept is a new strategic management process helping companies, especially adaptive large multinational corporations, make company characteristics, such as flexibility and responsiveness, an integral part of every aspect of their operations. This approach to strategic management is a modular tool. Its parts can be used both independently and within the framework of the complete program as a guide to strategic decision making. The main focus is on what the organization can do today to increase its ability for adequate operation and sustainable development of socio-economic relations in the future [6].

Within the Activating State concept, the tasks of state administration bodies are determined in the course of public discussion, and society and the state develop cooperation and allocate responsibilities. The state initiates the processes of social problems settlement and acts as an intermediary; limits liability of citizens within this framework. Thus, initiation, activation and stimulation are the most important functions

of the state. The Activating State model provides for formation and study of the state in four dimensions [7]:

- the state as a production and services guarantor;
- the state as a service provider to society, if it is dictated, for example, by security issues or if the state can do it at a lower cost than other actors;
- the state as an institution that creates a framework of social activity and creates conditions for citizens to solve problems;
- the state as an institution supervising socio-economic activities.

The main element of the following concept is the concept of “Policy Network” [8]. In general terms, the network is understood as a system of government and non-government actors in a certain sphere of policy that interact on the basis of resource dependence in order to reach agreement on a certain issue, using formal and informal norms [9]. It should be noted that in accordance with this concept, socio-economic relations are no longer controlled exclusively by state authorities, the instruments are scattered, and the material resources that are the object of these relations are distributed among the various participants in these relations. The function to coordinate participants of socio-economic relations no longer belongs to the central management, but is formed by purposeful interactions between individual market participants.

Another concept was “Micro Strategy as an alternative to long-term strategic planning in uncertain times”, which was developed by D. Logan and H. Fischer-Wright. Having studied data on the activities of about 24,000 people

in almost 10 years, the authors concluded that the most successful were those leaders who used micro strategies (short-term strategies) in their work, moving from one short-term objective to another. Micro strategies are formed into a certain system of more or less important plans. Instead of pre-planning all future steps, it is better to break them down into micro strategies. This will allow the organization to learn and adjust its actions in the process of achieving the global goal [10].

The concept of Management by Objectives (MBO), which today is experiencing its “revival”, was developed in the mid-1960s by an American scientist P. Drucker, one of the most famous specialists in the field of management and marketing. He believed that this concept is a method of improving the efficiency of the organization, according to which the activities of any employee is evaluated not by the process, but by the result, if the result is understood as the achievement of the objective, the task. The practice of using the MBO has showed that P. Drucker was right: the main benefits from the implementation of this system in the organization is to increase productivity through clear guidelines for each employee and increase motivation of the staff through its participation in setting its own objectives [5].

The Change concept is based on the fact that an effective formal strategy must contain the main chains, the most essential elements of restrictive policies, and the sequence of basic actions. Effective strategies are developed around several key concepts and directions of development of socio-economic relations. The strategy deals not only

with unpredictable factors but also with unknown ones. In a complex organization, there should be a hierarchy of interrelated and supportive strategies between the various actors in the relationship [11].

The Public-Private Partnership concept or strategy mainly refers to the coordination of objectives and ensuring a balance of interests of the state and business in the framework of socio-economic projects aimed at achieving common benefits. In this interpretation, PPP includes all forms of cooperation between the state and the private sector not only in the economy, but also in other spheres of public life – politics, culture, science [12].

Depending on the interpretation of the essence of the partnership, its basic features include the following [13]:

- the parties of public-private partnership are the state and business, as well as society;
- interaction between the parties is fixed on a formal, legal basis;
- interaction between the parties is equal;
- a public-private partnership is clearly publicly and socially oriented;
- in the course of interaction based on a public-private partnership the resources and contributions of the parties are consolidated, combined;
- financial risks and costs, as well as the results obtained, are distributed among the parties in predetermined proportions.

At the same time I. Brailovskyi, studying a public-private partnership, determines that the potential benefits of using such form of economic interaction as a public-private partnership may consist of the fact that this format

of business-government relations can provide [14]:

- greater efficiency, as well as time savings in the implementation of projects and works, through the using by partnership members their strengths;
- diversity of approaches to the design and further implementation of projects through the use of different methods and increasing the number of options;
- higher quality of economic and management decisions in the implementation of joint projects, which is ensured by the qualification of business representatives and the most complete consideration of social needs and social significance, which is provided by the representatives of governing bodies;
- integration of business entities into public life due to their direct involvement in the implementation of socially significant projects;
- quality improvement of goods and services by establishing higher level of state control;
- reduction of social tension and negative attitude to business on the part of the population by recognizing its contribution to solving social problems.

Application this form of interaction between the state and the private sector becomes common mainly in those construction projects where there is a need and a number of opportunities to solve large-scale problems of the socio-economic sphere.

Conclusions and prospects for further research. Eight concepts and strategies of regulation of socio-economic relations in construction were defined. Summarizing the abovementioned, it can be assumed that the con-

sidered concepts and strategies in the consideration of the modern model of government regulation of socio-economic relations in the construction industry enables development of a theoretical model of the object under study, allows to form a systematic approach to research in the field of construction, as well as to choose an effective method for solving these issues. An important measure in solving socio-economic problems in the construction industry is the use of regulatory frameworks that can affect the speed of economic processes, improve the efficiency of decisions in the aspect of state regulation, as well as change the possible gap between the existing differences. The complex issue of more efficient application of the concepts of government regulation of socio-economic relations in construction requires further research.

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METHODS OF PUBLIC ADMINISTRATION OF CIVIL SOCIETY

Abstract. In the present article, features of methods of public administration, which are used in the social environment, are considered. The international experience of normative and legal regulation of social activity is studied. The relationship between social phenomena and peculiarities of state administration in the historical, legal, social, and economic aspects is established. The effectiveness of domestic methods based on international experience has been investigated. The author presents his own classification of methods of state management of civil society. The definition of the concept of civil society as a phenomenon with developed economic, cultural, legal and political relations between its members, independent of the state that interacts with it is given. Hence, the methodology of theoretical and legal analysis of civil society covers all aspects of life, such as the processes of achieving freedom, equality, justice and other human values.

It is noted that the presence of problems in the state administration of Ukraine, in particular ineffective activity of institutes of state power and local self-government, corruption, lack of effective interaction between the state and civil society institutions is the result of ignoring objective scientific approaches

to the formation of a coherent and logically well-established system of management of society; lack of a strategic vision for the improvement and development of the state and its institutes for the long-term and medium-term perspective; lack of methodology for adaptation and introduction of advanced foreign experience of public administration, especially the countries of the European Union. The solution of this problem on the path to the reform of public administration can be realized through the reform of political leadership.

Keywords: public administration, international experience, methods of public administration, civil society.

МЕТОДИ ДЕРЖАВНОГО УПРАВЛІННЯ ГРОМАДЯНСЬКИМ СУСПІЛЬСТВОМ

Анотація. Розглянуто особливості методів державного управління, які використовуються в суспільному середовищі. Досліджено міжнародний досвід нормативно-правового регулювання суспільної діяльності. Встановлено залежність між суспільними явищами та особливостями державного управління в історичному, правовому, соціальному та економічному аспектах. Досліджено ефективність вітчизняних методів на основі міжнародного досвіду. Представлено власну класифікацію методів державного управління громадянським суспільством. Надано визначення поняття громадянського суспільства як феномену з розвиненими економічними, культурними, правовими і політичними відносинами між його членами, незалежне від держави, який взаємодіє з ним. Методологія теоретико-правового аналізу громадянського суспільства охоплює такі процеси, як досягнення свободи, рівності, справедливості та інших людських цінностей.

Зазначено, що наявність проблем в державному управлінні України, зокрема неефективна діяльність інститутів державної влади та органів місцевого самоврядування, корупція, відсутність ефективної взаємодії між державою та інститутами громадянського суспільства є наслідком ігнорування об'єктивних наукових підходів до формування цілісної та логічно правильно вибудованої системи управління суспільством; відсутності стратегічного бачення удосконалення та розвитку держави та її інститутів на довготривалу і середньотривалу перспективу; відсутності методології адаптації та впровадження передового зарубіжного досвіду державного управління насамперед країн – членів Європейського Союзу. Вирішення даної проблеми на шляху реформи державного управління може бути реалізовано через реформу політичного керівництва.

Ключові слова: державне управління, міжнародний досвід, методи суспільного управління, громадянське суспільство.

МЕТОДЫ ГОСУДАРСТВЕННОГО УПРАВЛЕНИЯ ГРАЖДАНСКИМ ОБЩЕСТВОМ

Аннотация. Рассмотрены особенности методов государственного управления, используемых в общественной среде. Исследован международный

опыт нормативно-правового регулирования общественной деятельности. Установлена зависимость между общественными явлениями и особенностями государственного управления в историческом, правовом, социальном и экономическом аспектах. Исследована эффективность отечественных методов на основе международного опыта. Представлена собственную классификацию методов государственного управления гражданским обществом. Дано определение понятия гражданского общества как феномена с развитыми экономическими, культурными, правовыми и политическими отношениями между его членами, которое независимое от государства, взаимодействует с ним. Методология теоретико-правового анализа гражданского общества охватывает такие процессы, как достижение свободы, равенства, справедливости и других человеческих ценностей.

Отмечено, что наличие проблем в государственном управлении Украины, в частности неэффективная деятельность институтов государственной власти и органов местного самоуправления, коррупция, отсутствие эффективного взаимодействия между государством и институтами гражданского общества является следствием игнорирования объективных научных подходов к формированию целостной и логически правильно выстроенной системы управления обществом; отсутствием стратегического видения совершенствования и развития государства и его институтов на длительную и среднесрочную перспективу; отсутствием методологии адаптации и внедрения передового зарубежного опыта государственного управления прежде всего стран – членов Европейского Союза. Решение данной проблемы на пути реформы государственного управления может быть реализовано через реформу политического руководства.

Ключевые слова: государственное управление, международный опыт, методы общественного управления, гражданское общество.

Formulation of the problem. In the conditions of modern Ukraine, the mechanism of public administration of civil society should be improved.

This need is due not only to the logical positions regarding the management of civil society, but also to the need to improve the normative and legal regulation of social activities used in the social environment.

The legal essence of civil society, as a social phenomenon, develops in the context of the entire historical process as one of its sides. The formation of the

logical construction of civil society implies the need for its legal analysis. This approach allows us to positively address the issues of civil society as a legal phenomenon. It should be emphasized that the law and all its elements are mainly investigated by means of legal science. The definition of the role of law in the provision of life, the structure of legal reality, and the methodological problems of the functioning of the legal system of society are given from the standpoint of jurisprudence.

Civil society is a phenomenon with developed economic, cultural, legal, and political relations between its members, independent of the state interacting with it. Hence, the methodology of theoretical and legal analysis of civil society covers all aspects of life, such as the processes of achieving freedom, equality, justice, and other human values.

Most fully and vividly, the structure of the theoretical study of civil society, law, and state is shown in Table. It includes characteristics of civil society and its relations with law, the development of society under the influence of law and state, as well as the most impor-

tant legal issues of the life of civil society. Political science differs from other ones by its specific subject of study, those aspect making the same phenomenon object of study of many sciences and caused by the need to integrate current knowledge about the interaction of law, state, and society. This fact makes us specially, albeit schematically, to include the legal interests to the interests of civil society, to identify the theoretical and legal perspective, and to distinguish it from the adjacent fields of social studies.

Law and order in the civil society are directly related with the mechanism of legal regulation and its main structural

Structure of theoretical study of civil society

| No | Characterization of the civil society and of its relationships with law and state | Development of civil society under the influence of law and state | Study of the most important legal issues of the civil society life |
|----|---|--|---|
| 1 | The main directions of the methodology of theoretical and legal analysis of civil society | Strengthening the legal framework of civil society | Civil society as a subject of legal studies |
| 2 | Extension of the interrelations of law and state within civil society | Active role of the state of law in the development of civil society | Methodological aspects of civil society, law, and state |
| 3 | Development of legal relations with consideration of the interests of civil society | Perfection of the theoretical and legal mechanisms of the interconnections between civil society and the state | Contractual theories of formation of state and civil society. Contemporary contractualism. The paradigm of a new vision of the process of civil society and state formation at the turn of the XX–XXI centuries |
| 4 | Strengthening the relationship between civil society, individual, and law | Changing the dynamics of law and state relationship in civil society | Legal status of the individual in civil society: historical and contemporary aspects |
| 5 | Changing the balance of private law in civil society | Action of private law and public law contracts | Establishment and development of private law in Ukraine. Public-legal methods of relations regulation in civil society |

Developed by the author.

elements — the norms of law, legal relationships, acts of realization of legal rights and responsibilities, and legal order, as a goal of legal regulation of social relations.

However, despite all correctness of the above points of view, the problem remains unresolved: the scope of the study included only those aspects of the study of the state which are legal in nature, but other ones connected with the analysis of the nature, origin of legal society, its social and legal nature and correlates, remain excluded.

Thus, the discovery of the nature of philosophy and law and the solution of the problem of the place and role of civil law within the system of modern humanities are not two separate problems but single one since only the analysis of civil society, social phenomena, and, above all, civil law, reveals the specifics of the legal study of such a phenomenon as the interaction of the institutions of the whole society. Otherwise, the naturalistic approach to social reality, civil society, and history, despite all declarations, may prove to be insurmountable. The very logic of the analysis of the connection between civil society and law appeals to the problems of jurisprudence, in accordance with the specifics of its knowledge of social phenomena, including legal ones.

Thus, despite the known number of scientific approaches to the civil society management, the problem of improving the methods of state governance remains unresolved, since there are no standardized mechanisms for the identification of the civil society needs, no criteria for such requirements, and no classification of the appropriate state governance mechanisms.

Analysis of recent research and publications. Recently, the state's economy has deteriorated severely.

The good point is the continuation of the cooperation with the IMF. If it continues, Ukraine may get \$ 3,5 billion tranche in 2018 which will help stabilize the hryvnia exchange rate and successfully repay its external debts.

In 2019, a moratorium ends on the payment of debt to private owners of Ukrainian bonds; into this period, presidential and parliamentary elections fall as well. That is why, year 2018 is the most comfortable for negotiations on the restructuring of external debt and postponement of payments.

Factors stimulating economic development: consumption and state expenditures, investments, net export. The main factor is investments stimulating the creation of jobs, of import-substituting industries, or of those which products are exported. In this case, foreign investments are very important. Every year, Ukraine needs to attract \$ 20 billion of investments in order to grow [1].

The basis of the scientific potential lies in scientific discoveries, thesis researches, scientific developments, and articles. However, with the informatization of the society, science becomes more accessible for citizens. According to the order of Ministry of Education and Science of Ukraine (hereinafter — MES) № 1518 of October 31, 2013 [2], and to the Law № 2053-VIII of May 23, 2017 [3, p. 322], the availability of science for Ukrainians is increasing, as Law № 2053-VIII guarantees state support for the education of citizens with special needs at all levels — from school to university. This makes it, in

turn, possible to employ the scientific potential of people with special needs.

Corruption is a widespread problem in Ukraine. [4] [5] In 2017, in the Transparency International's Corruption Perception Index, Ukraine ranked 131st out of 176 countries surveyed (along with Myanmar and Mexico) [6]. Back in 2007, Ukraine ranked 118th (out of 179 countries surveyed during the year) [7]. In 2012, international auditing company Ernst & Young put Ukraine in the top three most corrupt countries in the world together with Colombia and Brazil [8]. The United States diplomatic service described Ukraine during the presidency of Leonid Kuchma and Viktor Yushchenko as kleptocracy, as it follows from the leakage of Wikileaks [9]. Since 2014, corruption in Ukraine has increased [10]. In April 2017, the same Ernst & Young has put Ukraine first in the world in terms of corruption among the 41 countries surveyed (including Africa) [11] [12].

The main priorities of the state anti-corruption policy in Ukraine should be defined in a special regulatory act – the Anti-Corruption Strategy. The Anti-Corruption Agency has developed the Anti-Corruption Strategy for 2018–2020 [13].

The war in the east of Ukraine or the War at the Donbass is a military conflict launched by Russian troops that invaded Ukrainian Donbass' territories in April 2014 after the Crimea capture by the Russia, a series of pro-Russian appearances in Ukraine, and the proclamation of “state sovereignties” of “DPR” and “LPR”. The conflict is of an international nature [14] and became a continuation of Russian armed aggres-

sion against Ukraine. Its geographical scale is local; it covers the isolated districts of the Donetsk and Lugansk regions of Ukraine.

The presence of problems in the state governance of Ukraine, including ineffective activities of state institutions and local self-government institutions, corruption, lack of effective interaction between the state and civil society institutions, is a consequence of disregard of the objective scientific approaches to the formation of a coherent and logically well-established system of public administration; of lack of a strategic vision for the improvement and development of the state and its institutes for the long-term and medium-term perspective; of lack of methodology for adaptation and introduction of advanced foreign experience of public administration, especially of the member states of the European Union.

The solution of this problem in course of the reform of public administration can be realized through the reform of political governance. Putting partners and civil society in a relationship of interdependence, as well as decentralization and transfer of public administration functions to lower levels of government, requires them to be able to perform these functions. Problems of coordination of the government functions also need to be addressed.

The purpose of the article is as follows: Analysis of the peculiarities of the implementation of the public administration methods used in the social environment; study of international experience of legal regulation of social activity; analysis of the relationship between social phenomena and peculiarities of state administration in histori-

cal, legal, social, and economic aspects; study of the effectiveness of domestic methods of public administration based on international experience.

Presenting main study material.

The need to investigate the problems of civil society is due to the fact that it serves as a kind of founder of a legal democratic state. This is especially true for transitional societies, where there are significant transformations and also a number of contradictions.

To this issue, the scientific works are devoted of many domestic scientists, such as M. O. Baimuratov, V. Yu. Barkov, V. V. Gorlenko [15], Yu. M. Oborotov [16, p. 58], M. P. Orzikh [17, p. 67–68], V. F. Pogorilko, T. V. Rozova, Yu. M. Todyka [18, p. 187], O. F. Fryzsky etc. The mentioned authors pay attention to the processes of formation and interaction of civil society and the state of law – a democratic environment for the realization of civil values: freedom, justice etc. At the same time, it should be noted that the state of development and development of civil society in Ukraine is studied insufficiently in the doctrinal aspect. The basic conceptual provisions about the civil society were formulated by such prominent thinkers as J. Locke, A. Ferguson, S. L. Montesquieu, I. Kant, G. Hegel, A. de Tocqueville etc. Later, starting in the second half of the 19th and the second half of the 20th century, the phenomenon of civil society was almost forgotten, and only in the 80^s of the XX century, it was remembered again in political practice. Despite all the diversity of interpretations of this phenomenon, the idea of civil society, according to Yu. M. Oborotov, was called for urgent need “to outline the

range of such relations, which the state cannot interfere” [19, p. 58]. This opinion was followed by Yu. M. Todyka, who understood the civil society as “the system of individual social institutions independent from state and relations providing conditions for the realization of private interests and needs of individuals and groups, for the life of the social and spiritual spheres, for their reproduction and transmission from generation to generation” [20, p. 187]. But the most successful systemically and methodologically verified characteristic of civil society was given by M. P. Orzikh, who understands civil society as following: firstly, the association of people in which every person is free as having inalienable rights, is equal with other members of the association, and is independent in the choice of a civil status; secondly, non-state (institutionalized in public associations) associations of people by social, ethnic, religious, and other affiliation, political, as well as by economic, professional, and other interests; thirdly, the formation, on the above-mentioned principles, of social (non-state) relations developing and operating on a self-governing basis, as well as through the self-expression of the interests and will of separate individuals and their associations, operating in the law-free (free of state and legal influence) space of society [21, p. 67–68].

According to Article 1 of the Constitution of Ukraine, Ukraine is a democratic state of the law. However, in fact, for today, Ukraine is not such a state. This is primarily due to the fact that civil society has not yet been created in our country. After all, as you know, one of the four levels, in which democracy

must be strengthened, apart from ideology, institutions, and culture, is a civil society [22].

The reason for this state of affairs is the lack of experience of the existence of a civil society or at least attempts to create it for many centuries of existence of the Ukrainian state.

Conclusions. Analysis of the peculiarities of the use of public administration methods in Ukraine has shown the absence of unified, standardized approaches, which testifies to the lack of perfect management policy.

The study of international experience in the regulation of social activity made it possible to highlight the most important aspects of public administration, in particular: the consolidation of civil society and government bodies; transparency of management activity of political circles; democratic nature of the political institutions of the state and politicians' credibility.

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CONSTRUCTION AREA AS A GOVERNMENT GOVERNANCE OBJECT

Abstract. The article deals with the actual issues of development of the construction industry of Ukraine, taking into account the transformational processes of the national economy and the transition to the European integration vector of development. The construction industry is one of the sectors of multipliers that can provide the growth of related branches of the national economy (for the construction industry it is more than 70 industries), to provide investment attractiveness of the economy. The urgency of the development of the construc-

tion industry is also the social security through the realization of commercial real estate construction projects aimed at the development of small and medium businesses and residential areas for solving social and household issues. Thus, the urgency of the development of the construction industry determines the need to find mechanisms for state regulation in construction in order to ensure the effective functioning of the construction industry. An effective mechanism for ensuring economic development is the establishment of a rational system of public administration. The system of public administration includes a complex of interconnected mechanisms of influence on the subject of management with a view to the implementation of government functions of the state: planning, forecasting, regulation, organization, monitoring, control – by allocating power authorities of state authorities in accordance with the hierarchical structure or delegation of authority in within the limits defined by the current legislation to the bodies of public control or private structures. The implementation of managerial functions consists in developing an organizational and economic mechanism through the implementation of managerial functions, the use of information and analytical support and the formation of conditions for their practical implementation. Consequently, the article deals with theoretical and methodological approaches to the development of effective mechanisms of state management of the construction industry taking into account the requirements of the national construction market, strategic goals of the development of the country's economic system and the maximum realization of the potential of the construction industry to ensure its competitiveness in the conditions of European integration processes and entry into the world markets.

Keywords: public administration, construction industry, mechanisms of state administration.

БУДІВЕЛЬНА ГАЛУЗЬ ЯК ОБ'ЄКТ ДЕРЖАВНОГО УПРАВЛІННЯ

Анотація. Розглядаються актуальні питання розвитку будівельної галузі України з урахуванням трансформаційних процесів національної економіки та переходу на євроінтеграційний вектор розвитку. Будівельна галузь є однією з галузей мультиплікаторів, які здатні забезпечити зростання супутніх галузей народного господарства (так для галузі будівництва це понад 70 галузей промисловості), забезпечити інвестиційну привабливість економіки. Актуальність розвитку будівельної галузі також полягає у соціальному забезпеченні через реалізацію проектів будівництва комерційної нерухомості з метою розвитку малого та середнього бізнесу та житлових площ для вирішення соціально-побутових питань населення. Таким чином, актуальність розвитку будівельної галузі визначає необхідність пошуку механізмів державного регулювання у будівництві з метою забезпечення ефективного функціонування будівельної сфери. Дієвим механізмом забезпечення розвитку економіки є налагодження раціональної системи державного управління. Система державного управління включає у себе комплекс взаємоузгоджуваних механізмів впливу на суб'єкт управління з метою реалізації управлінських функцій

держави: планування, прогнозування, регулювання, організації, моніторингу, контролю — шляхом наділення владними повноваженнями органи державної влади відповідно до ієрархічної структури чи делегування владних повноважень у межах, визначених чинним законодавством, органам громадського контролю або приватним структурам. Реалізація управлінських цілей полягає у розробці організаційно-економічного механізму через реалізацію управлінських функцій, застосування інформаційно-аналітичного забезпечення та формування умов для їх практичного впровадження. Отже, у статті розглядаються теоретико-методичні підходи до розвитку ефективних механізмів державного управління галуззю будівництва з урахуванням вимог національного будівельного ринку, стратегічних цілей розвитку економічної системи країни та максимальної реалізації потенціалу будівельної галузі для забезпечення її конкурентоспроможності в умовах євроінтеграційних процесів та виходу на світові ринки збуту.

Ключові слова: державне управління, будівельна галузь, механізми державного управління.

СТРОИТЕЛЬНАЯ ОТРАСЛЬ КАК ОБЪЕКТ ГОСУДАРСТВЕННОГО УПРАВЛЕНИЯ

Аннотация. Рассматриваются актуальные вопросы развития строительной отрасли Украины с учетом трансформационных процессов национальной экономики и перехода на евроинтеграционный вектор развития. Строительная отрасль является одной из отраслей мультипликаторов, которые способны обеспечить рост сопутствующих отраслей народного хозяйства (для отрасли строительства это более 70 отраслей промышленности), обеспечить инвестиционную привлекательность экономики. Актуальность развития строительной отрасли также заключается в социальном обеспечении через реализацию проектов строительства коммерческой недвижимости с целью развития малого и среднего бизнеса и жилых площадей для решения социально-бытовых вопросов населения. Таким образом, актуальность развития строительной отрасли определяет необходимость поиска механизмов государственного регулирования в строительстве с целью обеспечения эффективного функционирования строительной сферы. Действенным механизмом обеспечения развития экономики является налаживание рациональной системы государственного управления. Система государственного управления включает в себя комплекс взаимосвязанных механизмов влияния на субъект управления, с целью реализации управленческих функций государства: планирование, прогнозирование, регулирование, организации, мониторинга, контроля — путем наделения властными полномочиями органы государственной власти в соответствии с иерархической структурой, или делегирование властных полномочий в пределах, определенных действующим законодательством, органам общественного контроля или частным структурам. Реализация управленческих целей состоит в разработке организационно-экономического механизма через реализацию управленческих

функций, применение информационно-аналитического обеспечения и формирования условий для их практического внедрения. Итак, в статье рассматриваются теоретико-методические подходы к развитию эффективных механизмов государственного управления отраслью строительства с учетом требований национального строительного рынка, стратегических целей развития экономической системы страны и максимальной реализации потенциала строительной отрасли для обеспечения ее конкурентоспособности в условиях интеграционных процессов и выхода на мировые рынки сбыта.

Ключевые слова: государственное управление, строительная отрасль, механизмы государственного управления.

Statement of the problem in general and its connection with important scientific or practical tasks.

In the context of the transformation processes of the modern economic system to the requirements of the European economic space, the processes of reforming the mechanisms of public administration of various sectors of economic activity are of particular relevance. The construction industry is the engine of economic development, because investment in construction provides the development of related sectors of the economy, such as transport, infrastructure development, communications, construction materials industry, activates financial and economic processes and ensures the improvement of social standards and the development of small and medium-sized businesses by providing them with civil construction projects and commercial real estate. Public administration aims to ensure the stable development of economic systems through the stability of financial and economic indicators of individual industries. Rationalization of economic processes is provided by the introduction of political, social, economic mechanisms at the state level, designed to

rationalize the costs of production and reduce the burden on the state budget by ensuring GDP growth through the increase in income of the real sector of the economy. Thus, the key role of transformations, which should be provided through the introduction of innovative mechanisms of state regulation, is to carry out qualitatively new changes and ensure a qualitatively new level of the production process through the mechanisms of state regulation. The construction industry ensures the development of the economic system through the creation of fixed assets for production and non-production purposes, providing household, social needs, consuming products of other sectors of the economy, increasing the number of jobs and ensuring the use of innovative production technologies. Therefore, the issue of development of effective mechanisms of state management of the construction industry to ensure its sustainable development is relevant and has practical significance in the context of socio-economic crisis.

Analysis of recent studies and publications that started to address this problem. The relevance of the topic has led to a large number of studies and

publications devoted to it. In particular, O. F. Andriiko defined the regulatory framework of the state regulatory policy in the field of economy [1]. V. V. Hnylorybov, V. M. Tykhonov developed the legal support of state regulation of economic activities in Ukraine [2]. O. M. Forgetful he identified as one of the priorities of state regulation of construction the creation of conditions for decentralization of industry management processes, confirming the effectiveness of such a mechanism by world experience [3]. O. V. Stukalenko considered theoretical foundations of the state regulation of economic activity taking into account the specifics of the construction industry [4]. A. Berkutua considered the economic aspects of the development of the construction industry, including the creation of favorable economic conditions for the development of construction at the state level [5]. D. V. Isayenko considered the issues of sustainable development of the construction industry through the implementation of mechanisms of state regulation [6]. The organizational and economic mechanism of ensuring the development of the construction industry through improving the efficiency of the implementation of management functions was developed by O. I. Uhodnikova [7]. V. F. Besedin and A. S. Muzychuk, defined the ways to improve the investment and innovation activities of the construction industry as the main element of its development [8]. In the monograph of V. V. Tsvietkov, V. P. Gorbatenko priority directions of development of the Ukrainian society through implementation of mechanisms of management of economic activity at the state level are

defined [9]. International experience in ensuring effective state management of the construction industry through the implementation of innovative management mechanisms is accumulated in the work of O. M. Kozych [10]. However, despite the great attention of the authors to the development of this problem, the issue of building an effective mechanism of public administration in construction to ensure innovation and investment attractiveness and sustainable development of the industry in the transformation of the national economic system to the European development paradigms remains unresolved.

Allocation of previously unsolved parts of the general problem, which is devoted to this article. To ensure an effective system of economic activity management at the state level, it is important to form a systematic, comprehensive program for the development of a separate branch of the national economy, based on the construction of an organizational and economic mechanism through the implementation of management functions, the use of information and analytical support for the program and the formation of conditions for its practical implementation. The development of this program should be based on the analysis of the problematic “zones” of the state economy development, in the aspects, where the state acts as a guarantor and regulator in the relations between the representatives of the private sector. The lack of a harmonized approach to the implementation of the administrative functions of the state in the system “state-private sector-society” leads to a negative socio-economic effect. This is accompanied by the following problems:

- irrational ratio of expenditures and revenues of the state budget due to social instability and lack of conditions for the development of the real sector of the economy,

- blurring of criteria for ensuring the efficiency of production processes and the final product of production, which creates conditions for “double standards” of regulatory bodies that carry out inspections of the private sector,

- lack of a system of regulatory support for standardization of production processes,

- lack of a system of monitoring and control of compliance of planned and actual indicators of economic systems through the implementation of innovative mechanisms of state management of sectors of the economy,

- imperfect system of privatization, tender procedures, allocation of resources of the state budget, the system of fiscal policy to support the private sector and the like.

The above-mentioned problems are still unsolved, and the formation of an effective mechanism of public administration in the field of construction will create prerequisites for minimizing the problems of this nature in the economic system.

Formulation of the article objectives (problem statement). In accordance with the designated objectives, it is determined that the purpose of the article is the theoretical and methodological justification of the processes of providing innovative mechanisms of public administration in the field of construction.

According to the goal, the study identified the following tasks:

- to define theoretically the concept of public administration, its mechanisms, taking into account the specifics of the construction industry,

- to analyze the regulatory framework for state regulation of the construction industry,

- to determine the role and place of government in ensuring the development of the construction industry,

- to determine the specifics of the implementation of management functions at the state level,

- to formulate the objectives of the development of public administration in the construction industry.

Presentation of the main research material with full justification of the scientific results. One of the key tasks of the state is to create conditions for the development of the economic system through the implementation of management mechanisms and methods to ensure the achievement of strategic goals and objectives. Such a task is faced by public authorities, including in ensuring the development of the construction industry as a multiplier of economic development. Among the components of the state mechanism of management of the construction industry the following can be identified (see Fig. 1) [1, p. 10].

The structure of the mechanisms of state construction management includes management methods and forms, built in the appropriate organizational structure with a defined hierarchy that meets the specifics of the construction industry.

According to the defined structure of public administration mechanisms, it follows that this concept is systemic and complex. It is possible to give the

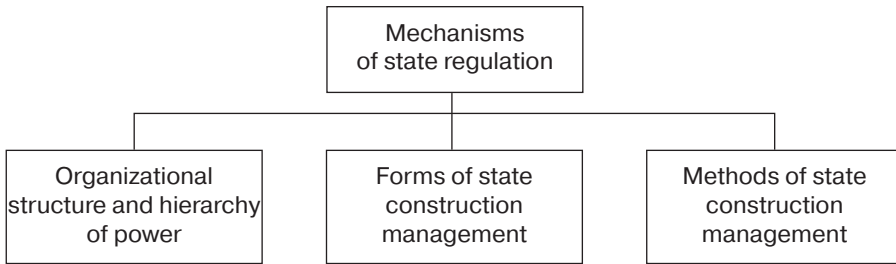


Fig. 1. The structure of mechanisms of state management of the construction

following definition: governance is a set of management processes implemented by the state through the implementation of powers of executive authorities at various levels to ensure organizational compliance mechanism of normative-legal base, a comprehensive socio-economic development, implementation of strategic direction, goals and objectives of the state policy in different sectors of the economy, by creating conditions for the implementation of economic, social, political, cultural and other rights and freedoms of citizens [2; 3]. Features

of public administration can be summarized by highlighting the complex blocks of characteristics (Fig. 2).

Therefore, we can agree with a comprehensive definition of public administration, which a legal encyclopedia provides: “a certain type of activity of the state, which is executive and administrative in nature. It consists in organizing the impact on social relations in the economic, socio-cultural and administrative-political spheres through the use of state power. Public administration is characterized by all

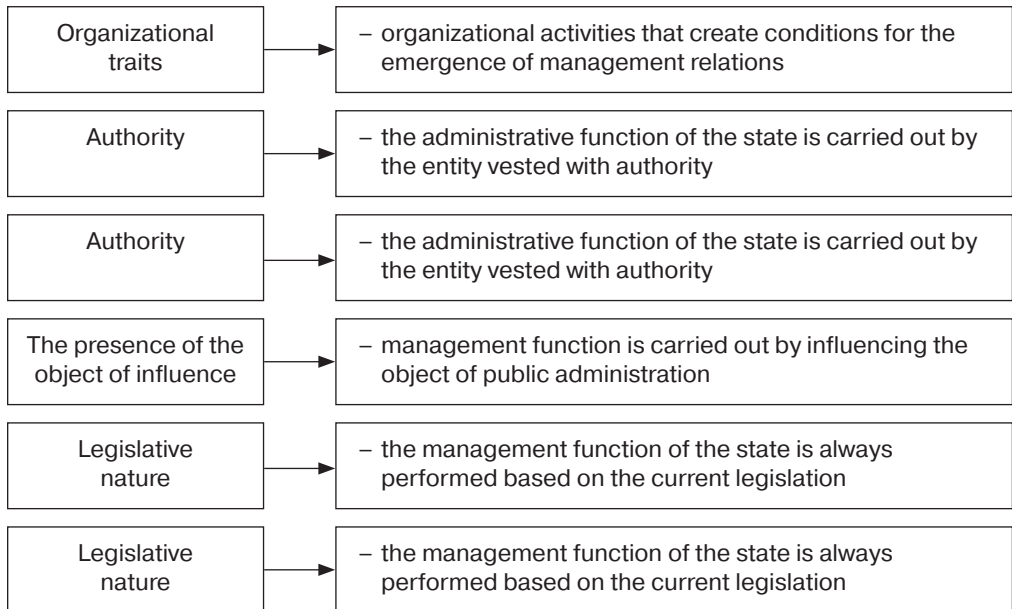


Fig. 2. Features of public administration

the main features of the executive power, which is a reflection of the division of state power into separate branches. It is aimed at the implementation of laws and other legal acts; it is connected with the use of methods of norm-creation and administrative activity; it has a subordinate nature, provides for the possibility of judicial protection of citizens of their rights and freedoms in case of their violation by bodies and officials of the executive power. At the same time, state administration is carried out outside the functioning of the executive power – in the internal activities of bodies of other branches of state power, at the level of state enterprises, institutions and organizations. Therefore, the term “public administration” is somewhat broader than the concept of “executive power”. The content covers a set of elements that make up the system of public administration: the subjects of management, mainly the executive authorities; management objects – spheres and areas of public life, which are aimed at organizing the influence of the state; the actual process of management, influence, that is, management activities as a type of social relations, where there is a variety of links and interactions between subjects and objects of management” [11].

To determine the basis of state management of economic activity it is necessary to determine the regulatory framework governing the state regulatory policy. The main legislative document regulating the foundations of public administration is the Constitution of Ukraine, in particular, the Constitution prescribes the role of authorities at various levels in the development of the state, which is the basis

of the system of relations between the public and private sector. Other regulatory legal acts regulating economic activity, including in the field of construction are as follows:

- Budget Code of Ukraine;
- Land code of Ukraine;
- Civil Code of Ukraine
- Law of Ukraine “On state forecasting and development of economic and social development programs”;
- Law of Ukraine “On state target programs”;
- Law of Ukraine “On the general scheme of planning of the territory of Ukraine”;
- Law of Ukraine “On urban development”.

These are the main legal acts defining the role of the state and mechanisms of state management of economic activity, including in the field of construction.

According to the implementation of the provisions of legislative acts on the organization of public administration of construction, primarily on the basis of the Law of Ukraine “On urban development”, it is possible to determine the following tasks of development of construction facing public authorities (Fig 3).

Thus, among the main tasks of building an effective mechanism of public administration in the field of construction, it is possible to determine the implementation of regulatory policy, the creation of clear and transparent standards of the production process and the reception of finished products, as well as providing conditions for the development of infrastructure, civil, commercial and industrial construction.

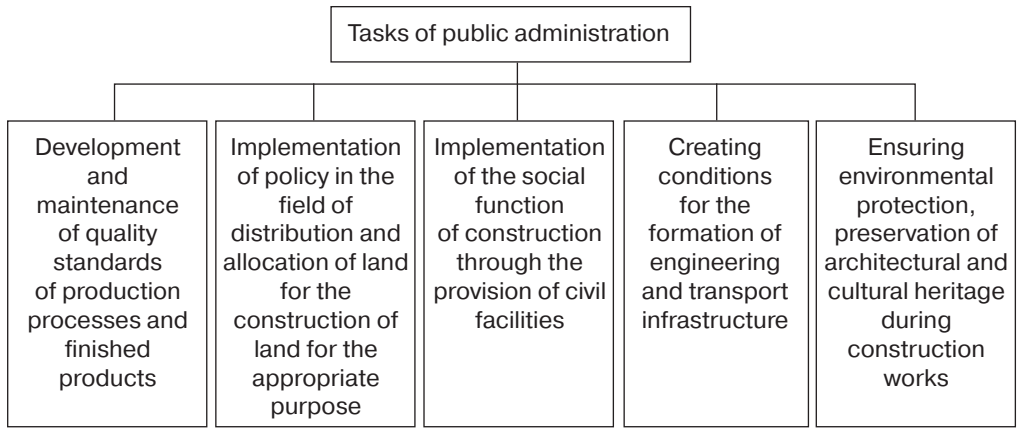


Fig. 3. Tasks of the state administration for the development of the construction industry

Conclusions from this study and prospects for further exploration in this direction. Therefore, according to the goal, the theoretical basis of the study was determined in the article. In particular, the concept of public administration, which is considered as a complex, systemic concept, was structured according to the structure of public administration mechanisms. The concept itself is considered both at the level of public authorities and at the level of the production process itself through the implementation of management functions at state enterprises. Analysis of the regulatory framework showed that it is characterized as a general economic normative legal acts regulating economic processes at the level of various industries, and specific legislative acts that determine the specifics of construction. The role and place of public administration in ensuring the development of the construction industry and the specifics of the implementation of management functions at the state level were determined. Among the prospects for further research there is the formation of recommendations for the deve-

lopment of a comprehensive program of public administration for the development of the construction industry.

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HISTORY OF BECOMING AND DEVELOPMENT OF COOPERATIVE MOVEMENT IN UKRAINE AT THE END OF XIX – AT THE BEGINNING OF XX CENTURIES

Abstract. The article states that the cooperative movement has become widespread in order to overcome the socio-economic problems of rural communities and restructuring of the social system at the end of XIX – at the beginning of the XX centuries in various regions of Ukraine, which subsequently became the national socio-economic phenomenon. The formation of service cooperatives was carried out through the creation of agricultural partnerships and their associations in cooperative unions, federations and development centers. It was proved that the formation of a cooperative movement did not take place without the intervention of public authorities, which in addition to the adoption of relevant normative documents constantly tried to impose their party ideology to the

citizens through collaboration with cooperative system. It was established that at the same time the cooperative institutions influenced on the political life of the country through the financing of parties and fulfilling the propaganda work among the population.

It was determined that the spread of cooperation was due to the mass involving of cooperatives and their institutions to the cultural-educational, information-educational and upbringing work. In particular, the special attention was paid to the creation of cooperative circles, schools, libraries, carrying out of demonstrative shows and exhibitions, organization of hire stations of agricultural machinery and equipment.

The expediency of taking into account the historical experience of the formation and development of cooperation as a social and economic phenomenon in the state in the current conditions of the reform of decentralization of power and the emergence of rural united territorial communities was summarized. It was noted that it is necessary to focus the attention on the main ideological and organizational principles of the revival and development of the Ukrainian cooperative movement, education of nationally conscious members of society, raising the cultural-educational and financial-economic level of the population for the successful development of rural areas of Ukraine.

Keywords: agrarian policy, cooperation, cooperative movement, cooperative association, informational-educational activity.

ІСТОРІЯ СТАНОВЛЕННЯ ТА РОЗВИТКУ КООПЕРАТИВНОГО РУХУ В УКРАЇНІ В КІНЦІ ХІХ – НА ПОЧАТКУ ХХ СТ.

Анотація. Зазначено, що з метою подолання соціально-економічних проблем сільських громад і перебудови суспільного ладу наприкінці ХІХ – на початку ХХ ст. у різних регіонах України поширення набув кооперативний рух, який згодом став загальнодержавним соціально-економічним явищем. Формування обслуговуючої кооперації здійснювалось через створення сільськогосподарських товариств та їх об'єднань у кооперативні спілки, союзи та центри розвитку. Доведено, що становлення кооперативного руху не відбувалося без втручання органів державної влади, які крім прийняття відповідних нормативних документів постійно намагалися нав'язати громадам партійну ідеологію через співпрацю з кооперативною системою. Встановлено, що кооперативні установи впливали на політичне життя країни через фінансування партій та проведення агітаційної роботи серед населення.

З'ясовано, що поширення кооперації відбувалося через масове здійснення кооперативами та їх інституціями культурно-просвітницької, інформаційно-консультативної та освітньої роботи. Зокрема, особлива увага приділялася створенню кооперативних гуртків, шкіл, бібліотек, проведенню демонстраційних показів і виставок, організації прокатних станцій сільськогосподарської техніки й обладнання.

Резюмовано доцільність врахування історичного досвіду становлення і розвитку кооперації як соціально-економічного явища у державі за сучас-

них умов проведення реформи децентралізації повноважень влади та появи сільських об'єднаних територіальних громад. Зазначено, що для успішного розвитку сільських територій України слід зосередити увагу на основних ідеологічно-організаційних засадах відродження і розвитку українського кооперативного руху, вихованні національно свідомих членів суспільства, підвищенні культурно-освітнього та фінансово-економічного рівня населення.

Ключові слова: аграрна політика, кооперація, кооперативний рух, кооперативне об'єднання, інформаційно-освітня діяльність.

ИСТОРИЯ СТАНОВЛЕНИЯ И РАЗВИТИЯ КООПЕРАТИВНОГО ДВИЖЕНИЯ В УКРАИНЕ В КОНЦЕ XIX – НАЧАЛЕ XX ВЕКА

Аннотация. Определено, что для преодоления социально-экономических проблем сельских общин и изменения общественного строя в конце XIX – начале XX века в различных регионах Украины кооперативное движение получило широкое распространение и стало общегосударственным социально-экономическим явлением. Становление обслуживающей кооперации осуществлялось через создание сельскохозяйственных обществ и их объединений в кооперативные сообщества, союзы и центры развития. Доказано, что формирование кооперативного движения не происходило без вмешательства органов государственной власти, которые кроме принятия соответствующих нормативных документов постоянно пытались навязать общинам партийную идеологию через сотрудничество с кооперативной системой. Установлено, что в то же время кооперативные учреждения влияли на политическую жизнь страны путем финансирования партий и проведения агитационной работы среди населения.

Выяснено, что распространение кооперации происходило из-за массового осуществления кооперативами и их институциями культурно-просветительской, информационно-консультативной и образовательной работы. В частности, особое внимание уделялось созданию кооперативных кружков, школ, библиотек, проведению демонстрационных мероприятий и выставок, организации прокатных станций техники и оборудования.

Резюмирована целесообразность учета исторического опыта становления и развития кооперации как социально-экономического явления в государстве в современных условиях проведения реформы децентрализации полномочий власти и появления сельских объединенных территориальных общин. Отмечено, что для успешного развития сельских территорий Украины необходимо сосредоточить внимание на основных идеологически-организационных принципах возрождения и развития украинского кооперативного движения, воспитании национально сознательных членов общества, повышении культурно-образовательного и финансово-экономического уровня населения.

Ключевые слова: аграрная политика, кооперація, кооперативное движение, кооперативное объединение, информационно-образовательная деятельность.

Problem statement. Cooperation, as a national social and economic phenomenon, is an important component of the development of agrarian relations and way of life in rural areas. The active phase of the formation and development of the cooperative movement in different regions of Ukraine fell to the end of the 19th and early 20th centuries. Such tendencies were preceded by several reasons. First of all, deteriorating social and economic situation in rural areas occurred in the process of its formation. The creation of different types of cooperatives also prompted the emergence of such problems as lack of funds, high cost and low quality of goods in shops, the need for intensification of agriculture, the need to improve the competitiveness of industries in the agricultural sector through the introduction of specialization [1, p. 15]. Subsequently, cooperatives began to take an active part in the social and economic life of the state thanks to the widespread spread. In addition to activating their activities in the agricultural sector, they encouraged the creation of various socially useful and religious institutions, provided funds for the needs of the army, the construction of hospitals, organized for members of the special mutual assistance funds, provided financial assistance to the victims of bad crop and the unemployed [2, p. 13, 15]. The history of the formation of cooperative relations and cooperative experience can be used in practice, since in the light of the best traditions of the past; the formation of cooperative relations in the retrospect can play an important role in the development of modern agrarian policy of the state [3, p. 5].

Analysis of recent publications on research issues. A lot of native scientists engaged in (researched) the issues of the formation and development of the cooperative movement in the late 19th and early 20th centuries in Ukraine [1–15]. However, the causes of the emergence and spread of cooperation as a national social and economic phenomenon, the integrated approach, taking into account the political component, defending national interests, and the organizational foundations for the functioning of cooperatives and their institutions are not followed in the scientific works.

The purpose of the article to clarify the role of cooperation as a national social and economic phenomenon and to define the main principles of the development of the cooperative movement in Ukraine taking into account the systemic approach.

Presentation of the main material. Ideological leaders who propagated their ideas with a view to overcoming social and economic problems and restructuring the social order played an important role in spreading the cooperation in rural areas. For example, penetration of the ideas of cooperation on the territory of Naddniproshchyna was held in the 1860's and 1870's. There were different points of view on the importance of cooperative relations in society among the public. Some scientist defined cooperation as a form of social and economic development, which ultimately should lead to the construction of socialism, that is, a new social system. In contrast, others defined it as a way of protecting the material interests of the people.

Thus, according to Sadovsky's conviction, cooperation can develop without violating the fundamental principles of society and the state. The socialist essence of the cooperation was argued and supported by M. Draho-manov, M. Levitskyi, M. Ziber, S. Podolynskyi, M. Tuhan-Baranovskyi, V. Pekarskyi and others. They associated with cooperation the possibility of radical restructuring of the social system, the achievement of social harmony and justice. Representatives of the Populist Movement V. Dziubinskyi, P. Chervinskyi, F. Shcherbyna were engaged in developing a concept for the introduction of collective management. The values of collectivism and unity, mutual assistance, education, honesty and integrity in activities were promoted in the cooperative environment [4, p. 16, 23].

It was found out that the activity of the cooperative movement was at the beginning of the 90's of the 19th century in the South of Ukraine, and its significant development was observed after the revolutionary events of 1905–1907. By 1917 there were about 2,3 thousand cooperatives in the region. The spread of the cooperative movement dates back to the time of the Ukrainian national revival. The interests of cooperatives in the State Duma were represented by a small number of deputies, who set themselves the task of adopting a general cooperative law [2, p. 11].

It was established that the cooperative movement in Ukraine did not develop in itself at the national level. Formation, development and control over the distribution of it were entrusted to the state authorities. Some politicians

used a cooperative system to impose party ideology on rural communities through mutually beneficial cooperation. Thus, the revolutionary events of 1905–1907 forced the authorities to implement a series of liberal measures for cooperative activities. A new phenomenon was the growing interest in cooperation by political parties, which evaluated its value in different ways. Some people completely supported it, others treated with a reservation [1, p. 18–19].

The development of cooperation was facilitated by the holding of local and provincial congresses. At the 2nd All-Russian Cooperative Congress, which took place in Kyiv in the summer of 1913, an important step was taken in establishing Ukrainian cooperation as an independent economic force. At the turn of 1915–1916, the government was invited to consider the draft cooperative legislation, but the Council of Ministers rejected its adoption because of the reluctance to give up control over cooperation. The draft law was adopted in the State Duma after the February Revolution of 1917 with minor changes in the wording prepared by the cooperators. The struggle for democratic rights and freedoms for their own activities contributed to the activity of the cooperative movement, forcing the authorities to go to legislative acts and to treat it as an effective force in the public and political life of the country [5, p. 11]. During the period of the rise of the national and social struggle of the Ukrainian people during 1917–1920, the cooperative movement became more widespread, becoming a national social and economic phenomenon [6, p. 31].

In 1917, cooperatives acted as the only organized structure in Podillia that became the pillar of the economic policy of the Ukrainian Central Rada on the positions of Ukrainian statehood, in every way supporting the struggle for Ukraine's independence. The activities of institutions and organizations during the administration of the Directory were determined by the targeted policy of the governments of the UPR to strengthen cooperation as the main force capable of solving all economic problems of the country. In 1917–1919, the Bolsheviks persecuted and repressed members of the associations and their unions. In 1920, the cooperative organizations of the region were reorganized in accordance with the requirements of decrees. Ideology of reforms and methods of their implementation were aimed at the destruction of the cooperative movement [7, p. 15].

In 1920, the USSR initiated measures for the nationalization of cooperation in accordance with the Decrees of the People's Commissars of the RSFSR "*On Consumer Communes*" of March 20, 1919, and "*On the Association of All Types of Cooperative Organizations*" of January 27, 1920. As a result of the implementation of these decrees in action, the amateur cooperative system of Ukraine was destroyed. Together with the spread of cooperation among the general population, its rapid revival was facilitated by the new economic policy in the early 20's [8]. At that time, cooperatives contributed to the development of agriculture. Therefore, the party leadership sought through a cooperative system to attract peasants (farmers) to the idea of socia-

lism. Some of them believed that no cooperation should be adapted to the NEP, but rather the NEP is needed to cooperate. This approach allowed promoting the ideas of socialism through mutually beneficial cooperation with the peasantry, which was the majority of the population of Ukraine, avoiding confrontation with it [9, p. 13].

At the beginning of the 20th century, the anti-Ukrainian position of the Polish authorities, which perceived Ukrainian cooperation as a means of independence, was observed in the north-western Ukrainian lands. In accordance with the Orders of the President of Poland "*On Industrial Law*" dated 1926 and "*On Construction Law*" dated 1928, the representatives of the administration massively closed the Ukrainian cooperatives and hindered their registration because of inconsistency with the established sanitary norms. In the 1930s, Ukrainian cooperation in Poland was under state control. Thus, in accordance with the new legislation during 1934–1935, 435 Ukrainian cooperatives passed under the influence of Polish cooperative unions [10, p. 11–13].

The overwhelming majority of typical cooperatives in terms of the organizational and legal form of management were agricultural societies that began to function in Ukrainian provinces since the end of the 19th century. The massive spread of the cooperative movement began in 1908 with the adoption of a model statute of an agricultural society, which provided for their simplified registration procedure. Thus, as of January 1, 1912, 34 cooperatives had already been operating in Ukraine, and their number reached more than 100

units in 1915. Until 1918, there were the following types of societies functioned: procurement, marketing, processing and multifunctional in Ukraine [11, p. 135–137]. Thanks to the purchase and sale cooperation, there were carried out the purchase and sale of agricultural products, consumer goods, tools, agricultural machinery, seeds, and fertilizers [12, p. 11]. In 1922, since 2416 officially operating cooperative agricultural societies, almost all were registered as universal. In 1926, there were 4545 units [9, p. 16]. In the conditions of the growth of specialization and marketability of agriculture, in the rural communities are actively creating beetle, fruit and vegetable, milk, machine and tractor and other types of societies. The practice of cooperation in Ukraine proved that such organizational forms were more self-sufficient than collective farms [13, p. 11].

The lack of special knowledge of the governing bodies for managing cooperatives and lack of knowledge of the peasants in the principles of cooperation often led to the instability of their work. The low activity of the peasants and the insufficient number of quorums at meetings often paralyzed the work of the cooperative. Separately, there were problems in fulfilling the obligations assumed by the members. Subsequently, the problems began to be solved by introducing various methods of organizational, and in some cases, administrative influence through the imposition of penalties, bringing the perpetrators to justice in court and excluding them from the cooperative [4, p. 28].

It should be noted that the organization of the activity of agricultural cooperatives and the attraction of more

members to them in the overwhelming majority was due to the work of cooperative organizations with the rural population through the introduction of various methods and forms of cooperation. Among them: carrying out cultural and educational activities, training of skilled workers, providing information and consulting services, distributing special educational literature, setting up of cooperative libraries, organizing exhibitions, conducting demonstration shows, and the creation of rolling stations of agricultural machinery and equipment.

It was established that for the educational activity, close cooperation was established between cooperatives with rural houses and huts-reading rooms. There were created cooperative corners, circles, schools and libraries, where lectures, holidays, parties and performances were usually held. The main reason for the establishment of cooperative circles and schools was that there were few qualified specialists in the village to teach peasants (farmers) the basics of agrarian production. At the same time, the government organized schools to train young people for agriculture only, depriving the rest of the rural population of education. Qualified specialists were invited, namely: agronomists, veterinarians and gardeners for lectures on short-term courses in cooperative schools. [14, p. 18–19]. Thanks to the training activities of ordinary peasants, it was hoped to be involved in the use of advanced achievements in agricultural science and technology, which in turn should have affected the increase in the profitability of their farms. The best achievements in the field of plant growing and

livestock were introduced into practice through the provision of information and advisory services.

The organization of agricultural exhibitions demonstration of new methods of management greatly contributed to the popularization of the idea of cooperative movement and increases the productivity of peasant farms. In particular, demonstration fields and sites were created to demonstrate the benefits of using new technologies for land cultivation in the South of Ukraine. Cooperatives organized rolling mills, where it was possible to use the technique and new advanced equipment for a moderate fee [2, p. 13].

During the 80's of the 19th and early 20th centuries, institutions such as cooperative unions, unions, specialized systems and other institutions played a significant role in shaping the cooperative movement in recognition of the role and importance of cooperation with the rural population and its scale in almost all regions of the country. Thus, regional cooperative associations (unions) were intermediaries, coordinators and controllers of the activities of local unions. They helped to financially and economically strengthen the existing and the emergence of new alliances, especially savings and credit treasuries, sought state assistance in expanding the lending of peasants' offices and societies with cheap loans, adjusted supply of peasants through unions with relatively cheap goods, organized sales of agricultural products, and supported various kinds of industrial unions. In addition, the unions engaged in the training of cooperatives in the village, promoted the knowledge of members of the unions, as well as na-

tional and civic consciousness of the peasants, and their unification in protecting their rights [15, p. 9].

The social processes that took place during the years of the Ukrainian Revolution significantly improved the conditions for the activities of cooperative organizations. The approval of the "Regulations on Cooperative Societies and their Unions" contributed to the creation of new cooperatives and cooperative unions in Ukraine. All-Ukrainian cooperative congresses, which took place in April and September 1917, called for the creation of their own national Ukrainian cooperative centres. All-Ukrainian cooperative unions began their work. Cooperative institutions financed a variety of Ukrainian and all-Russian socialist parties, campaigned (carried out propaganda work), and influenced the country's political life. In 1918, a Program was adopted at the All-Ukrainian Cooperative Congress. It provided for the creation of new national cooperative centres. Due to the implementation of the measures, the cooperative network comprised 14 to 18 thousand organizations with almost 7 million members, and the number of their unions exceeded 200 units. In April 1920, the All-Ukrainian Cooperative Union (Centrospilka), which united in its composition all the national cooperation centres and thus completed the administrative structure of the cooperative system of the country, began work [8].

Right-bank Ukraine agricultural cooperation tried to unite disparate societies in order to coordinate their work as a result, the Kiev Central Agricultural Society was founded. Al-

though its activities began to unfold in 1916, and it was not the only centre for agricultural cooperation for Ukraine. It did a unifying, organizational and educational function [5, p. 12]. There were formed such powerful specialized systems as Dobrobot, Cooptakh, Plo-dospilka, Nisinniesoiuz, Ukrsiltsukor and Buriakospilka in the general structure of agricultural cooperatives of Ukraine. Due to uniting, agricultural cooperation has become a powerful and highly effective instrument capable of achieving rapid modernization of the agrarian sector of Ukraine's economy [9, p. 17]. Subsequently, FARMER, All-Ukrainian Union of Agricultural Cooperatives began to operate on the Left-bank Ukraine. However, due to the proliferation of mass collectivization in Ukraine in 1929, its activities were completely stopped.

In the 1926–1930, the bulk and selling cooperation had a three-stage structure on the territory of the Volyn Voivodship. Cooperatives of the 1st degree united in the county or district unions, thus creating cooperatives of the 2nd degree. The latter united in Centrosoiuz, National Centre of Common Purchasing and Sales Cooperatives as cooperatives of the 3rd degree. At the end of 1934, there were 282 cooperatives of the 1st degree and 4 district associations of cooperatives in the Volyn Voivodship that were subordinated to Centrosoiuz [12, p. 11].

Conclusions and prospects for further researches. Thus, at the end of the 19th and early 20th centuries, the cooperative movement has become widespread becoming a national social and economic phenomenon. It is confirmed by the existence of a significant

number of cooperative organizations, large cooperative unions and development cooperation centres. The formation of service cooperatives was carried out mainly through the creation of agricultural societies. However, it should be noted that with the approval of the totalitarian system and the imposition of collectivization by the rural communities, the cooperative movement began to gradually lose its position on the territory of Ukraine. Nevertheless, the analysis of the formation and spread of the cooperative movement in rural communities in this period allows us to draw the following conclusions:

Firstly, it had an important place in the social and political, social and economic life of the state, forming new values of life from the peasants, developing their initiative, amateur action, personal responsibility to themselves and the community for the results of their actions, and the ability to solve complex issues through interaction with other members;

Secondly, cooperatives and their associations were guided by common cooperative principles in the process of their development, namely: meeting the needs of the participants and improving their living conditions, voluntary entry and exit from the association, participation in the formation of the financial base of the cooperative at the expense of share contributions, and the implementation of management on a democratic basis;

Thirdly, the desire of the authorities to control cooperative formations led to the legislative regulation of their activities through various decrees, laws, decrees, rules and other legal documents;

Fourthly, the cultural-educational, informational and consultative and educational work of cooperative entities was essential in addition to providing services to the population in various spheres of economic activity, which consisted in the wide propagation of the leading ideas, the education of conscious cooperatives, and the introduction of new knowledge in agriculture.

It should be noted that during the period of mass spread of cooperation in Ukraine in the late 19th and early 20th centuries, the political component in the formation of a cooperative movement is clearly followed, which consists not only in the adoption of relevant normative documents by the state authorities, but also in attempts to impose a party ideology through the cooperative system. An important place in the retrospective analysis was the experience of organizing the activities of both the cooperatives themselves and their institutional environment.

Consequently, it is expedient to take into account the historical experience of the formation and development of cooperation as a social and economic phenomenon in the state in the current conditions of the reform of decentralization of power and the emergence of united territorial communities, especially in rural areas, in further research. In particular, the main principles of dissemination of the ideological and organizational principles of revival and further development of the Ukrainian cooperative movement, upbringing of nationally conscious members of society, and raising the cultural, educational and economic levels of the rural population, as a prerequisite for the

successful development of Ukrainian rural areas deserve attention.

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SYSTEM AGAINST CORRUPTION IN UKRAINE: PROBLEMS OF INTERACTION OF SUBJECTS

Abstract. The article reveals problems of interaction of subjects in the system of combating corruption in Ukraine. The current legislation in the field of combating corruption is investigated and the main problems of combating this phenomenon in Ukraine are revealed. The author analyzed the institutional framework in the field of combating corruption, identified the main functions of the subjects of the anti-corruption system in Ukraine, and analyzed the problems of interaction between the subjects of the system. The author also managed to distinguish the preventive function of the National Agency for the Prevention of Corruption and the prospects of this body. It was clarified that Ukraine has undertaken a number of commitments on the way to the fastest possible integration into the European Community, the most priority of which is an effective, uncompromising and continuous struggle against corruption, which challenges the comprehensive development of all spheres of life in our country. To this end, a number of institutions have been created that are leading the fight against this phenomenon. Thus, in the structure of the Prosecutor General's Office a sepa-

rate anti-corruption body was established — the Specialized Anti-Corruption Prosecutor's Office and separately — the National Anti-Corruption Bureau of Ukraine, which are the security forces and are investigating and punishing the perpetrators of corrupt acts. However, there is another agency that plays a leading role in the anti-corruption struggle in Ukraine — the National Agency for the Prevention of Corruption, which implements a preventive function whose activities include preventing and detecting corruption, declaring income and expenses, identifying a conflict of interest, as well as counteracting political corruption. It is proved that all efforts in the fight against corruption in Ukraine should be carried out with the understanding that the center of its consequences is an average citizen. Therefore, effective public policy in this area is one of the main factors of the state authorities' concern for citizens. After the Dvor Revolution, the fight against corruption has started to work in a new way and is the most priority in the direction of Ukraine's European integration. This is evidenced by the adoption of a number of anti-corruption laws and the creation of institutions for the prevention and fight against corruption.

Keywords: anti-corruption policy, corruption, preventive function, the system of fighting corruption, the subjects of the system.

СИСТЕМА БОРОТЬБИ З КОРУПЦІЄЮ В УКРАЇНІ: ПРОБЛЕМИ ВЗАЄМОДІЇ СУБ'ЄКТІВ

Анотація. Виявлено проблеми взаємодії суб'єктів в системі боротьби з корупцією в Україні. Досліджено чинне законодавство у сфері боротьби з корупцією та виявлено основні проблеми боротьби з цим явищем в Україні. Проаналізовано інституційну базу у сфері протидії корупції, виявлено основні функції суб'єктів системи боротьби з корупцією в Україні та проаналізовано проблеми взаємодії суб'єктів системи. Також виокремлено превентивну функцію Національного агентства з питань запобігання корупції та перспективи роботи цього органу. З'ясовано, що шляхом якомога швидшої інтеграції до Європейського співтовариства, Україна взяла низку зобов'язань, найпріоритетнішим з яких є ефективна, безкомпромісна та постійна боротьба з корупцією, яка кидає виклик всебічному розвитку всіх сфер життя в нашій державі. З цією метою створено ряд інституцій. Так, у структурі Генпрокуратури створено окремий орган по боротьбі з корупцією — Спеціалізовану антикорупційну прокуратуру та окремо — Національне антикорупційне бюро України, які є силовими структурами і займаються розслідуваннями і покаранням винних у корупційних діяннях осіб. Проте, є ще одне відомство — Національне агентство з питань запобігання корупції, що реалізує превентивну функцію, до сфери діяльності якого належать запобігання та виявлення корупції, декларування доходів та видатків, виявлення конфлікту інтересів, а також протидія політичній корупції. Доведено, що всі зусилля у боротьбі з корупцією в Україні мають відбуватися з розумінням того, що центром її наслідків є пересічний громадянин. Тому ефективна державна політика в цій сфері є одним з основних чинників

турботи державної влади про громадян. Про це свідчить прийняття низки антикорупційних законів та створення інституцій для попередження та боротьби з корупцією.

Ключові слова: антикорупційна політика, корупція, превентивна функція, система боротьби з корупцією, суб'єкти системи.

СИСТЕМА БОРЬБЫ С КОРРУПЦИЕЙ В УКРАИНЕ: ПРОБЛЕМЫ ВЗАИМОДЕЙСТВИЯ СУБЪЕКТОВ

Аннотация. Выявлены проблемы взаимодействия субъектов в системе борьбы с коррупцией в Украине. Исследовано действующее законодательство в сфере борьбы с коррупцией и выявлены основные проблемы борьбы с этим явлением в Украине. Проанализирована институциональная база в сфере противодействия коррупции, определены основные функции субъектов системы борьбы с коррупцией в Украине и проанализированы проблемы взаимодействия субъектов системы. Также выделена превентивная функция Национального агентства по вопросам предотвращения коррупции и перспективы работы этого органа. Выяснено, что став на путь скорейшей интеграции в Европейское сообщество, Украина взяла на себя ряд обязательств, приоритетным из которых является эффективная, бескомпромиссная и постоянная борьба с коррупцией, которая бросает вызов всестороннему развитию всех сфер жизни в нашем государстве. С этой целью создан ряд институтов. В структуре Генпрокуратуры создан отдельный орган по борьбе с коррупцией — Специализированная антикоррупционная прокуратура и отдельно — Национальное антикоррупционное бюро Украины, которые являются силовыми структурами и занимаются расследованиями и наказанием виновных в коррупционных деяниях лиц. Однако, есть еще одно ведомство — Национальное агентство по вопросам предотвращения коррупции, которое реализует превентивную функцию, к сфере деятельности которого входят предотвращение и выявление коррупции, декларирование доходов и расходов, выявление конфликта интересов, а также противодействие политической коррупции. Доказано, что все усилия в борьбе с коррупцией в Украине должны происходить с пониманием того, что центром ее последствий является рядовой гражданин. Поэтому эффективная государственная политика в этой сфере является одним из основных факторов заботы государственной власти о гражданах. Об этом свидетельствует принятие ряда антикоррупционных законов и создание институтов для предупреждения и борьбы с коррупцией.

Ключевые слова: антикоррупционная политика, коррупция, превентивная функция, система борьбы с коррупцией, субъекты системы.

Problem statement. Standing on the path of early integration into the European community, Ukraine has undertaken a number of commitments, the

most priority of which is an effective, uncompromising and constant fight against corruption, which challenges the comprehensive development of all spheres of life in our country. To this end, a number of institutions have been established to lead the fight against this phenomenon. Thus, in the structure of the Prosecutor General's office created a separate body to combat corruption – a Specialized Anti-corruption Prosecutor's office and separately – the National Anti-corruption Bureau of Ukraine, which are law enforcement agencies and investigate and punish those responsible for corruption. However, there is another agency that plays one of the main roles in the anti-corruption struggle in Ukraine – the National Agency for the Prevention of Corruption, which implements a preventive function, which includes the prevention and detection of corruption, the declaration of income and expenses, the identification of conflicts of interest, as well as combating political corruption. This article will be devoted to the interaction between these institutions, as well as other public authorities.

Analysis of recent research and publications. Such leading scientists as H. Bozhok, A. Zakharchuk, T. Iliienok, A. Levchenko, A. Novak, D. Siryk, S. Shatrava and others were engaged in the study of the fight against corruption. However, the problems of interaction of authorities in the fight against corruption today are extremely acute and require scientific monitoring and support, which was the motive for choosing the topic of this scientific article.

The purpose of the article is to identify the problems of interaction

of subjects in the system of combating corruption in Ukraine. According to the goal set in the article, it is necessary to solve a number of tasks, including: to study the current legislation in the field of combating corruption; to identify the main problems of combating this phenomenon in Ukraine; to analyze the institutional framework in the field of combating corruption; to identify the main functions of the subjects of the system of combating corruption in Ukraine; to analyze the problems of interaction of the subjects of the system; highlight the preventive function of the National Agency for the Prevention of Corruption and the prospects for the work of this body.

Presentation of the main material. Ukrainian researcher A. Novak notes that corruption as a social phenomenon has a number of reasons for its emergence and spread in the economic, political and socio-structural organization of society. The vast majority of its consequences are felt in real social life, affecting its level, the degree of protection of citizens, the security of their rights and freedoms. The purpose of anti-corruption policy in Ukraine should be to reduce the level and localization of corruption in society, change its nature, limit its impact on socio-political and economic processes [1]. One cannot but agree with this view, since all efforts to combat this phenomenon must be made with the understanding that the center of the consequences of corruption and the main object that suffers from it is the ordinary citizen. Therefore, an effective state policy in this area is one of the main factors of the state care of the authorities about citizens.

The retrospective of the fight against corruption dates back to 1995, when the first legal act was adopted — the Law of Ukraine “On combating corruption”, but this activity did not give the desired results and was apparently declarative. However, after the Revolution of Dignity, this direction has earned a new and is the most priority in the direction of European integration of Ukraine. This is evidenced by the adoption of a number of anti-corruption laws and the establishment of institutions to prevent and combat corruption.

Among the new anti-corruption laws, the main ones are as follows: “Anti-Corruption strategy for 2014–2017” approved by the Law of Ukraine “On the basics of the state anti-corruption policy in Ukraine (Anti-Corruption strategy) for 2014–2017” dated 14.10.2014 № 1699-VII and the Law of Ukraine “On prevention of corruption” dated 14.10.2014 № 1700-VII. Also recently new laws were adopted such as “On amendments to the criminal and criminal procedure codes of Ukraine on the implementation of the recommendations contained in the sixth report of the European Commission on the status of Ukraine’s implementation of the action Plan on the liberalization of the visa regime for Ukraine by the European Union on the improvement of the procedure for the seizure of property and the Institute of special confiscation” dated 18.02.2016 № 1019, “On the National Agency for the identification, search and management of assets derived from corruption and other crimes” dated 10.11.2015 № 3040 and “On the State Bureau of Investigation” dated 12.11.2015 № 794-VIII, “On amendments to some legislative

acts of Ukraine on the prevention and combating of political corruption” dated 08.10.2015 № 731-VIII, “On public service” dated 10.12.2015 № 889-VIII, “On the prevention of the impact of corruption offenses on the results of official sports competitions” dated 03.11.2015, № 743-VIII. This situation testifies to the consistent implementation of state policy and reforms in the system of combating corruption.

Thus, the main document that acts in the fight against corruption is the “Anti-Corruption strategy for 2014–2017”, approved by the Law of Ukraine “On the basis of the state anti-corruption policy in Ukraine (Anti-Corruption strategy) for 2014–2017” dated 14.10.2014 № 1699-VII.

The main focus of the Strategy is on the following aspects [2]:

- prevention of corruption in the legislative, executive and judicial branches;
- system reform of the criminal justice system;
- enhancing the role of civil society and public awareness of the negative consequences of corruption;
- public and business participation in monitoring anti-corruption efforts.

It should be noted that the difference of this Strategy from the previous anti-corruption documents is that it regulates the submission of an annual public report on the progress of its implementation and provides indicators of the effectiveness of the implementation of anti-corruption struggle.

The law of Ukraine “On prevention of corruption” reflects radical changes in the system of fight against corruption in the country. This law

requires new rules, a comprehensive and balanced approach to the control of anti-corruption measures by ensuring greater efficiency of parliamentary control, balancing the responsibility of presidential control, executive authorities and local administrations, as well as effective public control. The proposed innovations have expanded the list of preventive barriers and prohibitions for civil servants. The law introduces a new system of financial control over the state of property of civil servants: their declarations must be published online in the public domain and checked by an independent body. The law regulates the issues of anti-corruption restrictions in the process of appropriation of corporate opportunities, receiving gifts, secondary employment, joint work of close persons, and issues related to the termination of public service. For those civil servants who cannot explain their excessive costs, serious sanctions are stipulated [2].

The main insurmountable problems in this area, which are also specified in the Law of Ukraine “On the basis of the state anti-corruption policy in Ukraine (anti-Corruption strategy) for 2014–2017”:

- passive cooperation of Ukraine towards the establishment of an effective coordinated anti-corruption policy among the States parties to the United Nations Convention against corruption of 31 October 2003 (this was repeatedly noted by the experts of Transparency International-Ukraine);

- Ukraine’s inadequate implementation of the requirements of international legal instruments in relation to the partnership between the government and civil society in the field of anti-

corruption policy (despite the adoption of a number of legal acts, one of them does not prescribe a clear mechanism of interaction between the state and public organizations in the direction of combating corruption; it is not implemented, or delayed the implementation of the recommendations of anti-corruption public organizations; there is no act of the Cabinet of Ministers of Ukraine on the adoption of a national methodology for assessing the level of corruption in accordance with UN standards, the development of which is clearly provided by the Law of Ukraine “On the basis of the state anti-corruption policy in Ukraine (anti-Corruption strategy) for 2014–2017”);

- corruption of electoral legislation, in particular: imperfection of legislation on the financing of election campaigns and political parties, lack of proper legal regulation to prevent conflicts of interest in the activities of elected officials and transparent bases of lobbying [3].

So, as we see in Ukraine, a significant legislative framework on the prevention and fight against corruption has been developed, which indicates the consistent implementation of state policy and reforms in the system of combating corruption. However, there are a number of shortcomings that need to be addressed, which should be the focus of the entire system to combat this phenomenon.

Thus, we will get directly to the institutional environment that forms the system of combating corruption in Ukraine.

In the old anti-corruption system, numerous anti-corruption bodies formally operated. The Prosecutor General’s office, the police, the Security

Service of Ukraine, the Military Law Enforcement Service in the Armed forces, as well as a network of internal security, audit, financial and other controls. However, the level of trust of citizens of Ukraine to all national institutions and structures designed to: prevent and combat corruption” was extremely low. According to opinion polls, the level of trust of the Ukrainian society to these bodies for many years fluctuated within 7–15 %, thus the militia and Prosecutor’s office took the last places [2].

As for the modern system, it is formed by a number of newly created specialized bodies, including the National Agency for the Prevention of Corruption (NAPC), the National Anti-corruption Bureau of Ukraine (NABU) and the Specialized Anti-

corruption Prosecutor’s office (SAP), as well as other bodies that have a set of functions to combat corruption in Ukraine.

The main functions of the subjects of the anti-corruption system are provided in Table.

Thus, as can be seen from the table, the system of prevention of corruption in Ukraine includes a significant number of entities that perform a set of functions that are designed to combat this negative phenomenon in our country.

It should be noted that one of the key lessons of previous anti-corruption reforms in Ukraine is the inefficiency of attempts to change the system by reforming individual structures or processes, rather than the overall situation

The main functions of the subjects of the anti-corruption system in Ukraine*

| № | The name of the authority | Main functions |
|----------|---|---|
| 1 | 2 | 3 |
| 1 | State Bureau of investigation (SBI) | law enforcement activities for the purpose of prevention, detection, suppression, disclosure and investigation of crimes |
| 2 | National Anti-corruption Bureau of Ukraine (NABU) | operational investigative measures; pre-trial investigation; check on the integrity of persons authorized to perform the functions of the state or local government; search and seizure of funds and other property |
| 3 | Prosecutor’s Office of Ukraine | maintenance of public prosecution in court; supervision of compliance with laws |
| 4 | Specialized Anti-corruption Prosecutor’s office | supervision of compliance with the laws during the operational and investigative activities, pre-trial investigation of NABU; support of the state prosecution in the relevant proceedings; representation of the interests of a citizen or the state in court |
| 5 | National Agency of Ukraine for detection, search and management of assets obtained from corruption and other crimes | formation and implementation of the state policy in the field of identification and search of assets; formation and maintenance of the Unified state register of assets seized in criminal proceedings; participation in ensuring the representation of the rights and interests of Ukraine in foreign jurisdictional bodies in cases related to the return to Ukraine of assets derived from corruption and other crimes |

| 1 | 2 | 3 |
|----|---|--|
| 6 | National Police of Ukraine | investigation of minor corruption crimes not related to the jurisdiction of NABU or SBI and corruption administrative offenses; maintenance of databases (banks) data on registered criminal and administrative corruption offenses |
| 7 | Ukrainian Security Service (USS) | prevention, detection, termination and disclosure of corruption and organized criminal activity |
| 8 | National Agency for the Prevention of Corruption (NAPC) | formation and implementation of anti-corruption policy; analysis of the state of prevention and combating corruption in Ukraine; development of draft anti-Corruption strategy; control and verification of declarations; maintenance of the Unified state register of declarations and the Unified state register of persons who committed corruption or corruption-related offenses; approval of rules of ethical behavior; organization of training, retraining and advanced training on issues related to the prevention of corruption |
| 9 | National Council on Anti-corruption Policy | preparation and submission of proposals to the President of Ukraine on the formation and implementation of the state anti-corruption policy; analysis of the state of prevention and combating corruption in Ukraine |
| 10 | Committee of the Verkhovna Rada of Ukraine on prevention and combating corruption | anti-corruption expertise of draft legislation; legal regulation of the activities of NABU and NAPC; legal regulation of the activities of other bodies in the sphere of prevention and counteraction of corruption |
| 11 | Ministry of justice of Ukraine | anti-corruption expertise of normative legal acts; inspection, under the Law of Ukraine "On government cleansing"; the formation and maintenance of the Unified state register of lustrated persons |
| 12 | Government Commissioner for anti-corruption policy | formation and ensuring the implementation of the state anti-corruption policy in the executive authorities |

* compiled by the author on the basis of [4]

in politics, society and security. Due to the complete public distrust of the former government as a whole and, including, anti-corruption bodies, it was impossible to achieve any noticeable systemic success in overcoming corruption [2].

A key area that needs to be implemented in Ukraine is the establishment of effective cooperation of all subjects of the anti-corruption system.

However, unfortunately, today there is a partial confrontation between these players, that are sometimes overlapping

powers and lack of full cooperation, which significantly hinders the process of eradicating corruption and combating this phenomenon.

An example of this was the approval of the Procedure for monitoring and full verification of electronic declarations of officials, during which there was some incomprehensible confrontation between the Ministry of justice and the NAPC. However, it should be noted that the position of the Minister of justice in criticizing the work of NAPC is unreasonable and indicates

inconsistency in the work, which negatively affects the trust of citizens to the entire system of prevention of corruption in Ukraine. It should be noted that unlike other bodies that implement the power and punitive function, NAPC performs preventive, which is extremely important, because the prevention of this phenomenon is one of the key principles of the struggle, which puts before itself not only Ukraine but also the leading European countries. Warning is the basis of this policy.

In its preventive role, NAPC sets the following objectives [5]:

- ensuring effective work of preventive anti-corruption units;
- introduction of anti-corruption programs in the activities of public authorities;
- improving the standards of integrity of officials;
- ensuring the effective functioning of the Unified state register of declarations of persons authorized to perform the functions of the state or local self-government in order to effectively monitor compliance with the requirements of the legislation on the submission of e-declarations and proper verification of submitted declarations and identify violations of financial control requirements;
- improvement of the system of state control over party finances to ensure transparency of financing of political parties with the restriction of the influence of private capital on the policy and publicity of information on the financing of political parties;
- obtaining special permission to carry out activities related to state secrets, registration of admission and granting access to it to the relevant em-

ployees of the National Agency for the purpose of full control of the submitted declarations of citizens, including law enforcement officers;

- monitoring the level of corruption in Ukraine, according to the approved methodology of the standard survey on the level of corruption in Ukraine;
- development of a new anti-corruption strategy based on the analysis of the results of assessing the level of corruption in Ukraine and the state of implementation of the current strategy, which will end in 2017.

Therefore, in order to ensure the proper functioning of the anti-corruption system in Ukraine, it is necessary to eliminate the shortcomings of the legislation in this area and improve the interaction of all subjects of this system, which will contribute to more effective work and increase public confidence in the work of anti-corruption bodies.

Summary. So, the study performed allows us to make certain generalizations and conclusions. All efforts in the fight against corruption in Ukraine should be made with the understanding that the center of its consequences is an ordinary citizen. Therefore, an effective state policy in this area is one of the main factors of the state care of the authorities about citizens. After the Revolution of Dignity, the direction of the fight against corruption has earned a new and is the most priority in the direction of European integration of Ukraine. This is evidenced by the adoption of a number of anti-corruption laws and the establishment of institutions to prevent and combat corruption. The main document in the fight against corruption is the “Anti-Corruption strategy for 2014–2017”. The difference of

this Strategy from the previous anti-corruption documents is that it regulates the submission of an annual public report on the progress of its implementation and provides indicators of the effectiveness of the implementation of anti-corruption struggle. The system of prevention of corruption in Ukraine includes a significant number of entities that perform a set of functions designed to combat this negative phenomenon in our country. The main problems in the fight against corruption are as follows: passive cooperation of Ukraine in the direction of establishing an effective coordinated anti-corruption policy among the States parties to the United Nations Convention against corruption, inadequate implementation by Ukraine of the requirements of international legal instruments in relation to the partnership between the government and civil society in the field of anti-corruption policy and the corruption of electoral legislation. A key area that needs to be implemented in Ukraine is the establishment of effective cooperation of all subjects of the anti-corruption system. Therefore, in order to ensure the proper functioning of the anti-corruption system in Ukraine, it is necessary to eliminate the shortcomings of the legislation in this area and improve the interaction of all subjects of this system, which will contribute to more effective work and increase public confidence in the work of anti-corruption bodies.

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MEDIA OF UKRAINE: PROBLEMS AND OUTLOOK

Abstract. The dynamics of up-to-date information transformations, the introduction of the most recent innovative technologies and the European integration vector of the national development, now more than ever help to improve the national media. However, the study of the outlined industry characteristics in the context of the social and communication paradigm has been confirmed by the existence and further development of negative trends that can include, among others, the following: 1) fragmentarity and low quality of journalistic education; 2) extremely large amount of media (glut) and low barriers to entry the market; 3) lack of independence; 4) fast food journalism trend; 5) use of intimidation linguistic elements in the middle of news and information texts; 6) imperfect media research; 7) daily disclosure of fake news; 8) lack of responsibility for poor-quality media content; 9) nonavailability of the media to implement effective marketing foreign concepts and practices; 10) archaic regulation of the media industry, and so on.

In terms of the subject of the article the question of legal basis of current media organizational work has been considered and the main issues have been con-



firmed; the analysis of the fake content distribution has been carried out; media-catching phenomenon has been analyzed as well as the influence of VUCA concept on improving the current media of Ukraine. According to the research results, theoretical conclusions have been formulated and authors; proposals have been developed that would help to convince of the national competitiveness. The proposals can be summarized to the following:

1. To organize effectively the internal work of the media by using marketing trends and the latest innovative technologies;
2. To tighten control over the quality of content from editors;
3. To conduct qualitative fact-checking and struggle with fake news;
4. To make media catching an integral part of internal media processes;
5. To take an active part in formation of laws and increase cooperation with European experts in the media industry.

Keywords: media catching, fake news, VUCA concept, journalistic education, content quality, media marketing, internal organization of media, planning, key performance indicators (KPI).

МЕДІА УКРАЇНИ: ПРОБЛЕМИ ТА ПЕРСПЕКТИВИ

Анотація. Динаміка сучасних інформаційних трансформацій, впровадження новітніх інноваційних технологій та євроінтеграційний вектор розвитку держави як ніколи сприяють вдосконаленню вітчизняних медіа. Однак, дослідження характеристик окресленої галузі у контексті соціально-комунікаційної парадигми підтверджують наявність та подальший розвиток негативних тенденцій, до яких можна, серед іншого, віднести: 1) фрагментарність та низьку якість журналістської освіти; 2) надзвичайно велику кількість медіа (перенасиченість) та низький поріг входу на ринок; 3) управлінську несамостійність команд; 4) тренд “фаст-фуд” журналістики; 5) наявність системи мовних елементів залякування у середині новин та інформаційних текстах; 6) недосконалість медіа досліджень; 7) щоденне оприлюднення “фейкових новин”; 8) відсутність відповідальності за неякісний медіа контент; 9) неготовність ЗМІ до внутрішнього впровадження ефективних маркетингових закордонних концептів та практик; 10) архаїчність нормативно-правового регулювання медіа галузі та ін.

З огляду на актуалізацію тематики розглянуто правові основи організаційної роботи сучасних медіа та підтверджено основні проблемні питання, проаналізовано інтенсифікацію поширення “фейкового” контенту та феномен “media-catching”, схарактеризовано вплив концепції VUCA на покращення медіа-поля на території України в умовах сьогодення. За результатами проведеного дослідження сформульовано теоретичні висновки та розроблено авторські пропозиції, які б мали переконувати у конкурентоспроможності держави, а саме:

- ефективно організувати внутрішню роботу ЗМІ з використанням маркетингових розробок та новітніх інноваційних технологій;
- посилити контроль за якістю контенту з боку редакцій;

- проводити якісний “факт-чекінг” та боротьбу з “фейковими новинами”;
- зробити “media catching” невід’ємною складовою організації внутрішніх процесів медіа;
- приймати активну участь у розробці законопроектів та посилити співробітництво з європейськими експертами у медіа галузі.

Ключові слова: media catching, фейкові новини, концепція VUCA, журналістська освіта, якість контенту, медіа маркетинг, внутрішня організація роботи ЗМІ, планування, показники ефективності КРІ.

МЕДИА УКРАИНЫ: ПРОБЛЕМЫ И ПЕРСПЕКТИВЫ

Аннотация. Динамика современных информационных трансформаций, внедрение новейших инновационных технологий и евроинтеграционный вектор развития государства как никогда способствуют совершенствованию отечественных медиа. Однако, исследования характеристик этой области в контексте социально-коммуникационной парадигмы подтверждают наличие и дальнейшее развитие негативных тенденций, к которым можно, среди прочего, отнести: 1) фрагментарность и низкое качество журналистского образования; 2) чрезвычайно большое количество медиа (перенасыщение) и низкий порог входа на рынок; 3) управленческую несамостоятельность команд; 4) тренд “фаст-фуд” журналистики; 5) наличие системы языковых элементов запугивания в новостях и информационных текстах; 6) несовершенство медиа-исследований; 7) ежедневное обнародование “фейковых новостей”; 8) отсутствие ответственности за медиа-контент; 9) неготовность СМИ к внутреннему внедрению эффективных маркетинговых иностранных концепций и практик; 10) архаичность нормативно-правового регулирования медиа отрасли и прочее.

Учитывая актуализацию тематики были рассмотрены правовые основы организационной работы современных медиа и подтверждены основные проблемные вопросы, проанализированы интенсификация распространения “фейкового” контента и феномен “media-catching”, охарактеризовано влияние концепции VUCA на улучшение медиа-поля на территории Украины в нынешних условиях. По результатам проведенного исследования сформулированы теоретические выводы и разработаны авторские рекомендации, которые помогут убеждать в конкурентоспособности государства, а именно:

- эффективно организовывать внутреннюю работу СМИ с использованием маркетинговых разработок и новейших инновационных технологий;
- усилить контроль за качеством контента со стороны редакций;
- проводить качественный “факт-чекінг” и борьбу с “фейковыми новостями”;
- сделать “media catching” неотъемлемой составляющей организации внутренних процессов медиа;

- принимать активное участие в разработке законопроектов и усилить сотрудничество с европейскими экспертами в медиа отрасли.

Ключевые слова: media catching, фейковые новости, концепция VUCA, журналистское образование, качество контента, медиа маркетинг, внутренняя организация работы СМИ, планирование, показатели эффективности КРІ.

Thesis statement. The study of the Ukrainian media industry in the social-communication paradigm context with the disciplinary approaches involvement, in particular, media-economic and media-sociological, provides an opportunity to state both negative tendencies of its formation and current development. According to the latest statistical data analysis results and own media space monitoring, it is possible to characterize the following phenomena that are currently characterized by the state of the national media industry, in particular:

1) fragmentarity and low quality of journalistic education, being established in 2016 by the 'Detector Media' specialists [1, p. 39–40] that currently has a tendency for both rapid and uncontrolled growth;

2) increasing the media number, meeting the legislative existence requirements, but actually only indirectly reminding effective and high-quality media. If comparing the mass media number in Ukraine per thousand people with other states, it exceeds the United States of America figure twice and the French Republic tenfold [2]. This is mainly due to the lack of requirements for the media market access, the content development organization, staffing and the final product quality. Today there is also media information 'clon-

ing' that occurs at the expense of the existing registered official website, and the absence of both person, being responsible for news and creative skilled media team.

3) managerial independence of journalistic teams, especially among state and regional mass media, eliminating the possibility of purposefully optimizing all the self-organization and self-regulation processes of the whole media organization structure. Thus, according to the internal organizational structure research and indicated media effectiveness, it has been found that only 20 % of them had commercial departments, 50 % of editors worked for КРІ, however, in general, they did not fully utilize the marketing component to achieve a higher level of productivity [3]. Thereby, processes, requiring both attention and optimization are intensified in order to form a stable basis for solving modern complex media tasks.

Moreover, we can talk about the 'fast food' journalism stirring in Ukraine, which 'pulls out' information from the context, and offers it to the audience without any processing and completion. This fact also indicates the processes of organization occurring in the media during material creation. In particular, the research results in 2018 are confirmed by the poor quality planning (lack of editorial plans), ineffective

work time organization, slow content creation, the lack of business process automation and medium-term planning of media activities. According to the report on regional media 2018, the latter have no systematic organization of work, financial and strategic planning and key performance indicators for journalists [3].

Politicization, a high bureaucratization of domestic media, the increase in the intimidation elements and audience inhibition, taking place against the escalation backdrop by the Russian Federation are also among negative factors. Continued media content unification (monotony, stereotypeness, limited problem-thematic selection, genre imbalance), its constant repetition causes the artificial formation phenomenon appearance of audience media needs as a long-term media effect on the territory of our country. Therefore, one of the main media functions, cultural and educational, is almost completely replaced by market profitability and targeting the mass audience coverage [4, p. 118].

The above implies the necessity of introducing new approaches, moreover to determine the change in the interaction between both journalists and public relations experts or other experts, it is also expedient to analyze the foreign experience of implementing the 'media catching' phenomenon and testing the media model, being invented and proposed by foreign media – practices. The model is based on the assumption most of the problems and opportunities are unpredictable, but the work skills acquire a special intensive, promising disclosure in such conditions, which leads to optimal results in development,

creating all the necessary conditions for media sphere managing. Thus, it can be argued there is a need to make positive changes to the internal organizational component of content creation and to update the current issue importance.

Analysis of recent research. New media technologies have increased the modern studies number on both domestic media industry state and prospects. Thus, periodicals and scientific publications mostly contain a negative characteristic of domestic media, referring to numerous assessments of their activities effectiveness and the respondents' survey [5–9]. Works of Media Detector [10] and the Media Development Foundation (MDF) [11] are among the most qualitative developments of the above-mentioned issue, which unanimously argue there is no professional moderation of media work. Moreover, nowadays, the effective interconnection between business and other economic subjects or professional activity and domestic media is not established. The qualitative studies' development of the Ukraine media space is only gaining momentum, especially in the European integration framework and cross-border expert cooperation strengthening in the outlined sphere.

The objective of the study. The purpose of the material is to characterize the current mass media trends in Ukraine and to form a comprehensive picture of the media industry future prospects. In accordance with the set goal, the main tasks of the article were outlined: 1) to consider the legal basis of the modern media organizational work and to confirm all the main problem issues; 2) analyze the intensification of

the fake content distribution; 3) analyze the ‘media-catching’ phenomenon and characterize the influence of the media VUCA concept [12] to improve the current media sphere in Ukraine; 4) to formulate conclusions and develop author’s proposals for the online segment and print media development in Ukraine, based on the study results.

The main research material presentation. Taking into account the information inequality, the problem of economic-technical, cultural-psychological and other barriers availability in accessing media products variability and perspectives created by the latest information and communication technologies is being actualized. Such tendencies lead to a lack of alternatives, a wide choice of media content, making the audience dependent on unified, popular media products. The following questions arise more and more frequently: how methodologically correct media owners are approaching the media content development, whether they are guided by the strategy of a potential (planned) target audience – a real audience; how they organize and control processes; do they study the media needs of the audience, or consider advertising as a factor, being able to determine the content and prospective audience from the start, or participate in the editorial process construction?

Today there is also a problem of media research (mediametry) imperfection in the researchers’ sphere: media both do not have the appropriate KPI (quantitative norm of non-plagiarized articles per person) and do not properly study all the human media needs that leads to non-objective data on its real interests, tastes, wishes [13, p. 98].

Marketing imperatives make media organizations holders adapt solely to the advertisers requirements. More and more journalists are leveraging the information sources quality, mostly trying to ‘pull out’ the new data, at least investing in it on the ‘fast food’ principle, without paying any attention to the context, quality and truth of the content [14, p. 197].

Unfortunately, in Ukraine, we can observe the daily increase of the so-called ‘fake news’ that involve completely or partially fictional information about events, phenomena, certain persons. We should also note that the phenomenon of such information originates from ancient times, but today it is striking by its mass and not controllability. The main feature of ‘fake news’ is the lack of variety of messages and synchronous distribution at once through all available channels. An example of “fake news” may be the dissemination on November 29, 2018 of the information that syringes, bandages and IVs will disappear from the store shelves in connection with the adoption of amendments to the Law of Ukraine “On Medicinal Products” [15]. Representatives of StopFake analyzed the bill and proved that there was no mention of such changes [16]. It should be noted that in this case, the media referred to the “authoritative opinion of pharmacists” in order to “capture” the audience. Given the geopolitical tensions related to Ukraine, the number of “fake news” began to increase in geometric progression. Following example illustrates the presence in the Ukrainian news stream of artificial news, especially produced with the real support of the pro-Russian media: Media dissemi-

nated information that Sumy region, in which the martial law was introduced, local residents began to receive text messages demanding that they immediately come to the military commissariat [17]. This kind of dissemination of information is definitely “fake” and has nothing to do with the Ministry of Defense of Ukraine and mobilization, however, caused panic among the residents of the region regardless.

It is worth emphasizing that domestic legislation does not punish the distribution of “fake news”, only contains a reference to the illegality of the distribution of unconfirmed information. Moreover, at the legislative level, the existence of such news in the territory of our state has not even been recognized and their features are not distinguished. The immediate process of prosecution is rather complicated in view of the need for the injured party to appeal to the competent authorities, in turn, the media distribute the content to the general public and are rarely held responsible. Recently, it was suggested that a draft law on countering “fakes” be drawn up, however, such a proposal received significant criticism, especially given the decriminalization of the defamation. The Committee on Freedom of Speech and Information Policy of the Ukrainian parliament noted that the adoption of such a law would be a step backwards for the rights of journalists [18]. It is necessary to agree with this statement, because such responsibility can become a tool to influence on the media. However, the current situation requires the adoption of measures and making of decisions. The need to counter “fakes” by the journalists themselves has been repeatedly emphasized. In this

context, the following actions are advised to counteract such fake information: 1) strengthening control over the correspondence between the duties and skills of the editorial staff; 2) strengthening control over the organization of the editorial process; 3) standardization, regulation of the main processes of the editorial staff; 4) permanent consulting support, etc.

Of course, the modern stage of development of our state requires radical changes in all spheres of its existence, including the media. The concept of marketing is a scientifically sound project of organizing the activities of mass media in general or of its marketing activity in particular, based on a specific management idea, effective strategy, which is aimed at achieving results. The not-too-high level of domestic journalism, secrecy from the marketing component and the over-saturation of the media space by low quality content lowers the level of trust in domestic media. Thus, the Reuters Institute for the Study of Journalism at Oxford University published a Report on Understanding the Reasons for Growth and Decreasing Media Confidence [19], but Ukraine could not even enter neither the world nor the European media rating due to its low actual levels.

Therefore, the issue of creating a high-quality, audience oriented and content-rich content remains relevant, especially given the ineffectiveness of selected management techniques for the competitive product creation in the media market. In particular, the following negative trends of the media industry in Ukraine were identified: 1) shrinkage of the media market in view of negative demographic proces-

ses and the recognition of a paramilitary conflict; 2) the outflow from media to social networks; 3) insufficient quantity of domestic quality content; 4) low competitiveness of regional mass media; 5) “cloning” of media products, which leads to the same content being reproduced [20]; 6) lack of profitability, staying on the brink of “survival” due to lack of skills and balance within the team, etc. Overall there is a trend for domestic journalism to produce the content of decreasing quality with decreasing efficiency, as a result we observe the loss of reputation that was built over the years. The phenomenon of hyperlocal media as a stable business platform is not currently getting adequate support, the desire to increase the internal efficiency of the media remains unfulfilled, there is still a significant lack of knowledge (do not know how to do) and lack of motivation for change (unable to think clearly for 6–24 months ahead). The revealed trends give an impetus for further reflection on the causes and consequences of such a situation in the media space and the possibilities of effective solution of the outlined issues. Discussions related to the prospects of using marketing mechanisms in the media sphere are currently being actively pursued. The revealed trends give an impetus for further reflection on the causes and consequences of such a situation in the media space and the possibilities of effective solution of the outlined issues. Discussions related to the prospects of using marketing mechanisms in the media sphere are currently being actively pursued.

The given context necessitates the establishment of links between the

standards of journalism with the domestic law regulating media activities. Modern globalization reduces the role of national legislation in the context of the expansion of various information flows. Such freedom primarily affects the content, the creation of which today goes beyond any legislative, technological and, in the end, ethical limits established in our society and the state. Content management is complicated by the reluctance of teams (and editors) to apply new knowledge and be open to communication. In the context of globalization, the idea of developing common laws and principles of governance is closest in its essence to controlling the content of the media and regulating their internal organizational activities.

Currently, the laws regulating organizational processes of content creation are recognized as archaic and devoid of the marketing component essential for domestic media market players. The legal basis for the activities of domestic media is defined by the Constitution of Ukraine [21], Law of Ukraine dated 02.10.1992 № 2657-XII “On Information” [22], dated November 16, 1992, № 2782-XII “On the Printed Media (Press) in Ukraine” [23], dated February 28, 1995, № 74/95-VR “On Information Agencies” [24], dated September 23, 1997 № 539/97-VR “On the Procedure for Covering the Activities of Public Authorities and Local Authorities in Ukraine by the Mass Media” [25], dated December 21, 1993, № 3759-XII “On Television and Radio Broadcasting” [26], dated September 23, 1997 № 540/97-VR “On State Support to Mass Media the information and social protection of journalists”

[27] and other norms of the current legislation of Ukraine.

In particular, the Law of Ukraine “On Printed Media (Press) in Ukraine” contains Section II, which regulates the organization of the activities of print media. The provisions of this legal act establish two types of guidance documents in determining the organizational component – a program of activities of the printed media and the statute of the editorial office. However, there is no provision for any detail or direct reference to marketing concepts and their approbation.

The Law of Ukraine “On Television and Radio Broadcasting” defines the organizational conditions for the functioning of this type of media. In particular, it is rather interesting to see a provision of the law necessitating the adoption of an editorial charter of teleorganization, which defines, among other things, the basic requirements for ensuring the accuracy, objectivity, impartiality and balance of information disseminated by the broadcasting organization; requirements for verifying the authenticity of information received from third parties, etc. In addition, it provides for the creation of a special body responsible for monitoring compliance with the provisions of the bylaws.

The Law of Ukraine “On Information” in Article 23 consolidates the definition of the term “information products”, but does not provide any requirements for information activities regarding their development by the mass media.

All others of the specified and analyzed legal acts do not even contain indirect references to the structure, prin-

ciples, characteristics and requirements of the internal organization of the work of the media, or any professional qualification requirements for media executives. Thus, it can be stated that despite the negative trends of reduction of the quality of media content, clear requirements for the organization of the media, capable of changing the existing trend, are not enshrined in the current legislation. Legislative norms give all the power to regulate the media's internal activities to media owners, who are currently mostly neglecting positive marketing and management practices.

The functioning of the media in market realities requires the development of a comprehensive state strategy for reforming the domestic media industry. With the adoption of the Law of Ukraine dated December 24, 2015, № 917-VIII “On reforming state and communal print media” [28], the reform of state and municipal print media has started, however, given the unsettled nature of such a process, substantial changes have not yet been made. Media work slower than the market conditions allow, incur unnecessary costs.

It should be emphasized that the ratification and entry into force of the Association Agreement between Ukraine, on the one hand, and the European Union, the European Atomic Energy Community and their Member States, on the other hand (dated 21.03.2014 and 27.06.2014) [29] have led to the excessive expectations in the field of European-oriented media transformation. Especially given that the Association Agreement stipulates the framework of cooperation on the subject of training of journalists and other media workers for both printed and electronic

publications. This is done in order to provide support for the media (public and private) and to reinforce their independence, professionalism and links with European media in accordance with European standards, in particular stipulated by the Council of Europe (part 2 of article 396).

It should be emphasized that in fact, 4 years after the signing of this international Agreement, no effective changes have taken place, and the provisions of the Agreement in this area remain declarative. Moreover, the Plan of Measures to Implement the Association Agreement between Ukraine, on the one hand, and the European Union, the European Atomic Energy Community and their Member States, on the other hand, was approved by the Resolution of the Cabinet of Ministers of Ukraine dated October 25, 2017 [30], envisages bringing in line with the EU law the rules and standards for the provision of audiovisual media services and for the improvement of the skills of media professionals by 01.09.2019 only; transposing the provisions of the European Convention on Transfrontier Television and Directive 2007/65 / EC (as amended by Directive 2010/13 / EC) [31], while neglecting the need to address the issues outlined above. Consequently, the European integration areas of improving the media space of Ukraine will only affect television, which indicates the mediocrity and fragmentation of European integration tendencies, and could also affect printed and online media.

Comparative analysis with successful foreign practices suggests that it could be reasonable to take into account the commercial factor in the functioning of the media. It is also important to

consider the need for organizing and controlling the mechanisms of forming the internal work of the industry, which is directly related to the latest business trends and the introduction of marketing approaches. Media have commercialized and started to become a market player, which involves competition, pricing, promotion of content in the media market, and, accordingly, is guided by marketing strategies, which in turn contribute to the development of effective ways to improve the quality of media work. For the most part, the media industry neglects the use of proven “media-catching” [32]. This may not be the most recent phenomenon, but innovative technologies and social networks have transformed it into a trend that helps increasing the efficiency of planning and the quality of management decisions. Therefore, “media catching” is a necessary component of media work for the long term. It should be emphasized that in this sense, the earlier mentioned concept of the VUCA [12] is worthy of consideration as one of the most promising areas, as a way to become relevant, internally organized and disciplined, effective and popular media.

Conclusion and prospects for further research. The low level of building an effective team to product the content by the national media is increasingly affecting the level of public confidence to the published information and to the media in general, that in its turn reduces the profitability of the entire industry. More and more, the regional media needs to obtain a financial basis for their future existence, and national reforms in this sector are only suppressing such a situation. Under these conditions, the media, for the most part,

do not take into account the fact that firstly and foremost, they are business owners and require an internal, coherent, competitive process construction and planning to implement their own activities in the longer term, which in the current circumstances can raise the national media market to the European level. Insignificant marketing orientation, unstructured media, neglect of the key performance indicators, and the reluctance to introduce a foreign positive experience and an excessive amount (per thousand) – these are the leading factors of poor quality of the content. If decisive actions are not taken today, the national media industry will be doomed to decline.

Taking into account the abovementioned information, it is reasonable to propose the following steps to increase the prestige of the Ukrainian media in the European and world media services market, as a result of making the country more attractive and stories in business:

1. To organize effectively the internal work of the media by using marketing trends and the latest innovative technologies, including using well-known research results and other recommendations from experts with practical experience.

2. To tighten control over the quality of content from editors.

3. To conduct a qualitative fact-checking and struggle with fake news.

4. To make media catching an integral part of internal media processes and to develop individual KPI's for each editor.

5. To take an active part in formation of laws and increase cooperation with European experts in the media industry.

All these steps will improve the professional competence in journalism and the prestige of the entire national media system.

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STATE REGULATION OF THE PROBLEMS OF INVESTMENT PROCESSES IN THE CONSTRUCTION OF SOCIAL HOUSING IN THE CONTEXT OF EUROPEAN EXPERIENCE

Abstract. The article defines that, in general, the existing problem of a significant housing shortage in the country is solved by purely state programs for the construction of low-cost housing. The population buys it, or rents it at low prices. And construction companies are stimulated by privileges from the state in the form of tax incentives. Subsequently, the state stops such programs due to the

saturation of the market with housing, and targeted assistance is provided. State policy in the field of investment regulation is reviewed in most countries with a developed social housing sector. A common concern is the fact that the available housing offers are not enough to meet the existing housing needs. In addition, there is political uncertainty about the future financing of social housing in many countries. There is a growing interest in finding innovative sources of funding, analyzing existing systems for economic efficiency, increasing interest in government guarantees, productive combination of funds, developing cooperation with private developers and receiving investments from institutional investors. It has been proven that housing for social housing stock lacks attractiveness to attract the attention of investors. As a rule, in most cases, the landlord expects to receive material benefits. The constant decrease in the number of social residential buildings is explained, in particular, by the fact that the construction of new social houses almost does not occur and at the same time a certain number of residential premises fall out of the so-called circle of obligations. Such "obligations" are contracts that establish a period during which the premises may be leased as social. The signing of new contracts by the owners was not carried out, since they (the contracts) do not guarantee an adequate level of income. Therefore, it is believed that this type of obligation should be provided by municipalities and federal lands, since it is the latter that are competent in the construction of social residential premises.

Keywords: government regulation, investment, social housing, housing policy, construction industry.

ДЕРЖАВНЕ РЕГУЛЮВАННЯ ПРОБЛЕМ ІНВЕСТИЦІЙНИХ ПРОЦЕСІВ У БУДІВНИЦТВІ СОЦІАЛЬНОГО ЖИТЛА В КОНТЕКСТІ ЄВРОПЕЙСЬКОГО ДОСВІДУ

Анотація. Визначено, що, загалом, існуючу проблему значної нестачі житла країни вирішують суто державними програмами будівництва недорогого житла. Населення купує його, або орендує за низькими цінами. А будівельні компанії стимулюються привілеями від держави у вигляді податкових пільг. Згодом такі програми зупиняються державою через насиченість ринку житлом і допомога надається адресна. Державна політика у сфері регулювання інвестиційними процесами переглядається в більшості країн з розвиненим сектором соціального житла. Загальну стурбованість викликає той факт, що наявної пропозиції житлових приміщень недостатньо для задоволення існуючих потреб у житлі. До того ж, існує політична невизначеність щодо майбутнього фінансування соціального житла у багатьох країнах. Зростає інтерес до пошуку інноваційних джерел фінансування, аналізу існуючих систем щодо економічної ефективності, збільшується інтерес до державних гарантій, продуктивного поєднання засобів, розвитку співпраці з приватними забудовниками і отримання інвестицій від інституційних інвесторів. Доведено, що помешканням соціального житлового фонду не вистачає привабливості для повертання уваги інвесторів. У більшості випадків орендодавець роз-

раховує на отримання матеріальної вигоди. Постійне ж зниження кількості соціальних житлових будівель пояснюється тим, що зведення нових соціальних будинків майже не відбувається та одночасно певна кількість житлових помешкань випадає з так званого кола зобов'язань. Такі “зобов'язання” — це договори, що встановлюють термін, протягом якого приміщення можуть здавати в оренду як соціальні. Підписання нових договорів власниками не проводилося, оскільки вони (договори) не гарантують належний рівень доходу. Існує думка, що такого виду зобов'язання мають забезпечуватися муніципалітетами та федеральними землями, оскільки саме останні компетентні в питаннях будівництва соціальних житлових приміщень.

Ключові слова: державне регулювання, інвестиції, соціальне житло, житлова політика, будівельна галузь.

ГОСУДАРСТВЕННОЕ РЕГУЛИРОВАНИЕ ПРОБЛЕМ ИНВЕСТИЦИОННЫХ ПРОЦЕССОВ В СТРОИТЕЛЬСТВЕ СОЦИАЛЬНОГО ЖИЛЬЯ В КОНТЕКСТЕ ЕВРОПЕЙСКОГО ОПЫТА

Аннотация. Определено, что в целом существующую проблему значительного недостатка жилья страны решают сугубо государственными программами строительства недорогого жилья. Население покупает его, или арендует по низким ценам. А строительные компании стимулируются привилегиями от государства в виде налоговых льгот. Впоследствии такие программы останавливаются государством по причине насыщенности рынка жильем, и помощь оказывается адресная. Государственная политика в сфере регулирования инвестиционными процессами пересматривается в большинстве стран с развитым сектором социального жилья. Общую обеспокоенность вызывает тот факт, что имеющихся предложений жилых помещений недостаточно для удовлетворения существующих потребностей в жилье. К тому же, существует политическая неопределенность относительно будущего финансирования социального жилья во многих странах. Растет интерес к поиску инновационных источников финансирования, анализа существующих систем относительно экономической эффективности, увеличивается интерес к государственным гарантиям, продуктивному сочетанию средств, развитию сотрудничества с частными застройщиками и получению инвестиций от институциональных инвесторов. Доказано, что жилью социального жилого фонда не хватает привлекательности для привлечения внимания инвесторов. В большинстве случаев арендодатель рассчитывает на получение материальной выгоды. Постоянное же снижение количества социальных жилых зданий объясняется, в частности, тем, что возведение новых социальных домов почти не происходит и одновременно определенное количество жилых помещений выпадает так называемого круга обязательств. Такие “обязательства” — это договоры, устанавливающие срок, в течение которого помещения могут сдавать в аренду как социальные. Подписание новых договоров владельцами не проводилось, поскольку они (договоры) не гарантируют долж-

ный уровень дохода. Поэтому есть мнение, что такого вида обязательства должны обеспечиваться муниципалитетами и федеральными землями, поскольку именно последние компетентны в вопросах строительства социальных жилых помещений.

Ключевые слова: государственное регулирование, инвестиции, социальное жилье, жилищная политика, строительная отрасль.

Formulation of the problem. The solution of the housing problem today is considered as a priority task in many countries of the world. In general, Western European governments allocate substantial funds for social housing programs. Such figures are: from 0,1–0,3 % of GDP – Italy, Greece to 1,2–1,4 % of GDP – Finland, Denmark and Austria. France provides housing for citizens (including preferential ones) each year at 1,9 % of GDP. By share in the structure of the real estate, most public buildings were built in the Netherlands – almost a third of the total housing stock; followed by Austria, Denmark, Britain, France, Finland and Sweden – 19–23 % of the total fund, which means that almost a quarter of all families live in social housing, that is, the population receives one way or another state support for rental housing or payment for housing and communal services.

Analysis of recent research and publications. In recent years, the problems of the construction of social housing in the economy of Ukraine were considered in the writings of A. Bogdanenko, O. Nepomnyaschiy, T. Nechyporenko [4], S. Shevchuk [3], and others. The mentioned authors investigate the state and problems of housing and communal services development in the country, they proposed various

mechanisms for attracting additional financial resources to housing construction. However, they practically do not substantiate the approaches taking into account the experience of developed countries in the world to reform the state regulation of construction of social housing, does not systematize the assessment of the effectiveness of the state policy of construction of social housing and determine the direction of its improvement.

The purpose of the article – to analyze the state regulation of the problems of investment processes in the construction of social housing in the context of European experience.

Presentation of the main research material. European states have faced the problem of overpopulation, which is relevant since the end of the Second World War [1]. Then Germany, Italy, France and England were subjected to a large influx of refugees from other states. Since then, virtually all European states have policies on social housing and housing construction as a priority in their development.

In France, you can see the lack of clarity in the distinction between private and public housing. This is due to the fact that a large number of privately owned companies provide housing market control. A large number of French families live in social housing.

And private companies engaged in the construction of this type of housing, receive state privileges in the form of tax privileges. Upon completion of the construction, residential premises are rented to families (citizens) who are low-income, and rental prices for this type of housing are set by the state. Determine who will be granted the right to social housing by private companies and local authorities, which share the authority to identify individuals. The average waiting time in the queue for receiving it in France is ten months. The rent for social housing in France is by far much smaller when comparing market prices. At the same time, about half of the inhabitants are also participants in residential subsidies provided by the state [2].

In general, Western Europe does not have a single social housing program, which must be carried out by all members of the union. But all countries have signed a document that addresses the eradication of poverty over the coming years. In this area, much work is being done, according to the FEANTSA (European federation, which combines national organizations and deals with the problems of homeless people), there are 3 million people without living conditions in Western Europe [3].

Investing in (building, reconstruction, etc.) the social housing stock in the EU countries takes place by attracting: financial resources of the central, regional and local authorities; private investment and donations. According to the latest trends in the provision of social housing in the EU, the central authority is gradually moving away from addressing the problems of this nature, thus involving local au-

thorities in the lead in resolving these issues.

If you take as an example Sweden — the cost of providing social housing (demolition of old residential buildings, construction of new ones, work on reconstruction, repair, maintenance) is distributed among the central government and the municipality in the ratio of 50 to 50. Denmark — here the solution of similar issues lies in residential commercial organizations. For this they receive certain privileges from the state in the form of tax privileges and subsidies. In Holland, in the social housing sector there are residential associations, often of a private type. In Austria, companies owned by local or central government, trade unions, banks and other entities. In the UK, the provision of social housing for the population in need of it — the prerogative of municipal organizations (to a greater extent) and residential associations (to a lesser extent). Housing associations in England are independent non-profit organizations that are registered accordingly and provide regular reporting on their activities. In France, in accordance with the current legislation, at least 20 % of residential buildings must be allocated to low-income citizens in each complex building.

Problems of state regulation of investment processes in the construction of social housing in Sweden. In Sweden, the practice of solving the problem of social housing is as follows: new construction is rarely used and poor families receive mostly reconstructed old housing. Expenditures for reconstruction are divided equally between the state and municipalities, which rent it to the poor in rent at a reduced

rate. At the same time, city authorities remain the owner of housing and is responsible for maintenance and repair of social housing stock, but the poor can not redeem it. Therefore, the mortgage lending system is much less developed and built on lease, which is quite affordable thanks to high pensions. Private organizations operating in the interests of the poor in the system of accounting needs and distribution of housing, there are no, and the municipalities report only to the state. The government subsidized the demolition of outdated housing units in some parts of Sweden – most often in the old industrial cities. Some residential units were sold to cooperative tenants or private property owners. Tenants have the least rights in these sales, they can affect court decisions, but only in the prescribed manner. Other residential units were purchased by tenants, despite a sale-prohibiting law that could jeopardize the functioning of a fair rental system in Sweden. The right to buy also applies to rented private homes. In the period of new construction, the municipal sector is in a very good condition, its share in the new construction approximately corresponds to its share in the total volume of housing stock (about 20 %) [4].

The provision of demand-side subsidies remains one of the main areas for investment in social housing stock in countries with a developed social housing sector. However, high spending on demand side subsidies for the state budget has led to a revision of these payments in some countries (for example, in the UK). Great Britain is one of the richest countries in the world with a stable economy. However, millions of

citizens live in relative poverty and systematically lose the benefits of a prosperous society. Hence, social housing is a fairly common way of providing housing to the population.

For social housing development programs, multi-component and financial complexity is rarely required in commercial construction. The European Federation of Social Housing has conducted a deep analysis of funding programs in six European countries. It shows that typical schemes for the financing of new buildings in France make up 76,5 % of loans, 10 % – on the assets of entities providing housing, 8 % – with subsidies from local authorities, 3 % – from state subsidies and 2,5 % – from subsidies of employers. In Denmark, distributed programs of funding of 2 % consist of a bonus for residents, 14 % – from municipal subsidies and 84 % – with a guaranteed loan (guaranteed by the municipality). In the UK, cross-subsidization programs are increasingly being used; this happens when commercial objects are used to finance the construction of 20 % of social housing [5].

Currently, there are two issues in the area of social housing investment: growing needs and reducing funding. The number of households registered on the list for social housing in the states has increased since the onset of the global financial crisis. However, as a result of the crisis, the reduction of public spending has become necessary and inevitable. This led to disproportionate effects in the residential sector. Everywhere there is a need for safe decent housing available at the lowest levels of income. As a result of the global financial crisis, the context in which housing systems

functioned also changed, and its future is uncertain. In the past, a social housing fund could be used to provide shelter to vulnerable and poorly populated groups in most European states. However, as a result of the current crisis, the need for social housing has not only increased, but also diversified. Housing needs elderly, young people (first-time residents), middle-income households, and vulnerable groups and groups.

Attracting assets of the European Investment Bank (hereinafter – the EIB) to the construction of a housing social fund. The EIB on Housing follows the principle of subsidiarity of the European Union. However, for this bank, housing and social housing is not the main sector of activity. The social housing sector has grown even more recently as a result of the demand for financial products to support it. The EIB reacts to the demand for loans, then and in the case if the bank is reported on them in the form of specific projects. The EIB representatives emphasized that it is a body that follows the policy (in the social housing area), therefore, it does not develop a policy, but responds to it (at the national level). In general, the bank finances some programs of affordable and social housing as part of local integration and inclusive plans for sustainable urban development and housing policies that meet the criteria for selecting the EIB for this sector.

The International Monetary Fund notes that the government's participation in the mortgage market is, among other things, expensive from the point of view of public financing, and at the same time it was not very effective in increasing the amount of housing owned [6]. It is argued that state interference in

the mortgage sector is aimed at financing the institution of home ownership and is the cause of financial instability and rising housing prices. Very little attention is paid to the main link between financial markets and the dynamics of housing markets. As a result of previous financial policies and the global financial crisis, the housing crisis not only led to an increase in housing needs, but also destabilized national banks in some developed economies. Experts emphasize that this is a problem, since mortgage loans are partly funded in international capital markets. As a result of the fall in housing prices, mortgage loans have risen in price compared with the value of housing laid down on their basis. Many people currently have negative assets, especially those who entered the market after 2007. In a number of Western European countries, the rules for obtaining access to mortgages have become more stringent, and the criteria for obtaining them have increased. Many people are no longer able to afford housing. And if they, moreover, have no right to social housing, they become dependent on a small private housing sector leased with a very high rent.

Conclusions. Drawing attention to the problems that are present in the field of providing social housing for the population and the regulation of investment processes in the same area, nevertheless, we can note that combining the efforts of the state and private capital allows for the possibility to erode social housing structures and in much larger volumes. It is also important that the governments of the EU member states are increasingly taking decisions on the possibility of further redemption of social housing. Thus, the social housing

fund is turning into an affordable, gradually solved the problem of the lack of social housing estates, there is a correction of social behavior of low-income citizens. Thus, there is a very ramified and extremely flexible system of providing poor people with affordable housing with the participation of all structures of society – the state, local authorities, business – and a clear division of functions and mutual responsibility.

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UKRAINIAN STATE PAVEL SKROROPADSKY: PECULIARITIES OF NATIONAL MILITARY AUTOCRACY

Abstract. The proposed research is an analysis of state-building attempts in Ukrainian territories during the period of the Ukrainian revolution, namely, during the time of the Ukrainian State of Pavlo Skoropadsky.

It contains a detailed description of the Hetman government describes features of the interaction of central and local government, the influence of foreign protectorate for the creation, operation and collapse of the Hetman regime that, despite this, wearing the national character. Special attention is given to the reform and innovation, characteristics and reasoning autocracy in management profession officials, outlining future plans for state building and cause of the fall of the Ukrainian state. Investigated that large industrial and agricultural bourgeoisie has created its own representative body – the Council of Industry, Trade, Finance and Agriculture, which was intended to promote the restoration of pre-revolutionary

economic system (Protofis) with its branches in provinces. Thus, experiencing harassment by the Hetman's administration, who was a prisoner of economic agreements with Germany and Austria-Hungary, and resisting landowners who wanted to restore the old land and property, the masses were enemies of the new order, which, in fact, contributed the most crash Hetman's government.

The work presented evidence to suggest practical steps towards an independent state made the times Skoropadskiy: the creation authorities, the struggle for the country, implementation of strong internal and active foreign policy, legislative regulation of public life; Separately, the historical lessons of the described experience of national state construction are emphasized.

Keywords: Hetman, Ukrainian State, Council of Ministers of the Ukrainian State, Ukrainian Sejm, foreign protectorate, State guard, Protofis, provincial elders, atamans, Directory of the UPR.

УКРАЇНЬСЬКА ДЕРЖАВА ПАВЛА СКОРОПАДСЬКОГО: ОСОБЛИВОСТІ НАЦІОНАЛЬНОЇ ВІЙСЬКОВОЇ АВТОКРАТІЇ

Анотація. У запропонованому дослідженні проаналізовано державотворчі процеси на українських теренах у період української революції, а саме — за часів Української держави Павла Скоропадського.

Подано детальний опис діяльності гетьманського уряду, схарактеризовано особливості взаємодії центральної та місцевої влади, досліджено вплив іноземного протекторату на створення, функціонування та крах гетьманського режиму, який, незважаючи на це, носив національний характер. Особливу увагу приділено розгляду реформ та нововведень, характеристики та аргументації автократії в управлінні, професіограмам урядовців, окресленню майбутніх планів державного будівництва та причинам падіння Української держави. Досліджено, що велика промислова і сільськогосподарська буржуазія утворила власний представницький орган — Раду промисловості, торгівлі, фінансів та сільського господарства, яка мала на меті сприяти реставрації дореволюційного господарського устрою (Протофіс) зі своїми філіями у губерніях. Таким чином, зазнаючи утисків з боку гетьманської адміністрації, яка перебувала у полоні економічних домовленостей з Німеччиною та Австро-Угорщиною, та чинячи опір поміщикам, які прагли повернути колишні угіддя і майно, народні маси ставали ворогами нових порядків, що, по суті, найбільше посприяло крахові гетьманського урядування.

Наведено докази, що свідчать про реальні кроки на шляху до самостійної держави, здійснені за часів П. Скоропадського: створення владних структур, боротьба за території країни, провадження рішучої внутрішньої та активної зовнішньої політики, законодавче регулювання суспільного життя; окремо наголошено на історичних уроках описуваного досвіду національного державного будівництва.

Ключові слова: гетьман, Українська Держава, Рада Міністрів Української Держави, Український Сейм, іноземний протекторат, Державна варта, Протофіс, губернські старости, отамани, Директорія УНР.

УКРАИНСКОЕ ГОСУДАРСТВО ПАВЛА СКОРОПАДСКОГО: ОСОБЕННОСТИ НАЦИОНАЛЬНОЙ ВОЕННОЙ АВТОКРАТИИ

Аннотация. В предложенном исследовании проанализированы государственно-созидательные процессы на украинской территории в период Украинской революции, а именно — во времена Украинского государства Павла Скоропадского.

Представлено подробное описание деятельности гетманского правительства, охарактеризованы особенности взаимодействия центральной и местной власти, исследовано влияние иностранного протектората на создание, функционирование и крах гетманского режима, который, несмотря на это, носил национальный характер. Особое внимание уделено рассмотрению реформ и нововведений, характеристике и аргументации автократии в управлении, профессиограмме чиновников, обрисовке будущих планов государственного строительства и причинам падения украинского государства. Доказано, что крупная промышленная и сельскохозяйственная буржуазия создала собственный представительный орган — Совет промышленности, торговли, финансов и сельского хозяйства, цель которого — способствовать реставрации дореволюционного хозяйственного устройства (Протофис) со своими филиалами в губерниях. Таким образом, испытывая давление со стороны гетманской администрации, которая находилась в плену экономических договоренностей с Германией и Австро-Венгрией, и сопротивляясь помещикам, которые хотели вернуть прежние угодья и имущество, народные массы становились врагами новых порядков, что, по сути, больше поспособствовало крушению гетманского управления.

В работе приведены доказательства, свидетельствующие о реальных шагах на пути к самостоятельному государству, совершенные во времена П. Скоропадского: создание властных структур, борьба за территории страны, производство решительной внутренней и активной внешней политики, законодательное регулирование общественной жизни; отдельно отмечены исторические уроки описываемого опыта национального государственного строительства.

Ключевые слова: гетьман, Украинское Государство, Совет Министров Украинского Государства, Украинский Сейм, иностранный протекторат, Государственная стража, Протофис, губернские старосты, атаманы, Директория УНР.

Statement of the problem in the- sis form and its connection with im- portant scientific or practical tasks.

After the defeat of the Ukrainian Central Rada and the entry of German and Austro-Hungarian troops into the country, the formation of new govern-

ment institutions largely depended on the allies and their geopolitical interests. The desire of the Ukrainian elite to continue the national revolution by reforming the internal and external life found support from these forces, which relied on the power of the Ukrai-

nian state, which stood in place of the UPR.

In historiography, there were quite frequent discussions on its assessment as a separate state entity: its characteristics as a puppet state, as a satellite state, as a temporary artificial autocratic formation organized by the occupation regime to meet domestic economic needs.

However, this period is more appropriate to consider as a bright progressive stage of the national state, characteristic of the Ukrainian revolution of 1917–1921, and special scientific attention is required by the fact that it in a short period of time (April–December 1918) the foundations of the future Institute of Ukrainian public service were established, — the form and content of its activities, professional requirements for civil servants, the emphasis on the rejection of political preferences, ethics of the employee and the moral principles, and these lessons are important today for the modern state, the main task of which is anti-corruption reform, primarily in the field of executive power, as well as the creation of effective technocratic management.

Analysis of research and publications. The source basis for the constructive scientific study of this problem were the works of contemporaries of the Ukrainian revolution of 1917–1921: first of all, the memories of the Head of the Ukrainian State P. Skoropadskyi [4, 14]; historical works of his colleague, an outstanding scientist and statesman D. Doroshenko [3]; memoirs of the reformer of the “white” movement and the Supreme commander of the southern troops of Russia P. Wrangel [5; 6], memories of

the Russian statesman V. Obolenskyi [9], political studies of V. Petriv [12]. Additional information to explore this theme is provide in the works of Ukrainian historian I. Kripyakevych [11], historiographical studies of modern scientists S. Kulchytskyi [1], O. Mironenko [2], V. Chekhov [10], O. Boyko [8]. The paper uses collective works on the history of public service and archival research materials of the governments of Ukraine in the twentieth century [7].

Formulation of the purpose of the article:

- to highlight the mechanisms of formation of central government bodies, local authorities in the Ukrainian State and the principles of their interaction;

- to consider the features of the German and Austro-Hungarian protectorate and characterize the level of foreign influence on political events and government steps in the described period of the Ukrainian revolution;

- to study the ratio of management reforms and restorations in the activities of the Hetman government;

- to emphasize national features in the Hetman administration and to prove the importance of this historical lesson.

Presentation of the main material of the study with the justification of the results. Pavlo Skoropadskyi, the head of the proclaimed Ukrainian State officially took power from the delegates of the all-Ukrainian peasant Congress, convened by the Central Rada in April of 1918 — historians call this moment a coup d'état initiated by the high command of Germany. The foreign role in management was quite reasoned: having found itself in a difficult situ-

ation after the end of the First World War, caused by the threat of the red and white guard, the previous government of the UPR was forced to agree to the protectorate of the Fourth Union, primarily Germany and Austria-Hungary — in exchange for territorial concessions (return of Kholmshchyna, Pildliashia, providing conditions for the autonomous development of Eastern Galicia); an important condition of this agreement was the exchange of prisoners of war, a return to mutually beneficial economic relations [1].

At the same time, the last important government steps were taken by the Council of People's Ministers, which was evacuated to Volyn: The law on the citizenship of the UPR and the introduction of the national currency — hryvnia, the state emblem (trident) was approved, the Gregorian calendar was introduced. And it was the lack of domestic and international support, the spread of the Bolshevik threat, the destruction of the legitimate power vertical that caused the coup d'état in Kyiv in April of 1918, and the subsequent achievements in the field of national policy belonged to the new government.

Officially, the parliamentary course of the state remained unchanged, since the law "On the temporary state structure", which prescribed the status of citizens, noted that the legislative and judicial power would belong to the Hetman only until the election of the Parliament, the Ukrainian Sejm, by all citizens of the Ukrainian State [2].

Consequently, the partnership with the Fourth Union was caused by the acute need of the Ukrainian authorities for armed assistance and no less urgent

need of strategic partners, Austria-Hungary and Germany, in agricultural and industrial Ukrainian raw materials, and this pushed the latter to strengthen the military presence in the Ukrainian lands, which fulfilled its important mission: in the spring of 1918, the Bolsheviks left the territory of the UNR, where more than 450,000 German and Austro-Hungarian soldiers were concentrated [3].

The figure of the leader of this state Pavlo Skoropadskyi is of particular scientific interest to researchers. The higher German command saw in him a ruler who had all the signs of traditional legitimacy: aristocratic origin (Hetman's lineage), military experience and high rank, noble education, special respect for Ukrainian national traditions, loyal attitude to foreign patrons — all this should contribute to the approval of Pavlo Skoropadskyi as the head of state. The Hetman was aware of the temporality of his own individual ruling (before the Parliament), even more — he denied monarchism, but he considered autocracy to be the only possible way out in the conditions of the general political and economic crisis, which covered the then society [4].

Despite an undemocratic rise to power and a sizeable German protectorate, the period of existence of the Hetman regime in Ukrainian territory was a continuation of ancient Ukrainian traditions in government, and the newly created Ukrainian state had all the signs of an independent state formation. First of all, this was evidenced by the strong position of the head of state, who had all the legislative (before the declared convocation of the Ukrainian Sejm) and Executive power in

the country; he was also the “Supreme Governor” — the commander of the army and Navy and had the right to form a government almost independently. The new leader of the state, abandoning the monarchical plans, at the beginning of his state activity hoped for broad support of Austria, in alliance with which he saw an independent future of Ukraine [5]. There was a serious reason for this: in addition to the readiness of Austria-Hungary to take under its wing the weighty rest of the neighboring lands, for the new Ukrainian government it the fact that the territorial subjects of this Empire, in contrast to tsarist Russia, de facto had the status of relatively independent parts of the Empire (with all the appropriate rights, liberties and representations allowed in the monarchy was worth a lot; therefore, the forced reorientation to the future (not Bolshevik) Russia will be for the Hetman, according to eyewitnesses, the only possible conscious state choice, but perhaps the most personal political disappointment [6].

No less important feature of the state is the content and form of functioning of its own government, the Council of Ministers headed by Otaman (Chairman of the Council of Ministers), the government, which significantly contributed to the development of the national Institute of public service. Thus, the ministries of internal and foreign affairs, industry, finance and trade, agriculture, public education, public health, and religion (religious Affairs) were established; the Ministers of military and judicial affairs, the Controller General and the Secretary General (head of the General office) were appointed. Gradually, a prototype of the modern system

of Executive power was formed: the ministries were divided into departments and offices, comrades of Ministers (deputies) and other employees also got on a professional basis; names and powers were changed, staff schedules and cost estimates were reasoned. Similar but less successful reforms have been carried out in the judicial sphere. All civil servants and judges, as well as the military, gave a solemn oath to faithfully serve the Ukrainian State [7].

The Ukrainian State had a pre-revolutionary territorial and administrative structure; its certain features were reflected in the system of local self-government (the Institute of provincial chiefs, which was engaged in the Ministry of internal Affairs) [8]. A characteristic feature of local government was its formation in accordance with the previous experience of the participants: important positions were often given to former Russian officials and officials of the time of the UPR, without regard to national origin and political sympathy. Usually this often provoked conflicts, especially given the fact that during the Hetman regime in Ukraine a lot of former landowners returned who demanded the government’s own land and condition, as well as considerable compensation for the losses caused by the revolution. The situation was complicated by contradictions in the city councils and zemstvo district and volost councils, which often consisted of representatives of the estates, loyal not only to the leaders of the White guard, who saw in the Ukrainian state a member of the future Federation of the former peoples of the Russian Empire, and even to the monarchists (especially in the southern provinces with their pre-

revolutionary views and the remnants of the administrative system) [9].

In the system of local self-government Hetman government sought to rely on the middle class, in particular, on the well-off peasantry, with this goal was revived the Institute of the Cossacks coralink organization and Otaman management, which operated in parallel with the provincial Presidium [10]. In addition, the great industrial and agricultural bourgeoisie formed its own representative body – the Council of industry, trade, finance and agriculture, which was aimed at promoting the restoration of the pre-revolutionary economic system (Protophis) with its branches in the provinces. Thus, suffering harassment by the Hetman administration, which was in captivity of economic agreements with Germany and Austria-Hungary, and resisting the landowners who wanted to return the former lands and property, the masses became enemies of the new order, which, in fact, most contributed to the collapse of the Hetman administration.

Given the constant external threat and internal civil conflicts, one of the main issues of state building was the organization of state protection-the restructuring of the army, aviation and Navy, which, according to the general conclusion of historians, were brought to the highest combat capability of the time during the reign of pPavlo Skoropadskyi [11]. The same applies to the internal security forces, in particular, the state guard, which at the beginning of its existence carried out not only the functions of the police, but also carried out border and customs control, was responsible for the military intelligence and personal security of the Hetman

and the government: created by the decree of the Chairman of the government of the new loyal to the former police officers and officials, the professional and state police in the middle of 1918 numbered up to 60 thousand employees and was a strong pillar of the regime. At the same time VPS, future voluntary people's squads, began its activities, as well as precinct and street committees for the protection of public order – the involvement of the local population led by him, including law enforcement was one of the unrealized initiatives proclaimed more Stolypin reforms [12].

In the performance of foreign policy, the main problems were attempts to clearly delineate the North-Eastern borders of the state and attempts to establish relations with the Entente countries (or with its individual entities). With the support of the countries of the Fourth Union and their geopolitical partners (all of these states had official representations in Kyiv) and the recognition of the Ukrainian State by the majority of European countries, the Ukrainian government carried out foreign activities as a full-fledged subject of international relations, recognizing the right to state-building behind all the national outskirts of the former Russian Empire and seeking to unite the ethnic Ukrainian lands and Crimea (on the rights of autonomy) within the Ukrainian State. The Ukrainian State was recognized by 30 states, including Bolshevik Russia. Despite numerous criticisms of the political pro-Russian (white guard) policy of Pavlo Skoropadskyi, without regard to the real protectorate of Germany and Austria-Hungary, many laws and other acts (and there were more than 500) of the

government of the Ukrainian State testified to the Ukrainization of social and political life. The central administrative apparatus consisted mainly of ethnic Ukrainians. Ukrainian was recognized as the official language, national symbols and national system of state awards were widely used, Ukrainian Academy of Sciences, National Historical Museum, National library and National archive were founded, Ukrainian universities were opened. The study of the Ukrainian language and literature has become mandatory. The process of Ukrainization affected the visual, musical and theatrical art, history of Ukraine, national law, religion; at the same time, the rights of national minorities (Jews, Crimean Tatars and others) to free national – cultural and spiritual development were also recognized – all these governmental steps convincingly prove the existence of a solid national spiritual basis in the development of the Ukrainian State (even if there was a foreign substrate in management).

Summary. The activities of the Hetman government was another step towards the creation of the state in Ukraine, initiated by the allies of the Ukrainian State led by Hetman Pavlo Skoropadskyi, which appeared instead of the UPR, even today remains a bright lesson of the formation of national state building in the Ukrainian expanses. In addition, the period of existence of the Hetmanate was a triumph of the executive power, because never in Ukrainian history the government had such broad powers and was not so deprived of control of the legislature. However, it was under the strict supervision of the head of state and his foreign patrons and represented himself as a provisional au-

thority. The leader of the state and his colleagues were aware of the delays and shortcomings of autocracy and all the risks of conservatism, which replaced socialism (social democracy), declared in the programs of the Central Council, and which was based on the form of national cossack traditions, and the content of activities – on strict monarchism and authoritarian methods of management, characteristic of management in pre-revolutionary Imperial Russia. As for the Hetman himself, “the unification of the Slavic lands of Austria and Ukraine and the creation of an independent and independent Ukraine was his only lifelong task” [13]. The head of the Ukrainian state gave the following assessment to the whole government: “I do not want to say that the central offices worked well, there were many people who were unsuitable due to their knowledge and their moral qualities, but it took time to disinfect all these institutions” [14]. It is the lack of time to establish effective governance, the people’s discontent with foreign mercantile patronage, the intensification of political struggle in the state and caused an uprising against the Hetman, which, in the absence of military support of allies engaged in territorial and political divisions in their own States, it ended with the coming to power of the Directory. In any case, the ruling of Pavlo Skoropadskyi should be considered as another (although initiated by foreign patrons) historical attempt of Ukrainians to build their own state model, however, not in the previous, declared by the Central Rada democratic pro-socialist format, but in the form of autocracy, built on the principles of military Ukrainian conservatism.

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ANALYSIS OF THE CONDITIONS FOR THE STATE POLICY FORMATION TO ENSURE KIBERNETIC SECURITY IN UKRAINE

Abstract. The article summarizes the main tendencies, features and problems that have a direct impact on the state policy formation for ensuring cybernetic security. The present state of cybercrime in the world has been analyzed and its global distribution has been proved. The potential of cyberattacks in Ukraine has been investigated and its increase was determined by such tendencies in the activity of enterprises and business as the growth of the number of computer equipment, increase of access to the Internet, and also increase of the level of use of information and communication technologies in their activity. The tendency to increase the number of crimes in the sphere of the use of electronic computers, systems and computer networks and telecommunication networks in Ukraine, as well as an increase in their share in the total number of crimes in Ukraine has been revealed. The main factors that contributed to the increase in the number of cybercrime in Ukraine, including technical and structural unwillingness of the

existing system of management of law enforcement agencies, and imperfection of the state policy, have been generalized. On the basis of the analysis of crimes in the field of the use of electronic computers (after the investigation by criminal proceedings) a “portrait” of a cybercriminal has been formed and it has been proved that its main feature is a high qualification level. It has been revealed that among the positive trends in the field of combating cybercrime in Ukraine today it is possible to observe the introduction of modern methods of detection, fixation and research of digital evidence into practical activity; signing agreements on cooperation in the field of combating cybercrime with organizations from different countries of the world; establishing effective interaction with the world's most famous social networks.

Keywords: state policy, cybernetic security, cybercrime, cyberattack, information and communication technologies.

АНАЛІЗ УМОВ ФОРМУВАННЯ ДЕРЖАВНОЇ ПОЛІТИКИ ЗАБЕЗПЕЧЕННЯ КІБЕРНЕТИЧНОЇ БЕЗПЕКИ В УКРАЇНІ

Анотація. Узагальнюються основні тенденції, особливості та проблеми, які мають безпосередній вплив на формування державної політики забезпечення кібернетичної безпеки. Проаналізовано сучасний стан кіберзлочинності у світі та доведено її глобальний характер розповсюдження. Досліджено потенціал кібератак в Україні та виявлено, що його підвищення обумовлено такими тенденціями у діяльності підприємств та бізнесу, як зростання кількості комп'ютерної техніки, підвищення доступу до мережі Інтернет, а також збільшення рівня використання інформаційно-комунікаційних технологій у своїй діяльності. Виявлено постійно зростаючу тенденцію до збільшення кількості злочинів у сфері використання електронно-обчислювальних машин (комп'ютерів), систем та комп'ютерних мереж і мереж електрозв'язку в Україні, а також збільшення їх питомої ваги у загальній кількості злочинів в Україні. Узагальнено основні фактори, які сприяли зростанню кількості кіберзлочинів в Україні, серед яких як технічна та структурна неготовність існуючої системи управління правоохоронних органів, так і недосконалість державної політики. На підставі аналізу злочинів у сфері використання електронно-обчислювальних машин (комп'ютерів) (за закінченими розслідуваннями у кримінальних провадженнях) сформовано “портрет” кіберзлочинця та доведено, що основною його рисою є високий кваліфікаційний рівень. Виявлено, що серед позитивних тенденцій у сфері боротьби із кіберзлочинністю в Україні на сьогодні можна спостерігати впровадження у практичну діяльність сучасних методик виявлення, фіксації і дослідження цифрових доказів; підписання договорів про взаємодію у сфері боротьби з кіберзлочинністю з організаціями різних країн світу; налагодження ефективної взаємодії зі світовими соціальними мережами.

Ключові слова: державна політика, кібернетична безпека, кіберзлочин, кібератака, інформаційно-комунікаційні технології.

АНАЛИЗ УСЛОВИЙ ФОРМИРОВАНИЯ ГОСУДАРСТВЕННОЙ ПОЛИТИКИ ОБЕСПЕЧЕНИЯ КИБЕРНЕТИЧЕСКОЙ БЕЗОПАСНОСТИ В УКРАИНЕ

Аннотация. Обобщаются основные тенденции, особенности и проблемы, которые имеют непосредственное влияние на формирование государственной политики обеспечения кибернетической безопасности. Проанализировано современное состояние киберпреступности в мире и доказан глобальный характер ее распространения. Исследован потенциал кибератак в Украине и обнаружено, что его повышение обуславлено такими тенденциями в деятельности предприятий и бизнеса, как рост количества компьютерной техники, повышение доступа к сети Интернет, а также увеличение уровня использования информационно-коммуникационных технологий в своей деятельности. Выявлена постоянно растущая тенденция к увеличению количества преступлений в сфере использования электронно-вычислительных машин (компьютеров), систем и компьютерных сетей и сетей электросвязи в Украине, а также увеличение их удельного веса в общем количестве преступлений в Украине. Обобщены основные факторы, которые способствовали росту числа киберпреступлений в Украине, среди которых как техническая и структурная неготовность существующей системы управления правоохранительных органов, так и несовершенство государственной политики. На основании анализа преступлений в сфере использования электронно-вычислительных машин (компьютеров) (по законченным расследованиям в уголовных производствах) сформирован “портрет” киберпреступника и доказано, что основной его чертой является высокий квалификационный уровень. Выявлено, что среди положительных тенденций в сфере борьбы с киберпреступностью в Украине на сегодняшний день можно наблюдать внедрение в практическую деятельность современных методик выявления, фиксации и исследования цифровых доказательств; подписание договоров о взаимодействии в сфере борьбы с киберпреступностью с организациями разных стран мира; налаживание эффективного взаимодействия с известными мировыми социальными сетями.

Ключевые слова: государственная политика, кибернетическая безопасность, киберпреступность, кибератака, информационно-коммуникационные технологии.

Statement of problem in general. The rapid development of information and communication technologies promoted the increase in the world quantity index of Internet users to 4,021 billion people (55,6 %) of the total world

population, along with which the increased use of social media and increase in number of Internet users is observed, in particular, the number of users in Ukraine is more than 25 million people or 60,7 % of the population. It should

be noted that increase in level of penetration, use of the Internet and social media by individuals and companies around the world, in turn, promotes the development of Internet business. However, the relationship between business models and operating activities not only provides the opportunities for development of new spheres of activity, but also creates threats due to increased vulnerability in computer networks and increased risk of cyber incidents. These tendencies directly influence the formation and implementation of the state policy for ensuring cybersecurity, so their tracking and permanent analysis becomes extremely important for ensuring national security at this time.

Analysis of recent studies and publications. A number of scientific studies of such authors as A. Babenko, Yu. Baturin, P. Bilenchuk, V. Butuzov, V. Viehov, V. Havlovskiy, V. Holubev, D. Dubov, O. Knyzhenko, M. Kravtsova [4], V. Nomokonov, V. Petrov, M. Pohoretskyi, I. Riazantseva, N. Savchuk, V. Shelomentsev and others is devoted to the problem of ensuring cybersecurity. The leading international organizations and companies such as KPMG International [1], Norton by Symantec [2] and others have also made a significant contribution to the study of this problem. However, currently, there is a clear need for integration of theoretical background with relevant analytical data in this rapidly developing and transforming sphere in order to formulate the effective state policy for ensuring cybersecurity.

The purpose of the article is to substantiate the main conditions directly influencing the formation of the state

policy for ensuring cybersecurity in Ukraine.

Statement of main study material.

The cybercrime has long been a global phenomenon and problem, as demonstrated particularly by the study of American company Norton [2], according to which 978 million adults in 20 countries (where the study was conducted) in 2017 faced the global cybercrime, which is 44 % of online users. As a result, the consumers, who became victims of cybercrime, lost 172 billion dollars in total (at average 142 dollars per victim). Among the most widespread noted cybercrimes, the following should be noted:

- availability of the device infected with virus or other security threat (53 %);
- problems with debit or credit cards (38 %);
- removal of account password (34 %)
- unauthorized access or hacking of e-mail or social media account (34 %);
- online purchase that was fraudulent (33 %);
- clicking the fraudulent e-mail or provision of confidential (personal/financial) information in response to fraud with e-mail (32 %).

According to another study conducted by KPMG International, about half of company executives (49 %), among the company executives in different countries [1], underline the possibility of cyberattack not in terms of “if”, namely “when”. Herewith, USA, Australia and Germany (Figure 1) are top three according to the evaluation of cyberattack as imminent threat to

business carried out on a geographic basis. In sectorial section, the sphere of infrastructure became the most prepared for cyberattack (67%). It should be pointed out that only about half of company executives (51%) determine good preparedness for cyberattacks.

If analyze the potential of cyberattacks in Ukraine separately, first of all, it should be noted that according to the State Statistics Committee of Ukraine [3], increase in number of computer equipment (+2 % in 2017 as compared to 2016), improvement of access to the Internet (+2 % in 2017) and increase in use of information and communication technologies in the activity is observed today at the enterprises, in particular in 2017:

- +4 % of enterprises having a website operating on the Internet;

- +8 % of enterprises using social media (social networks, enterprise blogs or microblogs, websites with multime-

- dia content, means of knowledge sharing);

- +13,6 % of enterprises purchasing the cloud computing services during the year;

- +4,5 % of enterprises providing electronic/paper invoices;

- +3,7 % of enterprises receiving orders via computer networks for sale of goods or services (except for orders received by e-mail);

- +14 % of enterprises purchasing via computer networks of goods or services (except for orders received by e-mail).

The largest part of enterprises having access to the Internet belongs to the wholesale and retail trade; repair of motor vehicles and motorcycles, processing industry and construction.

Among the directions of Internet use, the following should be noted: sending or receiving messages via e-mail; making telephone calls using Internet/VoIP or video conferencing;

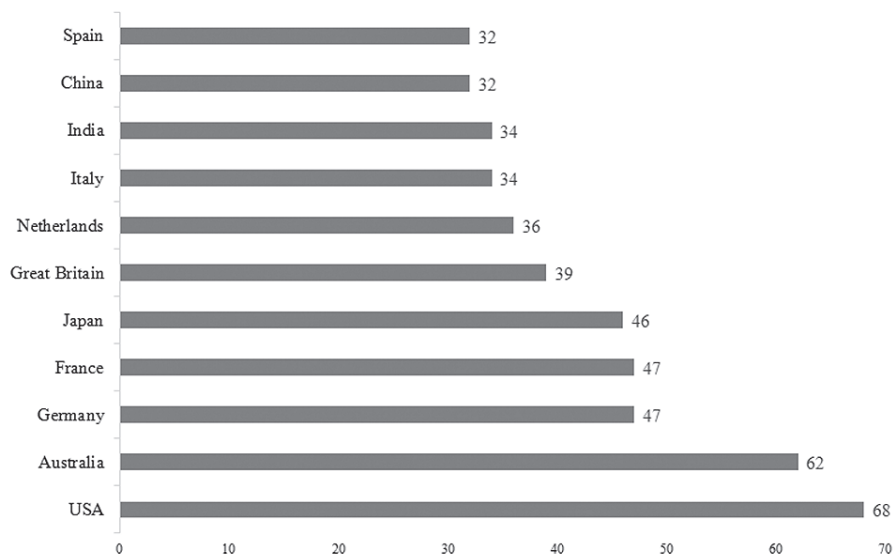


Fig. 1. Evaluation of cyberattacks as an imminent threat to business, %
 Source: compiled according to [1]

obtaining information on goods and services; use of instant messaging and bulletin board system; obtaining information from state authorities; carrying out various operations with state authorities (except for obtaining information); banking transactions; access to other financial services.

Such tendencies have created not only prerequisites for development of enterprises and national economy in general, but also led to increase in crime rate in the sphere of information and communication technologies.

The information on registered criminal offenses (proceedings) and the results of their investigation are summarized in the reporting form № 1 “Unified Report on Criminal Offenses” that is formed every month by cumulative total from the beginning of reporting period (year) by region of crime commission based on data entered into the National Register of Pre-Trial Investigations by users of the information system, in terms of sections and articles of the Criminal Code of Ukraine; information on persons who committed such crimes is summarized in the reporting form № 2 “Unified Report on Persons Who Committed Criminal Offenses”, according to criminal proceedings completed by investigation.

So, let us note that the number of crimes in the sphere of use of electronic computers, systems, computer networks and telecommunication networks have been steadily growing since 2014, reaching 2573 crimes in 2017. The growth rate for 2014–2017 was 480,8 %. In 8 months of 2018, this indicator has already exceeded the level of 2016 by 117,9 %.

The faster growth of registered cybercrimes affected the increase in their share in total number of crimes in Ukraine, keeping the tendencies of increase from 0,08 % in 2014 to 0,51 in 2018, which is the highest indicator since 2009.

Such tendencies were influenced by a number of factors. The following should be noted as main of them: significant rates of society informatization, technology gap of the law enforcement system and need for its reformation, insufficient level of funding of anti-cybercrime actions.

It should be stated that in 2018 the attention of employees of the cyberpolice was focused on the investigation of crimes committed in the sphere of high information technologies. So, during the year, employees of the Department of Cyberpolice were involved in the investigation of more than 11 thousand criminal proceedings. Their structure is shown in Fig. 2.

At the same time, it should be noted that by regions the largest number of crimes in 2017 was concentrated in the city of Kyiv, Kyiv, Chernivtsi and Lviv Oblasts. According to the results of 2018, the highest criminal activity was observed in the city of Kyiv, as well as in the territories of Cherkasy, Odesa, Mykolaiv and Lviv Oblasts.

The analysis of the structure of cybercrimes in dynamics in the period from 2013 to 2017 allowed to state the largest share of crimes committed under Article 361 of the Criminal Code of Ukraine: unauthorized interference with operation of electronic computers, automated systems, computer networks or telecommunication networks (from 50 to 77 %) (Table 1). In addi-

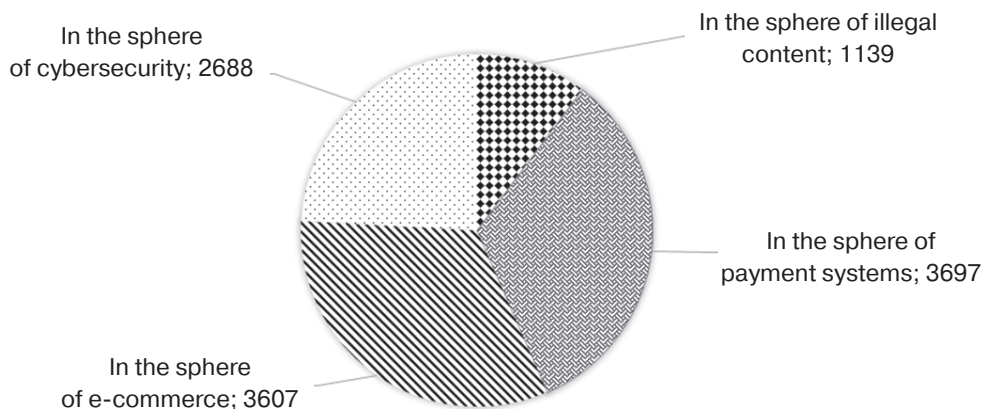


Fig. 2. Structure of criminal proceedings being investigated by cyberpolice (2018), pcs.

Source: compiled according to [5]

Table 1

Structure of cybercrime on the criminal and law basis for 2013–2017 [4]

| Criminal offenses reported in the reporting period | 2013 | 2014 | 2015 | 2016 | 2017 |
|--|------|------|------|------|------|
| Unauthorized interference with operation of electronic computers, automated systems, computer networks or telecommunication networks (Article 361 of the Criminal Code of Ukraine) | 408 | 344 | 432 | 494 | 1795 |
| Creation of malwares and malicious technical means for the purpose of use, distribution or sale, as well as their distribution or sale (Article 361-1 of the Criminal Code of Ukraine) | 12 | 10 | 21 | 15 | 35 |
| Unauthorized distribution of restricted information stored in electronic computers, automated systems, computer networks or on the carriers of such information (Article 361-2 of the Criminal Code of Ukraine) | 20 | 11 | 59 | 28 | 64 |
| Unauthorized actions with information that is processed in electronic computers, automated systems and computer networks or stored on the carriers of such information, committed by a person having the right of access to it (Article 362 of the Criminal Code of Ukraine) | 152 | 73 | 75 | 311 | 670 |
| Violation of the rules of operation of electronic computers, automated systems, computer networks or telecommunication networks or procedure or rules of protection of information processed in them (Article 363 of the Criminal Code of Ukraine) | 2 | 4 | 9 | 15 | 6 |
| Interference with operation of electronic computers, automated systems, computer networks or telecommunication networks by mass messaging (Article 363-1 of the Criminal Code of Ukraine) | 1 | 1 | 2 | 2 | 3 |
| Total | 595 | 443 | 598 | 865 | 2573 |

tion, there is general increase in cybercrimes in the dynamics due to these crimes.

A more detailed analysis of the structure of crimes in the sphere of use of electronic computers, systems and computer networks carried out based on statistical reporting for 2017, made it possible to state that, in particular, the largest share of crimes in the sphere of use of electronic computers, systems, computer networks and telecommunication networks is represented by those the responsibility for which is stipulated by Article 361 of the Criminal Code of Ukraine – unauthorized interference with operation of electronic computers, automated systems, computer networks or telecommunication networks (69,8 %). The last place is taken by crimes provided by Article 363-1: interference with operation of electronic computers, automated systems, computer networks or telecommunication networks by mass messaging (0,1 %).

During 2018, 6,000 crimes committed in the sphere of use of high information technologies were detected. At the same time, the most of them were in the sphere of e-commerce (Fig. 3).

The analysis of information on persons who committed crimes in the sphere of use of electronic computers (according to completed investigations in criminal proceedings), based on data of 2017, made it possible to create the “profile” of a cybercriminal. The main part is the persons aged from 18 to 39 years with complete higher and basic higher education that confirms their high qualification level.

According to data of 2018, more than 800 people involved in crimes in the sphere of high information technology were identified. According to statistics, most suspects are men aged 25 to 40 (Table 2).

The investigation of the revealed cybercrimes by articles allowed to state that their main part was committed under Article 190 of the Criminal Code of Ukraine (Table 3).

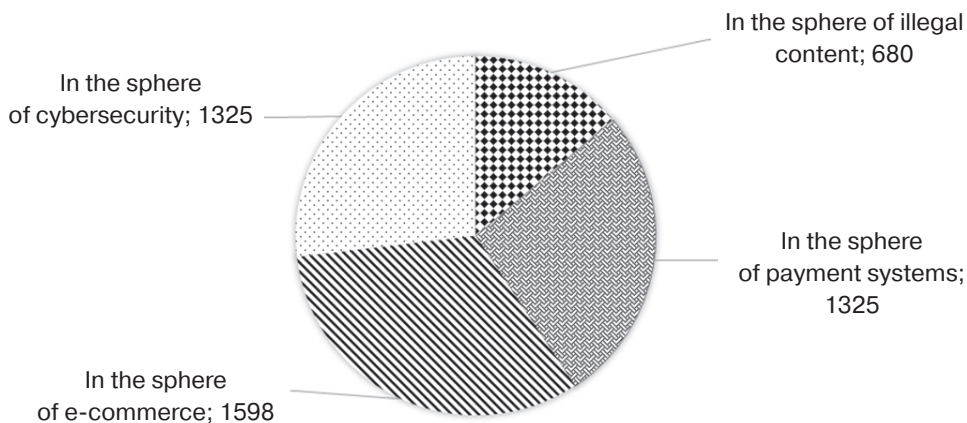


Fig. 3. Structure of crimes detected in the sphere of high information technologies (2018), pcs

Source: compiled according to [5]

Table 2

Distribution of cybercriminals by sex, % (according to data of 2018) [5]

| Age | Men | Women |
|-----------------|-----|-------|
| Total, of them: | 67 | 33 |
| Up to 25 years | 13 | 6 |
| 25–40c years | 39 | 20 |
| 40 and more | 15 | 7 |

Table 3

Distribution of cybercriminals by gender and articles [5]

| | Article of the Criminal Code of Ukraine | | | |
|-------------------------|---|------|-----|-------|
| | 176 | 190 | 361 | 361-1 |
| Total persons, of them: | 37 | 1019 | 505 | 55 |
| men, % | 97 | 67 | 92 | 95 |
| women, % | 3 | 33 | 8 | 5 |

The analysis of structure of cybercrimes by species indicates that, at the same time, most users of malware who committed crimes using viruses acquired in DarkNet (Figure 4) were detected in the sphere of cybersecurity.

It should be noted that in order to detect cybercrimes, the Ukrainian cyberpolice develops and introduces modern methods of detection, fixation and examination of digital evidence in

practical activities. In particular, during 2018, 5.5 petabytes of information, which was further identified as digital evidence, was examined and analyzed by specialists of cyberpolice. As a result of international cooperation in 2018, 8 transnational hacker groups were revealed and more than 30 international operations were assisted.

In addition, in 2018 the agreements on anti-cybercrime cooperation with

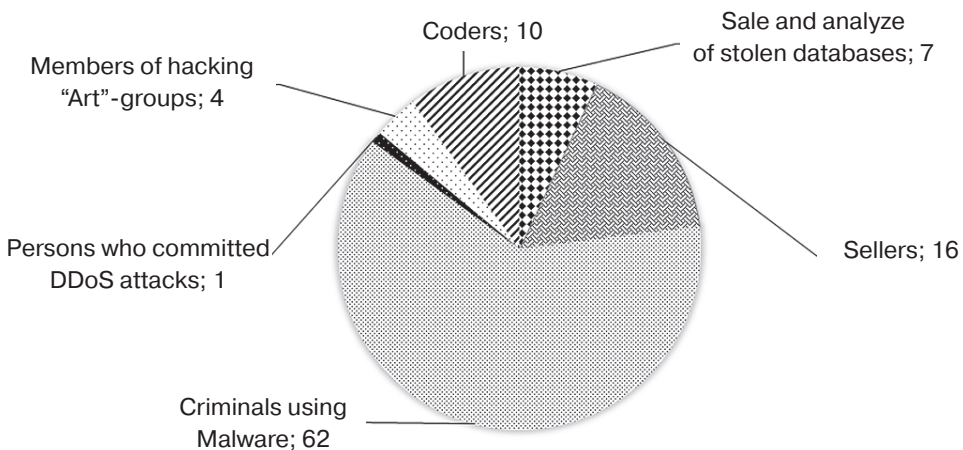


Fig. 4. **Structure of detected cybercrimes by species (according to data of 2018), %**
 Source: compiled according to [5]

organizations of state and private sector were signed. Among them are representatives of international companies in the sphere of information security and IT companies, police of Australia, Singapore, Qatar and other countries. In addition, the effective interaction with the world's most famous social networks was established.

Conclusions and perspectives of further studies. The growth of informatization in the world both opens up new ways for further world development, and promotes emergence of new threats, such as, in particular, cyberattacks. At the same time, the role of the state and corresponding state regulation in solving this problem also grows, considering that the policy of national security, sustainable development, digitization of economy, etc. is determined by the state itself. The analysis showed that the number of cybercrimes in Ukraine grows at high rates, while the law enforcement system was technically not ready for their prevention. Thus, the problem of attracting and optimizing the technical, financial and organizational and managerial resources necessary for effective overcoming cybercrimes in Ukraine today becomes one of the main tasks of the state policy for ensuring cybersecurity and is an integral part of the national security policy. In further studies it is expedient to substantiate the relevant mechanisms of the state policy for ensuring cybersecurity in Ukraine.

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