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## ON THE OFFICIAL DEFINITION OF THE ADMINISTRATIVE CONTRACT

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### ABSTRACT

The relevance of the article is due to the fact that the administrative contract is one of the important tools of public administration, since its use is aimed at the implementation of the main functions of public administration: 1) its conclusion involves the selection of certain goals and the means necessary for their implementation, that is, actions that constitute the quintessence of the process planning; 2) it, in particular, serves to distinguish the competence of subjects of public-authority powers, determine the order of interaction between them, coordinate their actions, delegate public-authority management functions, and therefore, for organization; 3) it is used to motivate the implementation of the goals of public administration; 4) the terms of administrative contracts belong to the control standards used in the process of implementing the control function of public administration.

The purpose of the article is to analyze the official definition of an administrative contract. In the process of realizing this goal, a systematic approach, methods of analysis and synthesis, and the method of expert evaluations have been used.

The reasons for the appearance in the Code of Administrative Procedure of Ukraine of a definition of an administrative contract different from the one contained in the first edition of this code have been revealed. Attention is drawn to the most convincing critical assessments of the current definition of an administrative contract. Its definition proposed by O.V. Konstanyi has been analyzed.

The following conclusions have been made: 1) an administrative contract is a bilateral or multilateral written agreement (agreement, protocol, memorandum, etc.), which is concluded on the basis and within the limits of the prescriptions of the law and formalizes the will of its parties, one of which is necessarily a carrier of public authoritative powers; establishes, changes, or terminates their mutual rights and obligations in the field of public-legal relations for the purpose of realizing a socially significant goal, which either reflects exclusively public interests, or, along with them, takes into account private interests; 2) this description of the essence of the administrative contract must be supplemented with an exhaustive list of its application areas.

**Keywords:** administrative contract, purpose, interests, agreement.

### Introduction

**Relevance of the article.** The administrative contract is one of the essential tools of public administration. After all, its use is aimed at implementing the main functions of public



administration, namely planning, organising, motivating, and controlling. Indeed: 1) the conclusion of an administrative contract, like, ultimately, any other, involves the selection of specific goals that must be achieved as a result of its implementation and the means necessary for their implementation, that is, actions that constitute the quintessence of the planning process; 2) it, in particular, serves to distinguish the competence of subjects of public-authority powers, determine the order of interaction between them, coordinate their actions, delegate public-authority management functions, and therefore, for organisation; 3) it is used to motivate the implementation of the goals of public administration; 4) control is a component of the mechanism of implementation of administrative contracts, and their conditions belong to the control standards used in the process of implementing the control function of public administration. However, the scientific analysis of the problems of the administrative contract needs to catch up to the needs of practice, which determines the relevance of this article.

**Analysis of recent research and publications.** Among the latest scientific articles on the administrative contract, the works [1; 2; 3; 4] deserve the most attention. The problematic issues of this contract are analysed quite thoroughly in dissertation works [5, p. 165–186; 6, p. 179–192]. **The article** aims to analyse the official definition of an administrative contract. In the process of realising this goal, a systematic approach, methods of analysis and synthesis, and the method of expert evaluations have been used.

**Presenting main material.** For the first time in Ukrainian legislation, an administrative contract was defined as a bilateral or multilateral agreement, the content of which consists of the rights and obligations of the parties arising from the power management functions of the subject of power, which is one of the parties to the agreement [7]. However, this definition, contained in the Code of Administrative Proceedings of Ukraine (CAPU) adopted on July 6, 2005, by no means received universal, unequivocal support from scientists and practitioners. Shortly after its appearance, I.L. Samsin noted: "<...> this definition does not determine either the legal nature of the administrative contract or its subject" [8, p. 147]. Later, the definition in question was severely criticised by V.B. Averyanov. In his opinion, the most significant shortcoming of this definition should be recognised as the fact that in it, the rights and obligations of all parties to the administrative contract are inextricably linked with the powerful management functions of the subject of power. V.B. Averyanov adds that it requires the law enforcer to search for the source of the rights and obligations established by the administrative contract of all others – except for the subject of power authority – its parties in the power management functions of the specified subject and from a practical point of view this is complicated (if at all possible at the level of concrete determination of these connections). Considering that the first definition of an administrative contract in Ukrainian legislation considerably narrowed the possibility of identifying relevant agreements as administrative contracts, V.B. Averyanov questioned the compliance of this definition "<...> with the objective needs of the introduction of a relatively new institution of an administrative contract" [9].

A critical assessment of the first domestic official definition of an administrative contract can be found in the abstract of the candidate's thesis of Bila V.R. published in 2011: "Understanding an administrative contract as an agreement reduces its meaning to a legal fact, that is, the basis for the emergence of mutual obligations between the parties to such a contract. And limiting the administrative contract's role in public administration by establishing, changing and terminating certain administrative, legal relations excludes the existence of normative administrative contracts" [10]. A veiled criticism of the considered definition can be found in one of the



scientific and practical comments to the Code of Administrative Procedure of Ukraine: its interpretation ends with the presentation of a different definition from it, namely the following: “An administrative-legal contract can be defined as an agreement concluded based on administrative-legal norms in the national (public) interests, the legal regime of which is determined by the presence of a party with state-authority powers” [11, p. 35–36].

Some other domestic experts also demonstrated a critical attitude towards the first official definition of an administrative contract in Ukraine. For example, O.T. Zyma stated: “We cannot call it successful for two reasons. Firstly, it did not have a clear theoretical basis; that is, it did not correspond to any of the more or less common definitions of an administrative contract developed by the science of administrative law at the time of introducing the Code. Secondly, its content could be clearer to understand and interpret. <...> One of the key ones is the term “power management functions of subjects of power”; however, it is not used in the legislation; the science of administrative law operates with two different terms: “functions of state administration” and “functions of the state administration body”. What is meant in our case is not clear. Also strange is the statement regarding the content of the contract, which consists of the rights and obligations of the parties arising from the functions of the subject of power; after all, only the rights and duties of the state administration body can derive from the functions (main areas of activity) of the state administration body”. [12, p. 346].

According to O.A. Zadykhaylo, in the definition in question, “the concept of an administrative contract is not fully disclosed, since only the general features of an administrative contract are indicated in the norm of the article” [13, p. 103]. S.O. Mahda also noted, “<...> the only legally established concept of an administrative contract is rather narrow, as it does not fully reflect the specifics of this type of contract” [14, p. 83]. Here is another example of a critical assessment of the first definition of an administrative contract in our legislation: “The concept of an administrative contract in clause 14, part 1, article 3 of the CAPU in the edition of 07.06.2005 No. 2747-IV was defined somewhat superficially and did not reflect the main essence and features of an administrative contract inherent in it, as well as issues that may be the subject of such a contract. This could lead to confusion in determining the legal nature of this or that contract and whether such a contract falls under the characteristics of an administrative contract. In addition, the administrative contract in this version of the Civil Code is defined as an agreement. Still, it is not specified that such a contract is concluded exclusively in the public legal sphere to satisfy the public interest and/or need” [15].

Therefore, the appearance of another official definition of an administrative contract seems quite natural. It is as follows: “<...> an administrative contract is a joint legal act of subjects of power or a legal act involving a subject of power and another person, based on their agreement, in the form of a contract, agreement, protocol, memorandum, etc., determines the mutual rights and obligations of its participants in the public legal sphere and is concluded based on the law: a) for distinguishing between competence and determination of the order of interaction among subjects of power; b) for the delegation of public-authority management functions; c) for redistribution or pooling of budget funds in cases specified by law; d) instead of issuing an individual act; e) for settling the issues of providing administrative services <...>” [16].

According to V.R. Bila, “the 2017 edition of the CAPU eliminated several shortcomings of the previous legislative definition of the concept of an administrative contract, and finally focused on the specific belonging of an administrative contract to legal acts of public administration, established the existence of a legislative prescription as the only basis for concluding an



administrative contract, and determined the presence of an agreed expression of will as an internal party to the contract” [17, p. 286]. According to A.O. Monayenko, “with the adoption of the new version of the CAPU, the concept of an administrative contract was significantly improved <...>” [15]. In the scientific conclusion on the agreement on the organisation of passenger transportation on a public bus route, O.A. Belianevyeh claims that the definition of an administrative contract in the current version of the Civil Code of Ukraine can be considered more specific than the previous one [18].

However, there are assessments of the opposite content. T.M. Tymchyshyn states: “<...> the legislative concept does not cover the entire set of administrative contracts, it contains general features, and the interpretation is much narrower than its general understanding and definition” [19, p. 201]. According to O.V. Konstanyi, “with the adoption in October 2017 of the new edition of the CAP of Ukraine, the legislator changed the approach to the normative definition of the concept of an administrative contract, which was previously contained in clause 14, part 1 of article 3 of this Code, and such a step <...> was not fully balanced”, did not contribute to improving the understanding of this institution and its uniform application by courts in their practice [20, p. 134]. O.V. Konstanyi also noted: 1) the first domestic legislative definition of an administrative contract “<...> was more in line with doctrinal scientific approaches to understanding this form of public administration, as well as foreign experience in regulating administrative procedures” [20, p. 135]; 2) “in paragraph 16, part 1 of Article 4 edition of the Civil Code of Ukraine, valid from December 15, 2017, the legislator introduced a “narrow” approach to the normative definition of the concept of an administrative contract. In addition, the current definition of this contract in the CAP of Ukraine is not clearly formulated” [20, p. 135].

Close to the position of O.V. Konstanyi is the opinion of N.V. Dobrovolska: “<...> the new definition <...> did not solve all previous problems of the studied category (neither doctrinal nor applied), gave rise to additional <...> dilemmas, even changed the general interpretive approach (from “broad” to “narrow”)” [21, p. 29]. O.O. Hrin also shared the same opinion [4, p. 37]. According to O.T. Zyma, the adoption of a new definition of an administrative contract in the CAPU “should be perceived as a not quite successful, temporary measure, the application of which was caused by the lack of comprehensive legal regulation of contractual relations in the field of public administration” [22, p. 31]. Some scientists claim that “the concept enshrined in the Code of Administrative Procedure of Ukraine <...> is inexhaustible and causes further discussions” [1, p. 223].

Some scientists who criticised the current official definition of an administrative contract put forward proposals for its revision. The most thorough are those belonging to O.V. Konstanyi. He proposed the following characterisation of the essence of an administrative contract: “an administrative contract is a bilateral or multilateral written agreement (contract, protocol, memorandum, etc.) concluded on the basis and within the limits of the law and formalises the joint expression of the will of the subjects of power or individual or legal entity, establishes, changes or terminates their mutual rights and obligations in the sphere of public-legal relations, and is generally aimed at ensuring the satisfaction of a certain public (social) interest” [20, p. 136]. He accompanied this characterisation by pointing out that “the content (subject) of an administrative contract can be, but not exclusively: a) resolution of issues of demarcation of competence between subjects of authority or determination of the order of interaction between them; b) delegation of public-authority management functions; c) redistribution or pooling of budget funds in cases specified by law; d) implementation of public procurement; e) performance





of public works; e) organisation of providing transport, telecommunication, medical, educational and other socially significant services to the population; e) installments (postponement) of tax debt, settlement of obligations from taxes or fees; g) provision of administrative services, etc.” [20, p. 136].

The proposed by O.V. Konstanty's characterisation of the essence of an administrative contract has certain advantages over the one contained in the CAPU. In particular, the positive thing is that he does not consider the administrative contract as a joint legal act of subjects of power or a legal act with the participation of a subject of power and another person. Of course, he is correct in pointing out the following: 1) a subject of power does not need to enter into an administrative contract in order to adopt a joint legal act with other subjects of power; 2) this contract theoretically differs from a legal act (decision) in that it does not appear in the order of a unilateral manifestation of the will of the subject (subjects) of the authorities, but formalises the mutually agreed upon the will of its parties in a dispositive manner; 3) the position of the administrative contract as a joint legal act of subjects of power or a legal act involving a subject of power and another person contradicts the prescriptions of clauses 18 and 19 of part 1 of Article 4 of the Code, “where the legislator uses the term “legal act” (more precisely, the terms “normative-legal act” and “individual act”. - *Author*) denotes exclusively the corresponding imperative (unilateral) decision of the subject (subjects) of power < ...>” [20, p. 135].

At the same time, it should be noted that only some things in the proposals by O.V. Konstantyi on the normative definition of an administrative contract can be agreed upon. Thus, it does not seem appropriate to use the term “manifestation of will” instead of the term “agreement of will” available in the official definition. Because the principle of free manifestation of the will of the parties is not characteristic of administrative contracts, which was repeatedly pointed out in the literature (see, for example: [8, p. 145; 13, p. 103; 14, p. 82; 23, p. 46]). Under this review, it is very revealing that in the definition of an administrative contract, proposed in the project of the Administrative Procedure Code of Ukraine, prepared under the leadership of V.S. Stefaniuk [24, p. 120], there was an indication of the voluntary nature of this agreement, then its first official definition in Ukraine, as we have seen, did not contain such an indication.

Also, the disadvantage of the O.V. Konstantyi's proposed characteristic of the essence of an administrative contract lies in the fact that it does not take into account such a requirement of its inherent function of reconciliation of interests: since a contract always means an inevitable compromise, agreement of will, reaching a consensus, contractual regulation can serve as the most acceptable way of removing contradictions between public and private interests [25, p. 273; 26, p. 80]. That is why the position of L.H. Chystokletov attracts attention, who indicated in the definition of an administrative contract that it is concluded for the realisation of a socially significant goal, which reflects either exclusively public interests or a balance between them and private interests [27, p. 31]. However, in our opinion, the use of the term “balance” in the case under consideration is not entirely correct because, as noted by V.S. Shcherbyna, “we can talk about the balance of interests if we are talking about legally equal participants in certain relationships (for example, the interests of the parties in an economic contract)” [28, p. 30].

And one more thing to be pointed out. Unlike O.V. Konstantyi, we adhere to the opinion available in the literature, according to which an exhaustive list of areas of application of the administrative contract should be legislated.



## Conclusions

An administrative contract is a bilateral or multilateral written agreement (contract, protocol, memorandum, etc.) that is concluded on the basis and within the limits of the law and formalises the will of its parties, one of which is necessarily the bearer of public authority powers; establishes, changes or terminates their mutual rights and obligations in the sphere of public-legal relations for the purpose of realising a socially significant goal, which either reflects exclusively public interests or, along with them, takes private interests into account. This description of the essence of the administrative contract should be supplemented with an exhaustive list of its application areas. The formation of this list is the subject of further research.

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## EUROPEAN INTEGRATION OF UKRAINE IN THE FIELD OF LABOUR PROTECTION: RADICAL CHANGES AND NEW LEGISLATION

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### ABSTRACT

In the modern world, with the development of new technologies in many spheres of industrial activity and the development of society, there is an urgent need to apply the latest approaches in the field of labour protection, or as they say in Europe, in the field of safety and health of workers at work. This is not surprising, given that any legislation will always lag behind the development of science and technology. Such a situation is formed because the legislation establishes requirements and measures for safe working methods for existing means of production. But it is clear that development does not stand still, and science and technology always develop and progress, new technologies that are actively implemented in industries. This, in turn, is the main reason that legislation largely lags behind the pace of technology development. Looking at the high technological and economic development of European countries, as well as their experience in the field of labour protection, we understand that they would not have reached such a high level of production development without the introduction of effective systems for managing the safety and health of workers at work. That is why it seems appropriate to us that it is worth paying attention to the European experience in labour protection. In this study, the authors analysed a new draft Law of Ukraine "On Safety and Health of Workers at Work", which will replace the current Law of Ukraine "On Labour Protection". This analysis makes it possible to adapt the draft law to European practices to create an effective, risk-oriented system of labour protection management in Ukraine.

**Keywords:** labour protection, safety and health of workers at work, legislation on safety and health of workers at work.

### Introduction

The right to safe working conditions is enshrined in the Constitution of Ukraine, which is the Basic Law of Ukraine [1]. So, reform in this area is caused by time and is an extremely important task for the state. One of the important problems that require immediate solution is the obsolescence and lack of effectiveness of the current Law of Ukraine "On Labour Protection," as the main means of state regulation of the safety and health of workers in the performance of their labour duties. The resulting situation is caused by the fact that the existing occupational safety management system at all its levels operates according to the so-called "reactive" principle of corrective actions, namely, responding to accidents that have already occurred by introducing state regulations that establish rules for the safe performance of certain works. Methods of influencing employers are formed based on administrative or criminal punishment for non-



compliance with the requirements of safe performance of work established by the state. However, the experience of European countries shows that the employer should be more independent when choosing the most effective methods of organizing a safe production process and the safety of employees, and he should first of all bear material (financial) responsibility for the correctness and safety of such a choice, as well as the effectiveness of the security policy chosen by him. It is also worth noting that another negative consequence of the state regulation of rules and methods of safe performance of work in a particular sphere of economic activity and the use of equipment was the accumulation of a significant amount, in most cases, of already outdated regulations. It should be stressed that such rules do not meet modern needs in the organization of safe methods of performing labour duties of employees, and are often formal, which in turn creates only additional grounds for holding employers accountable for non-compliance with these rules and requirements. However, this does not have any positive consequences for the safety of workers in the workplace. At the same time, employers, instead of developing and implementing their policies in the field of safety and health of employees during their work, are forced to spend their resources on the implementation of ineffective regulatory acts in the field of safety, which allows them to formally avoid responsibility for the consequences of accidents that have occurred, referring to the observance of such formal provisions of regulatory acts. To solve these problems, the Draft Law of Ukraine "On the Safety and Health of Workers at Work" was proposed, which was developed to create a radically new state system for preventing and preventing occupational risks, under which employees fall at the time of their employment. By introducing at the legislative level of Ukraine a risk-oriented approach in the field of organization of safety and health of workers, as well as implementing the provisions of the Council of 89/391 Directive from 12.06.1989 on the introduction of measures, designed to encourage improved safety and health protection of workers at work. [2, p.1-2]. The article is aimed at analysing the Draft Law of Ukraine "On Safety and Health of Workers at Work" to comply with the legislation of European countries, which in turn will help to create an effective, European risk-oriented system of labour protection management in Ukraine.

**The analysis of recent researches and papers published.** One of the most acute problems in the field of safety and health of workers during their work in Ukraine is an outdated approach to ensuring safe working conditions. Currently, in Ukraine, the focus is on protecting workers from exposure to hazardous and harmful production factors and the risk of accidents in the workplace. Thus, risks are identified, and methods of employee protection are used. In particular, this is manifested in the form of benefits, such as reduced working hours, premature retirement, and provision of personal protective equipment [3, p.6-9]. This action is reactive, and the system of overcoming the consequences is corrective. However, it is necessary to determine the causes of risks and dangers and take all possible measures to eliminate them in the workplace, that is, to use a preventive approach simultaneously with a proactive approach, to introduce programs to prevent occupational risks. First of all, the need for a systematic approach to solving problems in the field of labour safety is determined by the generally low level of labour safety in Ukraine. Effective labour protection management is necessary for solving these problems. [4, p.69-70]. A serious problem for Ukraine is the lack of a unified comprehensive legislative and practical approach to the safety and health of workers at work. Even within the structure for state supervision of the state of occupational safety, the departments of occupational safety and departments of health are separated. Various documents regulate these issues, and different inspectors solve problems.



However, approaches to occupational safety and health must be comprehensive, holistic and systemic. The general principles of the state policy in the field of labour protection, which are determined by the legislation of Ukraine, are aimed at creating appropriate, safe and healthy working conditions, preventing accidents and occupational diseases, adapting labour processes to the capabilities of the employee, taking into account his state of health [5]. The problems of state policy and the state of labour protection in Ukraine are relevant and discussed among representatives of scientific circles. This topic was paid attention to such scientists as V. G. Griban, O. V. Negodchenko, V. I. Chudovsky, L. P. Shumnaya, D. V. Zerkalov, I. P. Zhigalkin, S. M. Prilipko, O. M. Yaroshenko and others. [6]. However, a significant drawback is the limited scope of Ukrainian legislation in the field of BHP, which does not cover all employees, employers, and all aspects of occupational safety and health. The employer should bear the ultimate responsibility for ensuring the safety of their employees. This requirement is spelt out in Council Framework Directive 89/391 on the implementation of measures to encourage improvements in the safety and health protection of workers during work. [7]. The activities of supervisory authorities are hindered by the lack of the rights and powers of labour inspectors provided for in ILO conventions № 81 and № 129 [8.9]. It is, in particular, about the impossibility of inspectors visiting enterprises at any time of the day (they are allowed to do this only during working hours). Inspectors cannot determine the frequency and volume of such visits depending on the violations.

European Union legislation on safety and health at work applies to all EU Member States. Their national laws are very similar to each other. However, the differences are in what way the states choose to achieve their goals, but they must also adhere to the general provisions of the EU directives. In other words, general obligations are the same and binding on all EU member states. However, the provisions of national legislation of countries may differ depending on how they were adapted and implemented to the national specifics of doing business. This means that the best practices, as well as unsuccessful, can be found everywhere. As of today, Ukraine should look for the best practices in the field of occupational safety and health in countries that are leaders in the field of labour protection among European countries, because by introducing the best practices of crane leaders, Ukraine will significantly improve its state of labour protection and reach the European level in this area. [3, p.6-9].

**Results of the research.** The authors of the article analysed the legislation of European countries in the field of labour protection, namely: Austria, Italy, Luxembourg, Germany, Slovenia, Portugal, Spain, Belgium, Denmark, France. After all, these countries of the European Union are leaders in the field of labour protection in terms of occupational injuries according to the statistics of the International Labour Organization [10]. The following was analysed: Austrian Federal Law on Safety and Health Protection at Work (Employee Protection Act - ASchG) [11]; Italian Legislative Decree 81/2008: Consolidated Law on the Health and Safety of Workers [12]; Luxembourg Labour Code (in terms of labour protection) [13]; German law on the implementation of occupational health and safety measures to improve the safety and health of workers at work (Occupational Safety and Health Act - ArbSchG) [14]; Law of Slovenia on Occupational Safety and Health [15]; Portuguese Law No. 102/2009 on the legal regime for the promotion of occupational safety and health [16]; Law of Spain 31/1995 on the prevention of occupational risks [17]; Law of Belgium of August 4, 1996 on the well-being of workers in the performance of their work [18]; Danish Working Environment Act [19]; French Labour Code (in terms of labour protection) [20].



The analysis shows that the legislative acts of European countries in the field of labour safety are similar and identical. The differences lie in how states achieve their goals and adhere to the general provisions of the EU directives. In other words, all EU member states have the same general obligations. However, national legislation provisions vary based on national specifics. That is, during the analysis of the legislation of European countries, the authors confirmed the position of Antonio Jose Robalu Dos Santos, the head of the EU-ILO project, which concerns the strengthening of the labour administration to improve working conditions and overcome undeclared work. During the analysis of the Draft Law of Ukraine "On Safety and Health of Workers at Work" [21], provisions were determined that should be finalized or radically changed to comply with the future Law with the legislation of European countries. First, I would like to focus on the performance of high-risk work [22]. In the draft law in Article 11 "Special conditions for the performance of high-risk work," it is stated that in cases where this is required by the nature and degree of danger of work, the performance of which is associated with an objectively higher risk of exposure to dangerous and harmful occupational factors on the life and health of workers (high-risk work), such work can be performed only in the presence of at least one of the following conditions: 1) the insurance contract established by the regulator for the life, health and working capacity of employees performing high-risk work, according to insurance class 1, defined by Article 4 of the Law of Ukraine "On Insurance"; or 2) permission to perform hazardous works obtained by this article or a registered declaration of conformity.

That is, in this draft law, we see at the same time a European approach to performing high-risk work, which manifests itself in the insurance of employees against accidents, and the current one, which consists of obtaining permits for the execution of permits. The permitting system itself has long been outdated and is not effective. The number of accidents in Ukraine with this approach is much higher than in Europe, as evidenced by statistics from the International Labour Organization. Employee insurance means efficiency, while the permitting system means corruption risks. For example, in Germany, the usual concept of "permission for high-risk work" looks somewhat different, and there is no permit system in the field of labour protection as such. The permitting system in Germany means the process of issuing licenses for the right to conduct any economic activity. The license is issued on a paid basis for five years. After receiving it, each enterprise that performs high-risk work is obliged to independently develop an internal system for issuing permits for high-risk work or the operation of a particular type of equipment. Such permission is issued to a specific employee or team. Issues permit or labour protection service, or (if not) a special representative at the enterprise. As you can see, in essence, the permit in Germany is more suitable for the description of the work permit adopted in Ukraine, which is issued at the enterprise to employees or a brigade who will perform certain high-risk work [23]. In addition, the German law "On the introduction of labour protection measures to improve the safety and health protection of workers at work" established time, about mandatory insurance for workers against accidents, and there are no permits for work of increased danger. We consider it necessary to exclude the requirement to obtain permits for hazardous work from the draft law because it has long been ineffective and has corruption risks. Another "relic" of the post-Soviet approach to labour protection remains the certification of workplaces for working conditions. So Part 3 of Article 10 of the draft law provides that certification of workplaces/zones under working conditions is mandatory in cases where legislation or a collective agreement, an agreement directly establishes its conduct for the relevant industries, works, professions, positions, indicators and/or when the provision of certain guarantees of a person and/or the acquisition of the right to





benefits and compensation is determined by law in direct dependence on the results of such certification. By itself, the certification of the workplace involves the identification of harmful factors (noise, dust, vibration, etc.) in the workplace, the values of which exceed the established norms and cause harm to health. At first glance, this helps to identify harmful factors, which in turn should serve their further elimination. However, the employer, from an economic point of view, it is much more profitable to provide the worker with compensation provided by law for work in harmful working conditions (additional payments to wages, additional vacation days, etc.), and than to eliminate harmful factors of production because quite often to get rid of harmful factors it is necessary to re-equip the enterprise, purchase safer equipment, etc. Therefore, it is necessary to move away from the practice of providing compensation to employees for harmful working conditions, and instead determine at the legislative level, the employer's obligation to take action to eliminate harmful factors after they are identified as a result of certification of the workplace, and in cases where it is impossible to bring their value to normative and safe for humans. Analysing the legislation of European countries, the authors of the study did not reveal the practice of issuing compensation for work in harmful working conditions, so the question arises why "pull" the old system into the new legislation of Ukraine?

Given all of the above, we can safely state that a decent level of state of labour protection is a goal that requires an integrated approach to its solution and should be considered in conjunction with social, economic, political and other components of public life. After all, labour safety should be a component of labour and not its appendage.

## Conclusions

Having analysed the draft law of Ukraine "On Safety and Health at Work" and the legislation of European countries, we can state that the draft law largely complies with ILO directives and the best European practices in the field of labour protection. In particular, the transition from "reactive" to "proactive" methods of occupational safety management is clearly defined. The functioning of the safety and health management system for employees at work, at enterprises, according to the draft law, is based on the following principles: 1) avoidance of dangerous and harmful occupational factors and occupational risks; 2) assessment of dangerous and harmful occupational factors and occupational risks that cannot be avoided; 3) elimination of dangerous and harmful occupational factors and occupational risks in the sources of their occurrence; 4) adaptation of the employee to working conditions, in particular during the arrangement of the workplace/zone, the choice of working methods and working equipment, to facilitate monotonous work and work in the rhythm set by the equipment, and to prevent or reduce the impact of dangerous and harmful occupational factors and occupational risks on the employee, in particular taking into account gender characteristics; 5) adaptation of working conditions to technical progress; 6) replacement of hazardous working equipment, working processes, hazardous and harmful occupational factors of physical, chemical, biological and other nature with safe or less dangerous ones; 7) developing an occupational risk prevention policy covering the organization of work, working conditions, social relations and the influence of factors related to the working environment; 8) giving collective protection measures priority over individual protection measures for employees; 9) ensuring that workers are informed about working conditions, training on the safety and health of workers at work and briefings.

That is, a clear procedure is determined for employers to avoid professional risks and create safe working conditions. However, there is a certain "indecision" of legislators in the final transition



from the post-Soviet system of labour protection management to the modern European one. This is manifested in the abandonment of the project of a permit system for performing high-risk work and certification of workplaces for working conditions. These approaches have long been outdated and hinder the development of new approaches to creating safe working conditions. The results of the study indicate that to develop effective approaches to labour protection and reduce the level of occupational injuries and occupational diseases, it is necessary to completely get rid of post-Soviet methods in the labour protection system and finally switch to modern European practices. The transition from a post-Soviet approach to a modern European one is not easy for Ukraine, because it requires changes in both legislation in this area and public thinking and approaches to labour safety. European approaches to labour safety are new for Ukraine because the whole old system is formed on the fact that only corrective actions were implemented, that is, the response took place after the accident, as a result of which rules were introduced that established requirements for employers to prevent such cases. The European system is built radically differently: employers must assess all the risks, consider them, ask themselves the question "What can go wrong?" and take all possible measures so that accidents do not happen. This approach is a cardinal step forward for Ukraine and its employers. We are confident that Ukraine has all the opportunities and resources to build a truly high-quality and effective system for managing the safety and health of workers at work to save the lives and health of its citizens.

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## **DIRECTIONS AND MECHANISMS FOR EUROPEAN EXPERIENCE IMPLEMENTATION IN MODERN PUBLIC ADMINISTRATION PRACTICE**

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### **ABSTRACT**

This research article examines the problem of reforming the public administration system and transition to a public administration system, taking into account European experience. The directions and mechanisms for best European practices implementation into the domestic public administration system are considered, which will make it possible in the future to form an effective and modern public administration system.

**Keywords:** public administration, public administration system, European experience, modern public administration

### **Introduction**

Modern public administration system is on the path of reform but there remain a number of unresolved tasks and problematic issues that require an early solution or elimination.

Based on the experience of European countries, faster improvement of the domestic public administration system is possible, since some of the features of European systems are already used in Ukraine. Therefore, it remains to identify problem areas clearly and use European approaches. However, we should not forget that foreign experience, regardless of its similarity with domestic experience, must be well analyzed and adapted to the domestic system of public administration, so that as a result we get an effective public administration system, like in European countries.

The integrated approach to public administration provided for in a number of regulatory documents of the EU and the Council of Europe on local self-government, involves taking into account the supranational (subjective) approach to the principles of territorial management, not only in the political and legal (legal) understanding as external forms of generally binding rules and procedures in executive activity, adoption of normative acts. First of all, the integrated approach is determined in the social understanding as a set of objectively existing economic, political, cultural, spiritual and other circumstances of social development that determine the content of the activities of management subjects. At the same time, the thesis on the priority of European principles in the system of local self-government in Ukraine, their adaptation and implementation are based on the unification of the legal nature of European and national principles of public administration.

In the study of approaches to analysing the peculiarities of the public administration system in terms of the mechanisms of formation and functioning of the public administration system as a



whole, it is worth proposing a fundamentally new structure and methodology for integrative analysis of the state of institutionalisation of self-governing structures, taking into account the peculiarities and trends in the development of the phenomenon of multi-level governance. The relevance of this problem for Ukraine is determined by both its integration into European structures and the need to develop its own system of local government in the process of state-building. In the historical context, there are several scientific approaches to analysing the emergence, formation and development of self-government in Ukraine. Despite the limited experience of state and self-governance at the level of an independent state, Ukraine has historically been a certain example for European countries both in terms of introducing innovative forms of self-governance and the evolutionary development of self-governance institutions [1].

Most European countries have determined the concepts of territorial bodies as such bodies of public law, exercising their sovereign power in a certain territory. At the same time, the defining elements of the administrative and legal status of territories are the community (citizens), the administrative and territorial unit (territory), governing bodies (sovereign power), self-governing bodies were recognized as self-governing, since they operate as subjects of public law. In addition, most constitutions of European countries contain provisions on guaranteeing the right of territorial communities to self-government, which actually determined its role on a par with the principles of separation of powers and decentralization and implementation of the principle of subsidiarity. Introduction of the principle of subsidiarity into the text of the founding treaties of the EU is evidence of the priority of this principle within the framework of the internal policy of the Union and its member countries, primarily in the context of the formation of modern humanized foundations of public administration [2].

Accordingly, we will consider ways to implement the best European experience of regulatory and legal support of public administration in the current state of Ukraine. First of all, it is necessary to consider the improvement of legislation on the development of public administration, which should be improved simultaneously or within a short period of time, and new laws and regulations should be adopted in all five areas of the reform. This will allow for synchronised action and reduce the problems of inconsistencies between new and old legislation. Therefore, we will now consider improvements to the legal framework in each of the five areas.

*1. Formation and coordination of public policy.* First of all, in order to form an effective system of public administration in Ukraine, it is necessary to develop a regulatory document that will clearly define the following terms: public administration, subject, object of public administration, system of public administration, mechanisms of public administration, public policy, public services, public authority and others. If these concepts are defined at the legislative level, it will, firstly, significantly reduce scientific discussions around terminology and allow for a deeper study of the problems of modern public administration.

The definitions developed by us based on the analysis of foreign and domestic literature can be used to summarise the theoretical framework for public administration.

After defining the basic concepts at the legislative level, it is necessary to move on to the next stage, namely systematisation with other legal documents, as the main problem today is differences in the legal field. Different legal documents contain different terms that have virtually the same meaning, or vice versa, different terms but the same essence. Therefore, it is necessary to amend the existing legal documents. For example, the Law of Ukraine "On Administrative Services". First of all, it is necessary to mention "public services" in the title and clearly define what is meant by public services and their main components. Thus, along with the term "public



services", the national legislation contains such types of services as state, administrative, municipal, social, electronic, non-governmental and other. In other words, it is necessary to systematise these terms depending on the need to combine or group them. For example, if public services include both state and administrative services, they should be classified as the main components of public services and it should be clearly defined which services are the former and which are the latter.

In most European countries, public services is a general term for the provision of services to the public, i.e. all services provided to the public are public services, regardless of whether they are provided by the government or the private sector.

Other regulatory documents in European countries are created in a similar way, when the main document on a particular issue defines the basic information, while other regulatory documents that deal only with a particular issue focus in more detail on the regulation of a particular issue in the industry that requires public or state administration intervention.

In our opinion, Ukraine could benefit from this experience, which would certainly facilitate the work of state authorities, local governments and other stakeholders, and would also simplify the system of introducing changes to legislation. Such an approach would also help to eliminate the problem of duplication of powers in public authorities.

The local level plays an important role in the public administration of European countries. Even public administration is formed at the local level, so domestic scholars and lawmakers should pay considerable attention to this aspect. In recent years, decentralisation of power, which has been studied only theoretically for quite some time and the prospects for its implementation in Ukraine have been actively pursued, in particular, attention to the local level of public administration has increased. To date, the first results of decentralisation are the creation of amalgamated territorial communities and the provision of sufficiently large opportunities and independence to them. However, there is a need for clear regulation of the mechanisms by which the state will regulate and control local self-government. As in European countries, the autonomy granted to local communities in Ukraine is a very positive development. However, it should not be forgotten that in these countries, local public administration was formed gradually and now they do not understand other functioning. For Ukraine, on the contrary, after a long period of absence of actual local self-government, getting a large number of opportunities and powers does not always have positive consequences. Some citizens simply do not believe in such opportunities, some do not know how to use them, and not all specialists in local self-government bodies can fully cope with their new functions and responsibilities. To this end, it is necessary to develop the information component of reform support, to constantly communicate through various communication channels (press, media, Internet) the opportunities and benefits of public administration and self-organisation of society, etc.

*2. Modernisation of the civil service and human resource management.* According to N. Goncharuk and L. Prudius, modernisation means a systemic process of various shifts and transformations in the civil service, which ensures the transition of the civil service institution from a stable "traditional" to a continuously changing, dynamic modern state in the direction of its renewal, constant qualitative improvement, which concerns various legal, organisational, institutional, social, economic, political, ethical and other aspects of the civil service; is a progressive process of comprehensive reform of the existing civil service institution, which is carried out with the aim of making its individual components more competitive and creating new institutions in it, accompanied by structural changes and transformation of functions, forms,



methods, technologies, tools and methods of management activities in the civil service in order to implement new goals, objectives, priorities, strategies, acquire new positive qualities, approach to the maximum possible level of development, approximation to the highest possible level of development, adaptation of the civil service institution to European standards and values [3].

Therefore, it is necessary to accelerate the process of reforming the legislative and institutional framework for the development of the civil service. After all, the modernisation of the civil service and human resource management is the responsibility of civil servants, who are the key to the operation of the entire public administration system. In addition, the civil service recruitment system needs to be improved immediately, as well as working conditions, equal opportunities and decent pay in all government agencies and the creation of uniform standards regardless of the government agency. Adoption of such changes will reduce corruption, increase the interest of civil servants in their work and attract new highly qualified specialists.

It is also necessary to pay attention to the professional training of government employees, availability of specialized education, and advanced training. These are necessary basic components but in the modern world they are increasingly not enough; thus, it is necessary to expand the scope. Accordingly, there is a need to conduct various online courses, trainings, seminars that will relate not only to purely professional activities, but also, for example, mediation (conflict resolution), other psychological or motivational aspects, which will help to improve interpersonal relationships in the team; leadership for managers to find new methods and approaches in working with teams and making decisions, studying the latest technologies, various programs that could be used in professional activities.

The researchers identify a number of main directions for reforming the regulatory framework for professional training of civil servants. In particular, S. Seriogin, E. Borodin and N. Lipovska consider the following to be the ways to overcome the main problems on the way to reforming the professional training of civil servants in Ukraine: improvement of the legislative and regulatory framework for providing professional training; adaptation of professional training of civil servants in Ukraine to the standards of the European Union; fundamentalisation of the educational process and its advanced direction; rotation of civil service personnel; staffing of the system of professional training of civil servants [4].

For our part, we would like to add the following: promising areas for modernising the system of professional training of civil servants in Ukrainian society are: identifying customers; auditing the network of educational institutions through the accreditation procedure; modernising curricula and programmes in accordance with the content of prior education and customer needs; introduction of new educational technologies with priority given to interactive teaching methods, methods and technologies that ensure the continuity of education (from knowledge to skills, from skills to abilities); training of top managers, analysts, advisers through the postgraduate and doctoral studies; self-education of civil servants, transition from assessment to career monitoring.

Among the practical solutions that define the specific content of the main areas of improvement of the regulatory framework for the training of civil servants by reforming the system of professional training of civil servants in Ukraine and should eliminate the lack of professional competence, colleagues [5] rightly include:

- personality-oriented orientation of professional training through differentiation of training programmes for different categories of civil servants;
- further improvement of the list of fields of education, bachelor's and master's degree programmes potentially aimed at civil service in higher education institutions of Ukraine, while



optimising the structure of specialities in the field of public administration and management in accordance with the current needs of public administration and civil service;

- introducing a procedure for certification of diverse professional training programmes for employees, development and diversification of forms and types of professional development;
- ensuring the development of specialised education of employees within the framework of a single educational standard in specialised universities for work in public authorities, in accordance with the Classifier of Economic Activities, by optimising the network of educational institutions of the system by unifying their licensing and accreditation procedures, introducing monitoring of the quality of their educational and scientific activities, material and technical, human resources, and educational and methodological potential;
- improving the procedure for the formation and implementation of the state order for professional training and postgraduate education of civil servants, with the gradual introduction of a decentralised system of financing educational services;
- introducing a system of multi-level professional education for civil servants and recruiting young people to the civil service by creating specialised gymnasiums, lyceums, schools, classes, colleges and conducting extensive career guidance;
- assessment of the professional competence of civil servants by an independent civil service qualification commission with the participation of representatives of specialised universities, NGOs, authorities, etc.;
- strengthening the organisational, legal, financial and economic foundations of the two-level system of higher education in the civil service of Ukraine, the system of postgraduate education, the use of internships as an independent type of additional professional education of civil servants, an integral part of their professional retraining or advanced training, while providing for the elaboration of the grounds for granting study leave and reporting forms.

We would like to add that in order to transform the state into a competitive employer, in addition to cultural transformations, it is necessary to implement the best human resource management practices used in modern organisations, from business to the public sector.

In addition, for effective human resource management, it is necessary to create a single electronic system in which all civil servants can work, which will allow simultaneous regulation of such factors as staffing, the structure of the government, personal files of civil servants, access to their career history, simplify the system of payroll, leave, business trips, etc. This will greatly simplify the work of management and civil servants at the same time. The same principle will also ensure transparency and accountability of the authorities, as all information will be in a single system.

*3. Ensuring accountability of public administration bodies.* The development of this area will create a transparent and open system of public administration in line with European examples.

It is necessary to establish accountability mechanisms for public administration bodies at the legislative level that will meet all modern requirements, as well as to create the material and technical basis for this. In addition to adopting the law at the legislative level, it is necessary to create conditions for its implementation and to foresee the risks associated with its failure. Sometimes it is not possible to perform certain operations, for example, electronic document management does not work properly due to the lack of a sufficiently efficient technical base. An important aspect of this problem is the human factor, so after training civil servants, it is necessary to audit their application of new knowledge and skills. If an employee who has just completed a training course or training fails to cope with the tasks assigned to him or her, he or she should be replaced with a more experienced one.





The development of a new accountability system will also help to avoid duplication of powers and competences and to distribute responsibility. It is necessary to develop clear, modern approaches to delegation of powers and increase the responsibility of civil servants for the work done or not done. As for free access to public information, in addition to providing it, it is also necessary to create an effective mechanism for presenting this information in an accessible form, so that there is a uniform form, templates and standards. Today, the majority of the country's population are active users of social media. For example, information is often posted faster and in a more accessible form on Instagram and Facebook than on official government websites, where it is not always possible to find new information in a timely manner and the information that is available is often not in an interesting form. Most often, citizens go to official websites to find certain information, so it is necessary to present news, reports, and results of work in an accessible and convenient form for the average reader, and this requires the involvement of specialists who have experience in this area and understand how to do it.

4. *Provision of administrative services.* Today, administrative services and ASCs that provide them are developing very actively, but, as mentioned above, it is necessary to first of all enshrine the term "public services" in legislation, which will be broader and better meet the needs of modern society. Introduction of a single definition of public services at the legal level, which will unite all types of services provided in Ukraine. Accordingly, the implementation of the mechanism for providing public services to both citizens and business entities that consume these services, in our opinion, is a necessary element in the development of a high-quality, efficient and modern service delivery system.

Based on the considered approaches to the properties, characteristics and entities providing public services, we can propose the following definition of the concept "public services are the activities of public authorities, local government, municipal, state and non-state institutions, organizations in the field of provision to individuals and legal entities of public goods that are socially significant, at the expense of public and private funds".

After applying the definition of "public services" proposed by us, it is necessary to legally define the main aspects of their provision and implementation, i.e. to adopt the Law "On the provision of public services", since amending the Law of Ukraine "On the provision of administrative services" will not be effective due to a significant expansion of the list of services and entities that provide them. In addition, the mechanisms for regulating the relationship between service consumers and service providers need to be clarified and improved, as the range of providers is diverse and the specifics of their activities differ, so there is a need to create new mechanisms that will function effectively in the proposed conditions.

One of the most important tasks in the provision of administrative services is the adoption of the Law of Ukraine "On Administrative Procedure" [6]. As of today, only a draft of this law has been adopted, but this is already a big step towards the formation of a new system of administrative services in Ukraine.

As the world depends on the latest technology, citizens are increasingly valuing their time. In many European countries, technology has already made life much easier for people, but we need to catch up and expand the list of services that can be accessed via the Internet, i.e. e-services. In addition, the more citizens receive services through their e-cabinets, the easier it will be for employees who process their requests, which also saves them time and increases their productivity. However, to increase the number of electronic services, it is necessary to ensure the quality of their provision, the safety of personal data, security and speed, and for this purpose it is



necessary to create an electronic system in which this will happen. The faster and better the services are provided to citizens, the greater the level of trust citizens will have in the state.

Since new Administration Service Centers are constantly being created in Ukraine, according to information posted on the official Decentralization website, as of the beginning of 2022, 1027 Administration Service Centers have been created [7], 1712 remote jobs, 124 territorial divisions and 28 mobile Administration Service Centers. Compared to 2020, the network has increased by 1.5 thousand points, so it is necessary to develop a system for assessing the quality of their work. In addition, it is necessary to create standards that all Administration Service Centers must comply with, since today we can observe a big difference in the activities, quantity of service provision, quality of service, electronic services and other characteristics of Administration Service Centers across Ukraine. All citizens, regardless of where they live – in a city or in a village – should receive levels of service quality and in equal time frames.

*5. Public finance management is a very important area on which the entire system depends.* Without adequate financial support, it is impossible to implement tasks and plans, no matter how successful they are. In pursuance of the latter, the Order of the Cabinet of Ministers of Ukraine of 08.02.17 No. 142-r "On Approval of the Strategy for Reforming the Public Finance Management System for 2017-2020" sets out the following tasks in the context of the overall process of modernising the public finance management system [8-9]:

- full implementation of strategic and medium-term budget planning, which will ensure the allocation of resources in accordance with the state's priorities and strengthen the overall fiscal discipline;
- introduction of an effective system of planning and evaluation of the state budget execution, increasing the role and responsibility of key spending units in determining the priorities of their activities and efficient use of such funds to achieve them;
- increasing the efficiency of public spending by conducting a comprehensive analysis of the feasibility and effectiveness of expenditures and changing approaches to their implementation by moving from maintaining institutions to providing quality public services;
- improving the quality and efficiency of tax and fee administration and compliance with tax legislation;
- strengthening control over fiscal risks and implementing measures to minimise them, in particular with regard to state-owned enterprises, state guarantees and other contingent debt obligations;
- ensuring strategic allocation and monitoring of public investments;
- support the process of budgetary decentralisation by ensuring a clear distribution of relevant powers and resources, as well as ensuring accountability of local budgets;
- "increasing the level of managerial accountability and the effectiveness of internal control and audit in government at the central and local levels", the implementation of which, in the context of the components and in the general context of the processes of modernising the public finance management system, should contribute to: reducing the deficit of general government operations and reducing the growth rate of public debt in the medium term and keeping them at an acceptable level; ensuring consistency and predictability of budget and tax policy; improving the quality of public service delivery and the efficiency of public investment while ensuring a more rational use of resources.



## Conclusions

So, we can conclude that the introduction of the best European experience into the practical plane of public administration in Ukraine extends to the entire public administration system and, accordingly, requires decisive and rapid changes. Some of the legislation has already been adapted in accordance with European principles, but the roadmap for implementing reforms in accordance with Ukraine's European integration course needs to be revised. This research article relates not only to reforming public administration, but also to other sectors that are quite closely crossed with public administration and in need of reform (for example, administrative reform).

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## STATE MANAGEMENT OF THE PROCESS OF TRAINING PUBLIC SERVANTS: THE KEY TO THE FORMATION OF PROFESSIONALISM

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### ABSTRACT

The article deals with the current problem of state management of the process of training public servants. It is emphasized that the effectiveness of the civil service depends on the level of professionalism of its employees. Therefore, high-quality training of public servants, which must meet modern requirements, is extremely important. The author of the article analyzes the main principles and directions of state management of the process of training public servants. It also considers various aspects of the activity of state bodies in this area

**Keywords:** public service, acmeology, professionalism, professional development.

### Introduction

The entire system of training and professional development for civil service personnel is aimed at ensuring high efficiency in their work, fostering responsibility in accordance with their abilities, and meeting the needs of public service. In contemporary conditions, the creation of a unified system for the training, retraining, and skill enhancement of public administration professionals is of particular importance. Achieving a high level of professionalism among civil servants is a crucial condition for addressing many challenges in our society.

**The analysis of recent researches and papers published.** This statement indicates that the issue of professionalization of local government officials and civil servants is a constant object of study in both domestic and foreign scientific literature. Among the researchers who have dealt with this issue are such names as V. Aver'yanov, G. Atamanchuk, V. Bakumenko, M. Bagmet, V. Beglitsy, V. Vasiliev, N. Goncharuk, D. Dzvinchuk, V. Emelyanov, V. Ignatov, V. Lugovy, O. Obolenskiy, V. Oluyko. In a state of martial law, the activities of the personnel services of executive authorities undergo significant changes. They must primarily focus on analytical and organizational work in personnel management, including the analysis of the professional activities of each civil servant, forecasting personnel development, planning the careers of public servants, ensuring their training, and monitoring work effectiveness.

**Results of the research.** As known, the term «professional» originates from the definition of «profession,» which is interpreted as a primary type of occupation or labor activity that requires training and serves as a source of livelihood. A profession is a set of specific knowledge, skills, and abilities inherent to an individual, enabling them to perform designated work functions.

From a psychological-acmeological perspective, professionalism in activity is characterized by a high level of qualification, high productivity, optimal intensity and tension, high reliability, low intermediacy (i.e., independence from external factors), high organization, mastery of contemporary content and tools for task resolution, and high stability, productivity, and accuracy. It is important to emphasize that each of the mentioned characteristics of a professional includes a



component of self-regulation as a necessary element for achieving professional mastery. Professionalism is a special attribute of individuals who systematically and effectively perform complex job functions with specified quality indicators.

The concept of «professionalism» reflects a level of work performance that corresponds to the standards existing in society and objective requirements. Individuals can acquire this attribute through specialized training and the accumulation of work experience, or they may simply be considered professionals. We define professionalism as an integral characteristic of a person that is manifested in work activity and communication. Professionalism entails not only achieving high production indicators but also features of business motivation, a system of aspirations, and value orientations.

Individual professional development involves acquiring individual professional qualifications and experience, improving personal qualities, and the development of a professional group, achieving unity and coherence among its members, and forming a collective style of activity.

The work of a professional is not limited to what an external observer sees. A professional individual, as a bearer of a specific quality known as professionalism, should be considered as a multilevel system with not only external functions but also complex internal functions. Professionalism is not only a high level of knowledge, skills, and performance results in a specific field; it also signifies a certain systematic organization of consciousness and psyche.

Therefore, a professional is a holistic individual: as a personality, as a subject of activity, and as an individual. Hence, professionalism needs to be studied in all the mentioned aspects. This includes its formation, development, as well as manifestations of professional distortions.

Analysis of professionalism as a systemic object encompasses all dimensions of this complex phenomenon. Thus, we consider professionalism as a property, a process, and the state of a professional.

Professionalism, viewed as an integral property, is a combination of the most stable and consistently demonstrated qualities of a professional that ensure a certain qualitative and quantitative level of professional activity specific to an individual. Professionalism (as a property) is the result of the ontogenesis of an individual in the process of professionalization.

Professionalism, seen as a process, undergoes phases: beginning, development, and culmination. There are phases of professionalism development: «pre-professionalism», when a person is already working but lacks the full set of qualities of a true professional, and the effectiveness of their actions is insufficiently high; «actual professionalism», when a person becomes a professional, consistently demonstrating high results; «super-professionalism» or «mastery», approaching professional achievements; «post-professionalism», where an individual may become an «ex-professional» or an advisor, teacher for other specialists.

Professionalism, considered as the state of an individual, can be observed both internally and externally. This aspect of professionalism activates regulatory functions in the process of the subject's adaptation to the components of the professional environment.

The professionalism of a civil servant depends on their personal qualities, knowledge, abilities, and moral attributes. Therefore, in the management of the professionalization of public service, the personal qualities of civil servants are taken into account, as well as their alignment with qualification and positional requirements. The goal is to achieve an optimal match between the qualities and abilities of a civil servant and their ability to perform functions and duties. A sociological approach requires clarification, primarily, of the correspondence between the



professional-personal qualities of a civil servant and their functional and positional duties and rights.

Professional development in public service should not be perceived solely as the process of acquiring professional qualities during training. The professional development of a civil servant occurs during their service, based on the understanding and mastery of the profession in the course of practical implementation, and through the acquisition of experience, skills, and abilities. Learning and gaining experience are not mutually exclusive; they are two sides of the same process. The professionalism of a civil servant is demonstrated in management (emphasizing a thorough knowledge of their field) and in the most effective execution of their managerial activities. This involves the reproduction of all qualities: professional, personal, and moral.

Furthermore, it is essential to cultivate a continuous interest among civil servants in self-discovery, self-development, and self-realization in the process of their professional activities.

The professional development of civil servants depends on their personal qualities, including the state of their nervous system and individual health; their needs, motives, beliefs, values, and worldview; the level of intellectual, communicative, and volitional capabilities; and their ability to acquire new technologies, skills, and abilities.

Professional development primarily involves the formation and continuous enrichment of professionally significant knowledge, skills, abilities, and personal qualities necessary for the effective performance of functions, official rights, and duties. These elements enable individuals to fully unfold their abilities, talents, and potential. Therefore, reducing professional development to formal education (courses, seminars, higher education institutions) where individuals receive knowledge and information in a ready-made form as a result of educational activities is unjustified.

Professional maturity is not solely determined by a diploma; it is developed over an extended period and enriched and adjusted through practice. It is essential to anticipate the formation of competitive qualities in each public servant, allowing them to choose a field of professional activity that stabilizes their position in the realm of social work and facilitates the social realization of their abilities. This should become one of the foundations for the training of public service personnel.

In the professional development of public servants, it is crucial to maximize the use of the complex system of interactions among official structures, hierarchical subordination, interpersonal relationships, assessment technology (certification, qualification exams, etc.), and career advancement for employees. The application of various mechanisms is essential for fostering quality and creative work and achieving specific results.

The approach to new, more complex tasks, the simulation of situations requiring the official to make independent innovative decisions, and material incentives for improving their work efficiency will encourage officials to enhance their professional qualities and abilities, fostering a desire for career growth.

Professional and qualification development is linked to the training and self-education of officials, acquiring new knowledge, and gaining new experience. Moreover, this development is possible even for those who have held a position for an extended period. Within their role, officials have the opportunity to enhance their qualifications, acquire new technologies, and develop skills. Professional and position-related development involves finding ways and technologies for the most rational allocation of personnel, taking into account the abilities and competence of each individual, optimally utilizing the advantages of officials with different orientations, experiences,



ages, intellectual abilities, and personal qualities within a team. All of this can be reflected in career planning, career advancement, the formation of reserves, and other aspects.

The state and public service are mutually interested in increasing the professionalism of civil servants and improving work efficiency. From this perspective, the training of personnel, career planning and implementation for public servants should not be viewed solely as their individual interest. It should become a state affair aimed at stabilizing the entire government apparatus. Therefore, it is essential not only to define a strategy for the professional development of public servants but also to see the diversity of paths and technologies for enhancing the professionalism of officials and their rational placement. This should be achieved primarily under the following conditions:

1. the creation of a new system for recruiting employees with the imposition of specific requirements at this stage involves introducing new criteria for assessing individuals' qualities, a consistent process of professional enrichment for officials during career advancement, and incentives for professional development during certification, exams, etc.
2. improving the system of training, retraining, and qualification enhancement for officials is also a crucial aspect.

The state has a system for training and retraining civil service personnel; however, there is no law that obliges graduates of higher education institutions who obtained a degree in the field of specialty 281 Public Administration and Administration to work for a certain period in public administration institutions. As a result, many graduates, having received education at the state's expense, choose to work in non-governmental institutions.

Therefore, improving the system of training, retraining, and qualification enhancement for civil service personnel, as well as introducing specific specialization and qualification requirements, becomes a primary task in addressing the issue of enhancing the professionalism of government officials.

A crucial criterion for the professional growth of civil service personnel should be the qualification requirements for retraining and qualification enhancement.

Currently, the need to change the forms and methods of state regulation of economic processes imposes qualitatively new requirements for the professional training of the personnel at all levels. Based on the staffing needs, the task of professional education of civil servants is addressed by specialized educational institutions that provide training for public service. Dynamic socio-economic changes and the necessity of reforming public administration require new knowledge, skills, and abilities. The modern civil servant needs in-depth knowledge of economics, law, management, HR, conflict resolution, decision-making theory, and social forecasting. Therefore, there is a need to establish a system of continuous and mandatory professional education. The main components of this system include:

1. preparation of new civil servants;
2. retraining of officials to acquire a new specialty or qualification; qualification enhancement and professional training through programs of the National Agency of Ukraine on Civil Service

In order to replenish the government bodies with highly qualified specialists, active use is made of the training of personnel in postgraduate and doctoral studies. While this system as a whole allows addressing new tasks, it requires continuous improvement. The main goal is to ensure the further qualitative development of this system, enhance its effectiveness, mobility, flexibility, and inheritability of education in its various components. Considering this, it is necessary to establish a system of incentives that encourages individuals to pursue education and elevate the level of



their qualifications. Professional education should be mandatory for public administration employees and be an integral part of their activities.

The content of professional education plays a crucial role in stabilizing and ensuring the modern level of personnel training. It is defined by qualification requirements, curriculum, course programs, and other educational organizational documents that regulate the training and retraining of civil servants. It is essential to consider that civil servants are individuals with specific life and professional experiences, knowledge, personal beliefs, and assessments of social phenomena, along with their own perception of education.

As practice confirms, when developing educational plans, it is necessary to study and consider proposals from local self-government bodies, regional institutions, organizations, and the learners themselves regarding the topics and, especially, proposals that represent professional interests for a specific group of civil servants.

This can be achieved through:

1. Involvement of leaders and specialists from relevant local authorities in shaping the topics of classes.
2. Sending proposals for class topics to regional and municipal administrations and studying their suggestions.
3. Taking into account the opinions and proposals of learners from previous training sessions regarding the themes, content, and forms of training.

Therefore, timely and high-quality development of educational thematic plans contributes to the organized educational process within the system of civil servants' professional development.

There should also be a unified system of training, retraining, and qualification improvement for civil servants. This process should have a systematic nature, including a network and structure of educational institutions, providing integrity, substantive consistency, and sequence to professional education. Considering these positions is crucial for improving the management system because through this learning process, the state and its higher authorities can actively influence the formation of personnel in all branches and at all levels, establish the professional foundations for their strengthening and rational use. Through education, the state's regulatory influence on personnel processes takes place openly, democratically, based on the formation of a unified educational process.

## **Conclusions**

Therefore, the following conclusions can be drawn: Firstly, a position as a civil servant requires a significant investment of time and resources in training, and individuals in such positions need to possess high moral qualities, culture, and personal creativity. Professionalism in a civil servant encompasses business, personal, and moral qualities in an integrated manner. Achieving professional development in individuals can only be accomplished by fostering a continuous interest in self-discovery, self-development, and self-realization.

Secondly, social needs for improving the system of professional education for civil servants are driven by:

- Low efficiency in management caused by a lack of knowledge and abilities in civil servants to implement reform policies, resolve social conflicts, and adapt to or drive innovations.
- The need for civil servants not only to acquire new knowledge but also to develop the skills to analyze real societal situations, forecast developments, make unconventional decisions, and work in conditions of uncertainty and risk.



Thirdly, the career advancement experience of civil servants in most countries worldwide indicates that the primary criteria for promotion include professional qualifications, the practical implementation of these qualifications, and work experience.

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## MANAGEMENT OF TERRITORIAL COMMUNITIES DEVELOPMENT IN MODERN CONDITIONS

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### ABSTRACT

The article examines the current state of organisation of management of the development of territories during military operations in Ukraine at the local, regional and state levels. The legal framework governing the functioning of communities and the creation of territorial communities in the context of decentralisation is defined. In analysing the legislation, attention is focused on the difference between the terms "community" and "territorial community". It is proved that a territorial community, as a subject of regulation of socio-economic development of the territory, is endowed with functions which generally coincide with the scope of functions of the local self-government system.

**Keywords:** territorial community, management, local development, efficiency, united territorial community

### Introduction

**Relevance of the article.** One of the key factors that determines the competitiveness of a region is the efficient operation of its local community. As part of the decentralization reforms, initiatives have been put in place to improve the financial capacity, investment attractiveness, and overall quality of life of these regions, to make them more appealing to residents. The establishment of new administrative-territorial associations has created a promising environment for common development prospects and new opportunities.

The globalization of the world economy has increased the level of responsibility for local development and raised the importance of communities. In Ukraine, a reform of local self-government is currently taking place, intending to create capable territorial communities instead of rayons. These newly formed communities have greater autonomy and more opportunities.

Pursuant to the provisions of the Law of Ukraine “On Amendments to Certain Legislative Acts of Ukraine on the Principles of State Regional Policy and Policy of Restoration of Regions and Territories” of July 9, 2022, the development of a community development strategy should be subject to the general principles and general procedure for the development, approval and implementation. The law introduces a unified system of regional planning documents at the state level: at the local, regional and national levels, which includes community development strategies. Therefore, each city has its own long-term development strategy document, coordinated with the country's regional development strategy and the strategic goals and priorities of each regional development strategy.

At the same time, Ukraine's development depends on the ability and interests of the community to participate in local development. The completion of the decentralization and self-government reform process and the effective implementation of the general principle of local self-government



will raise the responsibility for the development of community leaders to a new level. Local governments must move from being objects of governance to subjects of governance and ensure that they can work independently. Therefore, local governments must understand the peculiarities of modern development and have the knowledge, information, skills, and experience to ensure the competitiveness of their communities.

**Analysis of recent research and publications.** The theoretical basis for the analytical comprehension of this topic was the scientific works on the theory of management and administrative law by such domestic scholars as V. Bordeniuk, I. Holosnichenko, A. Zayets, R. Kaliuzhnyi, I. Koliushko, V. Korzhenko, M. Kornienko, O. Lazor, O. Lazor, N. Nyzhnyk, V. Pukhtynskyi, V. Tatsii, S. Teleshun, P. Tkachuk, Y. Todyka and others.

**Presenting main material.** Today, Ukraine is at war and there is a need for the most effective work of all its units and territorial communities, first and foremost, because the country's holistic development depends on them. The outbreak of the war has brought positive strategic changes, in particular, it has improved the effectiveness of interaction between public authorities, local community leaders, and representatives of civic and volunteer organizations.

The territorial community as a subject of regulation of the socio-economic development of the territory is endowed with functions that generally coincide with the scope of functions of the local self-government system: rule-making function (creation of statutes of territorial communities, adoption of normative acts regulating the community's activities); planning and programming of the development of a basic-level administrative unit (community development strategies, programs of socio-economic and cultural development); management of resource potential (land, forest, water resources) – development of local infrastructure – maintenance and construction of roads, water, gas, and sewage supply and landscaping; management of municipal property owned by the territorial community; budgetary and financial function (approval of budgets and control over their implementation, determination of local taxes and fees provided for by law); management of the network of social institutions (creation, reorganization, liquidation); investment function (attraction of investments – public, private, international in the development of the territory); information function [1].

In Ukraine, historically, the community was the main territorial unit that performed many important functions and had its governing bodies. By the decisions of the community meeting, land was distributed, taxes were imposed on community members and taxes were paid to the state. Historically, in mid-2015, the practical implementation of the process of amalgamation of territorial communities began. As of 2015, 159 amalgamated territorial communities were formed, uniting 793 territorial units. New local governments were elected on October 25, 2015. As of January 2016, these local governments switched to direct accounts with the state, which showed positive development dynamics at the end of the year [2]. The newly amalgamated territorial communities received expanded powers and additional resources for their development, which in turn allowed them to implement infrastructure development projects: repair of roads, and administrative buildings, as well as to build new schools, kindergartens, water supply systems, sewage treatment plants, street lighting systems, roads, create new utility companies, purchase new utility equipment and take care of the improvement of the amalgamated territorial communities, etc.

Significant progress in the formation of amalgamated territorial communities took place in 2016, as the number of communities doubled. Starting from January 2017, there were already 366 united territorial communities in Ukraine, which united 1740 territorial units and held the first



local elections. To resolve the problematic issues of amalgamation and formation, several laws were adopted in 2017. On April 30, 2017, local government elections were held in 47 amalgamated territorial communities, which were the first local government elections in the newly formed amalgamated territorial communities. As of the beginning of June 2017, 413 amalgamated territorial communities were formed in Ukraine and the first local elections were held there [3]. According to the information provided on the Official Decentralization Website, in 2023, there were 1439 amalgamated territorial communities in Ukraine, uniting 27833 settlements.

The political environment and expert circles are discussing the future of decentralization, as well as the prospects for the development of territorial communities under martial law. First of all, this concerns the inviolability of the principle of subsidiarity and the expediency of autonomous adoption of many quality management decisions by local governments.

It should be emphasized that the experience gained by Ukraine during the war demonstrates the undeniable advantage of self-organization of the population over centralized management, both in economic terms, in particular in the context of establishing effective mechanisms of volunteer support for the armed forces, and in the purely military component (military experts argue that on the battlefield, the rigid power vertical of the occupiers is often inferior to the flexibility of Ukrainian commanders and soldiers who can make independent tactical decisions) [4].

Therefore, it can be argued that today the primary task aimed at adapting the existing system of local self-government in Ukraine to the realities of wartime should be its clear and consistent institutionalization, taking into account the previous achievements of decentralization. Instead, attempts to “embed” territorial communities in a rigid vertical hierarchy of power can cause more problems than benefits, especially given the prospects for post-war reconstruction of the state.

In December 2022, the Government adopted a resolution that defines the mechanism for forming a single list of territories where hostilities are (were) conducted or temporarily occupied by the Russian Federation. The relevant list is approved by the order of the Ministry of Reintegration (the latest one is No. 318 of December 21, 2023).

In the future, this list will be used not only to make payments to internally displaced persons but also to restrict and restore access to public registers, simplify admission to educational institutions, privatize state property, etc.

As of February 1, 2023, the updated list includes 12 regions and the city of Kyiv where hostilities are possible, active hostilities are taking place, and which are occupied by the Russian Federation. These are the territorial communities of Dnipropetrovs'k, Donetsk, Zhytomyr, Zaporizhzhia, Kyiv, Luhansk, Mykolaiv, Odesa, Sumy, Kharkiv, Kherson, and Chernihiv regions [5].

At the same time, it is worth noting that in September 2022, almost 90% of the Kharkiv region was de-occupied. The primary task of the local authorities in these areas is to ensure the livelihoods of the communities. After all, people should receive all the help they need and at least the most basic services. Since local governments in the de-occupied territories may not have a majority of votes to make decisions that are important for the life of the communities, the only rational step to restore the capacity of the united territorial communities is to establish military administrations. Establishing military administrations is the most effective way to establish all the necessary processes, restore services, and ensure the safety of people in the liberated communities.

An important factor in ensuring the vital activity of communities was the change in the mode of functioning of regional and local authorities through the establishment of military administrations



that ensure security on the territory. Local governments continue to exercise their powers to address issues of local importance in the territories of communities, taking into account the specifics of functioning under martial law.

Unlike the situation in 2014-2021, when the war in ORDLO took the form of a local conflict, the full-scale invasion on February 24 created threats to the entire territory of the state. The legal framework for the functioning of the TCs in wartime was immediately applied, and it fully ensured the stability of governance at the regional and local levels. At the same time, its imperfections began to emerge almost from the first days of the war. There was an urgent need for additional legislative regulation of local government activities under martial law.

A series of regulatory amendments to the Law of Ukraine “On the Legal Regime of Martial Law” of May 12, 2015 (7 relevant bills were adopted between March 15 and May 12) resolved some acute problems of the initial period of aggression. Based on the experience of the six months of the active phase of the war, the Verkhovna Rada of Ukraine has submitted draft law No. 8056, which, if adopted, could significantly improve the interaction between the authorities and self-government.

In the context of martial law, the powers of local self-government bodies are regulated in addition to the Law “On Local Self-Government” by the provisions of the Law of Ukraine No. 389-VIII “On the Legal Regime of Martial Law” of May 12, 2015. This law regulates, in particular, the establishment of military administrations. Local self-government bodies act together with military administrations established by the President of Ukraine under martial law to ensure the operation of the Constitution and laws of Ukraine. Local self-government bodies and military administrations, together with the military command, ensure the introduction and implementation of measures of the legal regime of martial law, defense, public order and security, and protection of the rights, freedoms, and legitimate interests of citizens.

The functions of military administrations are similar to those of civil-military administrations established in some regions, districts and communities under the Law of February 3, 2015, No. 141-VIII “On Civil-Military Administrations”. However, there are significant differences that have not been worked out by February 24, 2022, due to the lack of practice of martial law throughout the country.

According to Art. 4 of the Law of Ukraine “On Martial Law”, military administrations of settlements are formed from military personnel of military formations established under the laws of Ukraine, persons holding the rank of private or commander of law enforcement agencies, civil protection service, who are seconded to them by the procedure established by law to perform tasks in the interests of state defense and security with the retention of military service, service in law enforcement agencies, civil protection agencies and units without being excluded from the lists of persons. Thus, for the duration of martial law, military administrations exercise the powers of local self-government bodies in united territorial communities.

Providing logistical support in several operational areas – southern (Kherson and Zaporizhzhia regions), northern (Kharkiv region), and eastern (Donetsk region) – poses the following priorities for military administrations, regional and local authorities:

– purely military issues – building up a layered defense in the region in all directions. Currently, Kryvyi Rih and Nikopol districts in the west and south are under the greatest military pressure, as they are directly close to the front line and are regularly shelled by Russian troops using multiple launch rocket systems, cannon artillery, and mortars. In the east, the territory of the Synelnyk district is under methodical rocket attacks (primarily against transport infrastructure);



- organization of a logistics regional hub to supply troops, primarily with weapons, which are mainly transported by rail and road from the western borders of the country;
- organization of logistics services to provide medical care to the military;
- training of the TRO formations;
- addressing IDP issues. The largest number of refugees move to the region from Donetsk and Kharkiv regions. After receiving basic assistance, the vast majority of IDPs move on to the center and west of Ukraine, but a significant number stay in Dnipropetrovska oblast, which requires solving the issue of their accommodation. At the same time, TACs in Dnipro can cope with the organization of assistance to refugees on their own, using the resources of the region and assistance from charitable organizations and foundations.

The level of implementation of community budgets is one of the indicators of the effectiveness of the military administration and local governments in the region, and their ability to perform their functions in wartime. In the first months of the invasion, the depth of budgetary problems in TG increased significantly compared to peacetime. The most important issues were the social protection of citizens, assistance to the military and IDPs, support for the TOT formations, and the implementation of planned activities and local programs. However, despite all the negative factors, economic activity began to improve rapidly and within four months of the start of the large-scale Russian attack, it almost reached pre-war levels.

One important function (task) of local government representatives is to strengthen cooperation with donor organizations from European countries to build and modernize the respective communities' infrastructure and prepare for the implementation of post-war socio-economic development projects. To successfully apply grant instruments, local authorities must have the appropriate competencies: ability to choose and formulate strategic and operational goals; ability to interact with the external environment, including donors, central government, local community, CSOs, NGOs, condominiums; experience, professional training, and personal qualities of project implementers (ability to develop projects; skills in identifying and formulating social problems; ability to analyze the necessary information; skills in budgeting project activities) [7].

Grant instruments (especially in terms of grant programs and material and technical assistance) are often combined with other instruments of financing local economic development, such as loans from an international financial institution.

Given the ongoing conflict in the southern and eastern regions of our country, European partners have shifted their focus towards providing military support to Ukraine and assisting refugees. Therefore, it is crucial to strengthen our cooperation with European partners at the local, regional, and national levels. We need to launch new programs and projects aimed at preparing our government officials, businesses, NGOs, condominiums, SGBs, and fellow citizens for the post-war stage of socio-economic development. Local government representatives and territorial communities should take the lead in initiating such efforts, especially in communities located near the EU border but far from the combat zone.

## **Conclusions**

The formation of territorial communities as organizational and economic units at the regional level has made it necessary to develop new integrated approaches to support their development. This includes the construction of management systems that take into account both the external challenges of the modern, globalized and highly competitive environment, as well as the internal determinants of development. During the formation and development of territorial communities,



identifying resources for socio-economic development is a critical challenge. This is because it forms the basis for building effective mechanisms to manage available resource potential and introducing tools to attract additional resources to ensure their effective functioning.

The management system of a community should implement the national policy of the country, while considering its resource potential, social system, and the needs of its people. The primary objective of this system should be to enhance the standard and quality of life of the community members. This can be achieved by increasing the purchasing power of its population, improving the investment climate, and fostering better business conditions within the community.

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## LEGAL ASPECTS OF INVESTMENT IN UKRAINE INSURANCE AGAINST WAR RISKS

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### ABSTRACT

The article is devoted to insurance as a tool to protect investments in wartime. In particular, attention is paid to the analysis of the draft law of Ukraine, which defines military risk as the main insurance risk in an investment insurance contract. The purpose of the publication is to show the actual situation of readiness of the legislative framework for the launch of a new type of insurance, namely insurance of investments against military risks.

**Keywords:** investments, investment insurance, systemic risks, military risks, legal system.

### Introduction

**Relevance of the article.** The war in Ukraine showed that new approaches are needed to deal with military risks in the world. A globalized decision-making system is inefficient and expensive. Risk management at the middle level is more efficient from the point of view of finances, and most importantly time. The reconstruction of Ukraine is a challenge to the world's civilized community. The amount of destruction and damage caused by the war is increasing day by day. The speed of restoration of critical infrastructure and reconstruction of the economy directly affects the speed of Ukraine's victory.

That is, it is necessary to rebuild and restore right now, in wartime. This will speed up the end of the war and improve the security situation in the world. Exactly this context of problems that should exist in business communities, political meetings, student exchange programs, and other social activities. The goal of such social activities is to attract investment in infrastructure that helps to win the war. The government should assist domestic investors who are willing to invest in the military infrastructure while the war is ongoing.

**Presenting main material.** In the last months of 2023, the media of economic issues focused on and often mentioned the following terms: "war risks"; "war risk insurance"; "investment insurance against military and political risks".

The reason for the topic of military risks as insurance risks to hit the headlines of financial and economic media was the adoption of draft law No. 9015 "On Amendments to the Law of Ukraine "On Financial Mechanisms for Stimulating Export Activity" regarding the insurance of investments in Ukraine against military risks"[1].

The need to adopt this draft law was emphasized by representatives of domestic, Ukrainian investors [2].





In general, the Ministry of Economy of Ukraine and the Ministry of Finance of Ukraine have been and are conducting a strong advocacy campaign for the process of ensuring investments in Ukraine against military and political risks [3].

The NSDC cooperates with the international insurance broker Marsh McLennan to develop a specialized platform [4], through which authorized professional users of the insurance market around the world will be able to obtain the information necessary for underwriting and actuarial procedures for insuring military risks in Ukraine [5].

The above examples are vivid markers of the fact that the issue of investment insurance against military risks is a component of national security in the broad sense of the concept of "national security".

It is also clear that at the international level, in the context of Ukraine, the concept of war risk insurance will be significantly transformed and developed.

At the national level, the concept of war risk insurance will be realized and created. The reason for this is that before Russia's full-scale invasion of Ukraine, military risks were present in insurance contracts only as an exception to insured events.

Thus, developing approaches to the use and wording of military risks as an element of the subject matter of an insurance contract is a promising area of work.

The national legislation of Ukraine regulates the concept of insurance risk at the basic level of understanding. When dealing with military risks, it will be impossible to avoid or ignore them.

On 01.01.2024, the new Law of Ukraine "On Insurance" will come into force, which is basic and systemic for the insurance industry of Ukraine. This law introduces basic regulatory concepts and outlines the infrastructure of the insurance industry.

Thus, the Law of Ukraine "On Insurance" defines insurance risk as the risk of losses or additional losses or shortfall in planned income, or unfavorable changes in the financial condition, directly or indirectly caused by changes in the value of assets and liabilities [6].

The law also defines the features of insurance risks that may be covered by an insurance contract, in particular:

1. Probability and likelihood of occurrence;
2. Inability to predict the specific time, place, and circumstances of the event, as well as the amount of damage in the event of an insured event;
3. Absence of probability of certainty of occurrence of the event during the period of validity of the insurance contract, of which the insured or the insurer were or should have been notified in advance;
4. The occurrence of the event will cause negative material consequences for the insured interest of the insured or other persons specified in the insurance contract;
5. The occurrence of the event is not due to intentional actions of the insured or other persons specified in the insurance contract (except in cases determined by law or international custom) and does not involve obtaining an unlawful benefit [6].

When formulating the risks to be covered by an insurance policy in an insurance contract, it should be understood that the new Law of Ukraine "On Insurance" provides for a much deeper and more systematic approach to risk identification than the old Law of Ukraine "On Insurance".

The new law, in conjunction with the bylaws of the National Bank of Ukraine, introduces classifications of risks that insurance contracts may cover. Thus, each risk must be assigned (qualified) to a certain class before becoming a condition of an insurance contract [7].



At present, neither the Law of Ukraine "On Insurance" nor the draft "Regulation on Characteristics and Classification Features of Insurance Classes, Peculiarities of Insurance Activities and Conclusion of Insurance Classes" developed by the National Bank of Ukraine contain any mention of "war/military" risks and their features.

In turn, the draft law № 9015 "On Amendments to the Law of Ukraine "On Financial Mechanisms for Stimulating Export Activity" regarding the insurance of investments in Ukraine against war risks" contains the following provisions, which are centered on war risks: "The ECA carries out insurance, reinsurance and guarantee activities by this Law and regulations adopted to implement the provisions of this Law, the ECA Charter, and internal documents of the ECA, which includes the following activities

insurance and reinsurance of export credits, as well as insurance and reinsurance against military and/or political risks of loans of Ukrainian business entities related to investments in the creation of facilities and infrastructure necessary for the development of the processing industry and export of goods (works, services) of Ukrainian origin.

insurance and reinsurance of direct investments from Ukraine, as well as insurance and reinsurance of direct investments in Ukraine against military and/or political risks..."

Draft Law № 9015 also defines how the gap in the legislation on insurance against military risks will be eliminated, in particular, it states that the Cabinet of Ministers of Ukraine, in agreement with the National Bank of Ukraine, determines the list of military and political risks, as well as the terms and procedure for insurance (reinsurance) of such risks in the course of the activities specified in this part.

The insurance of military risks referred to in draft law No. 9015 is exclusive and will be carried out within the authorized capital of the ECA.

However, the work of the Cabinet of Ministers of Ukraine and the National Bank of Ukraine on the methodological part is likely to be the basis for the development of regulations that will allow private insurers, possibly in partnership with the state, to transfer war risks from the "exclusions from insured events" section to the "covered risks" section of the insurance contract.

## Conclusions

In summary, the following should be noted. Investment insurance contracts against war risks will be effective and will be able to ensure the protection of investors if the following conditions are met: war risks should be available for all classes of insurance; the parties to the insurance contract should be able to independently detail the signs of insurance risks and insurance cases related to the war; the set of financial instruments that can receive insurance coverage against war risks should be wide. If only credit instruments will be insured, this will not be enough; investors and insurers must have access to information that will be used for actuarial and underwriting calculations.

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## INSTITUTIONS OF SOCIAL ENGAGEMENT IN THE SYSTEM OF LOCAL GOVERNMENT OF UKRAINE

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### ABSTRACT

Institutions of citizen engagement are the important factor in the political development of local self-government in Ukraine. The article describes the peculiarities of the implementation and transformation of such institutions as public councils, electronic petitions, public consultations, participatory budgeting and public expertise.

According to the results of surveys, one of the main problems faced by institutions of social engagement is insufficient awareness of citizens about their existence. Institutions that are more effective in attracting citizens are distinguished by their accessibility, comprehensibility for most citizens and the availability of confirmation of their effectiveness. It is these two indicators: comprehensibility (instrumentality) and efficiency that are important for citizens, who determine whether a particular institution of engagement should be used. Engagement occurs when citizens believe that they are able and willing to participate, and believe that they can get some positive result. The article describes this as the internal and external effectiveness of citizens. In the framework of the first, citizens are confident in their own competence, that is, they have confidence in themselves and their ability to understand the process and influence it. When citizens are convinced that the government will respond to their participation, this is external effectiveness. Institutes of social involvement develop both the competence of citizens and the openness and ability and readiness to respond in local self-government bodies.

**Keywords:** civil society, social engagement, local self-government, participation, territorial community, decision-making process.

### Introduction

The main challenges for the further development of local self-government in Ukraine are the strengthening of participatory democracy and public control over the activities of the authorities at the local level. For this, several dozen institutions and procedures of public participation in social and political life and the decision-making process in cities have been created, provided for by regulatory and legal documents of various levels: from the Constitution to the decisions of local self-government bodies. They differ among themselves in the methods of involvement, mandatory application, detailed and certainty of the implementation procedure, efficiency, frequency, convenience and ease of use. Engagement, which will be discussed further, is actually quite a diverse and multifaceted phenomenon, which received a huge incentive for the further growth of the number of formats as the Internet develops and citizens are covered with access to online



resources. These institutes should ensure social involvement, cooperation of local self-government with citizens and the "third sector". The study of these institutes is an important theoretical and practical task.

**The analysis of the recent researches and published papers.** Scientific works of many domestic and foreign scientists are devoted to the study of institutions of citizen engagement. Among such fundamental researches, which deserve considerable attention belong to K. McComas [1] and X. Wang [2], which describe the most popular, i.e., the most frequently used, engagement institutions. It is also worth noting the research of V. Lowndes, L. Pratchett, G. Stoker [3], D.J. Fiorino [4]. Among Ukrainian researchers, it is worth mentioning T. Andriychuk, O. Batanova, V. Kravchenko, H. Prykhodko, O. Kyrlyenko, I. Chaikovska, V. Pisarenko.

**Results of the research.** When talking about social engagement, we must clearly understand its difference from civic participation. These terms are similar and sometimes used as synonyms, but engagement is a tool that involves the initiative of an institution that actually engages citizens, an institution of central government or local government. Mass protests are participation, public hearings are engagement. The difference is in the roles played by both citizens and institutions. When engaging citizens, they are offered to actively participate in the initiatives of local authorities, as part of participation, the initiative comes from citizens. Citizen engagement is a top-down initiative initiated by a local government or a party. City officials or party leaders invite citizens to participate in the process of discussion, evaluation of new policies and developed projects.

Social involvement of citizens can have completely different manifestations in practice. In Ukraine, they are defined by legislation that does not keep up with the pace of today's development in this area. Even those methods of social involvement mentioned in the legislation are not properly defined. The current Law "On Local Self-Government in Ukraine" mentions the local referendum, general meetings of citizens and self-organization bodies of the population, as well as local initiatives, public hearings, and early termination of the powers of the head of the community at the people's initiative. But such a popular form of social involvement as the public budget is not included in it, as well as public expertise, although they are mentioned in other regulatory and legal documents, that is, they have a certain legal status.

Public councils are one of the oldest institutions of civic engagement in Ukraine. According to ukrainian researchers, the practice of involving the public in joint work with executive authorities began as early as 1993 [5]. Mandatory establishment of public councils under executive authorities was initiated much later, in 2004. Then the government for the first time normatively established new mechanisms of participation in the management of state affairs: the formation of public councils at all central bodies of executive power and local, including district, state administrations. However, as the analysis conducted by the Ukrainian Independent Center for Political Research [6] showed that their effectiveness remained low.

On November 3, 2010, the Cabinet of Ministers of Ukraine adopted its Resolution No. 996 on a new procedure for creating public councils and holding consultations with the public, which creates new operating conditions and new opportunities for civil society [7].

The project of this order was worked on together with the authorities, public organizations - the Creative Center of the TCC, TORO, Odesa Public Institute of Social Technologies, NGO "Territory of Success", Center for Public Advocacy (Lviv) and other organizations. Among the innovations was the introduction of a new procedure for creating public councils and conducting consultations with the public [8].



Now their composition was to be formed by the institutions of civil society themselves - "for the first time, a maximally democratic mechanism for the formation of consultative and advisory bodies under the bodies of the executive power was established" [9]. At the constituent assembly, all interested institutions of public society were to elect the composition of the public council, by open rating voting, which will operate for 2 years [7, p. 36-40].

In 2011-2013, a network of public councils was essentially formed, which were created at all levels of state administration: at the central bodies of executive power, at the Oblast State Administration, and at the Regional State Administration. According to the monitoring data of the Ukrainian Independent Center for Political Studies, at the beginning of 2012, about 580 public councils were formed under the authorities in Ukraine out of 605 provided for by Resolution No. 996, i.e. 96%. In total, almost 9 thousand activists became members of public councils [10, p. 105].

The introduction of significant changes to the Model Regulation on the public councils (CMU Resolution No. 301 dated 04/08/2015) became a new impetus for the activation of the movement of public councils. As stated in the National report on the state of civil society in Ukraine in 2017 [11], public councils and other consultative and advisory bodies under executive power bodies and local self-government bodies should perform the functions of public centers for accumulation of public activity, advocacy activities, promotion of public initiatives, establishment of powerful public control over the actions of authorities.

Recently, such an institution of social involvement as public consultations has been institutionalized in Ukraine. For example, in 2019, Rivne became one of the first cities in Ukraine where the "Regulations on Public Consultations" were developed and adopted together with all interested parties. The topics of such consultations, which have already been held, related to ecology, medicine, work of communal enterprises, etc. Almost always, their goal was to develop some kind of document for further work - an action plan, concept, program, road map. As the experience of the city of Rivne shows, residents are more interested in consultations related to spatial development, rather than discussions of regulatory acts. In December 2022, the Buchach city council of the Ternopil region adopted the Regulation on public electronic consultations with the public on issues falling within the competence of local self-government bodies.

The creation of petitions using the Internet became possible thanks to the amendments made in 2015 to the Law of Ukraine "On Appeals of Citizens". Now, citizens can submit electronic petitions on the official websites of: the President of Ukraine (<https://petition.president.gov.ua>); of the Verkhovna Rada of Ukraine (<https://itd.rada.gov.ua/services/Petitions>); Cabinet of Ministers of Ukraine (<https://petition.kmu.gov.ua>) and local self-government bodies. Also at the service of active citizens are such online platforms as: "Unified system of local petitions" (<http://e-dem.in.ua>); "Smart City" (<https://rozumnemisto.org/project>); "My Voice" (<https://miygos.org.ua>). An interesting practice of influencing local politics in implementing the negotiation process and seeking consensus, including the use of a local referendum, can be recorded in the Volyn region. Only 10% of citizens took part in the public hearings on the voluntary unification of territorial communities, which is clearly insufficient to declare that the unification was supported by the majority of the population. Therefore, the regional Office of Reforms suggested holding repeated public hearings or holding a maximally transparent survey, that is, a kind of referendum.

Therefore, a large-scale survey was conducted on the territory of the villages of Zhydychn, Kulchyn and Lyplyany of Kivertsiv district. 1,730 voters (or 72.7%) took part in it. 5 options were



offered to choose who to team up with. Such a survey does not have legal force as, for example, a local referendum, but it gives a real picture of what people want and thus gives an opportunity to influence local politics [12].

According to the results of the study, a significant obstacle to the involvement of citizens, including with the help of online tools, is the low level of public awareness of its possibilities and benefits. Its development is also complicated by some political and cultural features of Ukrainian society: the population's paternalistic attitude towards the state, the low importance of such values as participation in political life, democratic control over government decisions, the underdevelopment of the culture of open governance in state and local self-government bodies [11, p. 39].

These conclusions are confirmed by the results of a few studies on this topic. The mechanism that really managed to demonstrate success and increase the number of involved citizens was the participation budget, or the public or participatory budget. The number of its participants was significant and gradually increased. Its territorial representation in Ukraine also expanded.

One of the reasons for this was the development and launch of specialized electronic platforms for supporting participatory budgets, which are developed and supported by public organizations: "Public Project" from the SocialBoost 3 company and "Public Budget" of the electronic democracy platform E-DEM.

In 2017, about 0.6 million people participated in voting for public budget projects only in regional centers. A. Yemelyanova gives the following data - "the largest number of residents was attracted in Lviv, namely 12.1% of the population over 18 years old, and the smallest in Zaporizhzhia - 1.5%" [13]. If we look at the data for the previous years before the start of the COVID-19 epidemic, we can see both an increase and a decrease in participation rates (see Table 1) [14].

Table 1.

Indicators of the number of votes cast for participation budget projects (in % of the total city population)

City	2019	2020
Kyiv	4,5	5,2
Dnipro	3	10,6
Lviv	9,4	14,3
Rivne	5,6	5,5
Kramatorsk	0,6	1,9
Khmelnytskyi	4,1	3,4
Chernivtsi	4,8	8,4
Chernihiv	4,4	6,9

Indicators of participation in the public budget increased in most cities. However, the participation budget is not the only possible technology of social engagement. Participatory technologies that not only involve citizens in the discussion, that perceive them not only as carriers of information or consumers, but also stimulate their activities for the benefit of their community. Such technologies are closely related to the organization of city "events", from cleaning the city territory to various kinds of festivals. For example, it can be sports events or educational events in the spirit of "serious leisure", which help to create a new type of interaction of citizens, form urban communities based on interests and needs and make them visible. In general, this approach



increases public interest in the issue of the influence of public spaces and a healthy urban environment.

Signing electronic petitions is also quite popular. It should be noted here that the demo signing process is simpler than the voting process. With the exception of Lviv, where there are fewer petition signatories than those who voted for participatory budget projects, in the rest of the cities, petitions bypass the participatory budget. If we take into account only those petitions that were submitted through the Unified system of local petitions, then as of November 28, 2017, the percentage of participation in Lviv was 8% (see Table 2) [11, p. 21].

Table 2.

Indicators of the number of votes cast for electronic petition projects in 2017 (in % of the total city population)

City	%
Kyiv	46
Dnipro	11
Lviv	8
Rivne	16
Khmelnyskyi	18
Chernihiv	11

However, not enough voters know even about such a popular tool for engaging citizens as electronic petitions even in the capital. The last study on this topic was conducted quite some time ago. As part of a sociological study by the Razumkov Center in November 2015 (The survey was conducted on November 6-12, 2015, 2008 respondents were interviewed, the sampling error without a design effect does not exceed 2.3%) and the Kyiv International Institute of Sociology in September-October 2017 (The survey was conducted from September 5 to October 2, 2017, 2027 respondents were interviewed, the sampling error without a design effect does not exceed 2.2%) questions were asked about the attitude of citizens to this tool. Although the organizers of the studies were different, they used essentially identical questions (with minor differences in wording and order of answer options). Over the past 2 years, public awareness of electronic petitions has remained practically unchanged:

2015 - 26.3% know what it is, 73.7% - do not know

2017 – 27.5% know what it is, 72.5% do not know [15, p. 2].

During the first year after the introduction of electronic petitions, they were remembered by 26.3% of citizens, during the next two years, by an additional 1.2%. Such a result is just an indication of how many citizens we have who are active and can be easily involved, they do not need to be particularly "advocated" to use this tool, after learning about it, they are ready to use it. D. Khutkii also indicates the key socio-demographic characteristics of this group of "activists": men, younger, more educated, residents of larger settlements [15, p. 2].

The evaluation of electronic petitions by those who knew about their existence is also interesting, according to the surveys of the Razumkov Center in November 2015 and the Kyiv International Institute of Sociology in September-October 2017 (see Table 3) [15, p. 2]. As you can see, the number of those with a negative attitude decreased to 11.2% from 19.5%. However, it decreased due to the increase in the number of those who cannot decide on their assessment (an increase of almost 10%). The total number of positive attitudes (those who fully support and those who somewhat support) decreased, but only slightly, by only 1.4%.





Table 3.

Attitude to electronic petitions

Year/ Attitude (in %)	I do not support at all	Rather, I do not support it	Hard to say	Rather, I support it	I fully support
2015	5,5	14	13,7	39,6	27,1
2017	3,5	7,7	23,5	42,2	23,1

Existing technologies of social engagement in Ukraine work, they manage to increase the number of citizens who interact with the authorities, but at the same time, citizens are mostly dissatisfied with the level of interaction. A population survey conducted by the Ilko Kucheriv Democratic Initiatives Foundation together with the Kyiv International Institute of Sociology on August 16-28, 2018 showed that despite the availability of various mechanisms, from electronic petitions to public hearings, only 17% of those surveyed were satisfied by its ability to influence the decisions of local authorities [16]. Research on the attitude of our fellow citizens to specific technologies of social engagement was conducted by the Norwegian Association of Local and Regional Authorities, the Association of Cities of Ukraine and the Norwegian Institute of Urban and Regional Studies. It showed that those forms of interaction with the authorities that involve personal communication with politicians are quite popular. First of all, it is communications with city council officials. Such meetings are of a purely functional nature, visits by city council employees are associated with drawing up various documents, passing permit procedures, etc., so it is not surprising that 18.1% of respondents used this type of activity as "meetings with city council employees." The answer option "meeting with the mayor" received 14.4% and was inferior to the indicator of participation in general meetings of the community - 14.8%. There are quite a lot of respondents who took part in protests - street demonstrations and rallies (13.5% of respondents). Other forms of activity were significantly less common among the population [17, p. 84]. In general, the number of participants is not impressive.

For social engagement to work and influence political trust, citizens must believe that they are able and willing to participate, and believe that they can understand and influence the decisions that are made. A similar situation, when citizens feel their involvement is necessary and effective, when they feel their civic efficiency, is favorable for involvement and trust. The effectiveness of citizens explains their behavior, for example, why they prefer personal meetings with officials and politicians - because they feel confident and effective in this situation. They know how it works, they clearly understand what needs to be done and what effect they expect.

Thus, the effectiveness of citizens can be internal and external. Within the framework of the first, citizens have self-confidence and their ability to understand the process and influence it. External effectiveness is the belief that the government will respond to their participation. Different social engagement technologies are focused on the first or second types of effectiveness.

For citizens who evaluate each of the technologies of social engagement separately, its comprehensibility (instrumentality) and effectiveness are important.

Institutes of social involvement provide citizens with the opportunity to study and better understand the work of local government, to obtain practical information about its structure. Social involvement should form citizens' sense of internal efficiency. In addition, social engagement institutions create an environment in which city administration and officials can interact with interested residents. This interaction develops a sense of external efficiency among



citizens. Such institutions turn citizens into well-informed and engaged citizens. Of course, it is practically impossible to teach all members of a self-governing territorial community how to manage community development (not to mention knowledge in specific spheres of functioning of the settlement).

Of course, it is practically impossible to teach all members of a self-governing territorial community how to manage community development (not to mention knowledge in specific spheres of functioning of the settlement).

Additional introduction of a system of non-formal education for city residents regarding the management system, division of duties and subordination, mechanisms of involvement in the decision-making process will be expedient. Information must be provided in an accessible and understandable form. In most cases, it is either unclear or uninteresting. Information should be presented taking into account the characteristics of each of the classrooms, school students or elderly people. For the former, the moment of gamification and competitiveness is important, therefore the visit to the school should not have the character of another lesson, but a quiz like "What? Where? When?" with the competition of teams from classes. For people of a older age, information should be presented in a format familiar to them, with extensive use of infographics. Possible mechanisms of involvement in the process can also be: city festivals of public participation, open house days in city authorities; webinars and online civic education courses.

Educational activities and the practice of involving citizens in local self-government should allow residents of the settlement to make more rational decisions about their desired development, which reduces the likelihood of populist decisions, which in the future will only create additional problems for members of the self-governing territorial community.

## **Conclusions**

Technologies of social engagement existing in Ukraine have certain shortcomings. In particular, the use of voting as a decision-making method in several mechanisms makes them vulnerable to manipulation and does not facilitate the search for consensus. In addition, most mechanisms do not provide the possibility of taking into account the interests of the minority, as a result, again, the possibility of seeking consensus, trust and understanding, involving all interested parties. The use of a number of tools, especially those involving a wide collection of signatures or votes, requires significant resources, which is a barrier for vulnerable groups. It is also important that most mechanisms of citizen participation are not coordinated among themselves. For example, not all electronic participation mechanisms provide an alternative option to participate offline (and vice versa, most offline mechanisms do not allow online participation).

Social engagement will be most effective when citizens have external and internal efficacy, that is, they believe that they are able and willing to participate, and believe that they can understand and influence the decisions that are made.

Speaking about the technologies of public involvement and choosing which of them should be implemented, we must understand the purpose for which it will be launched and, in accordance with this, we must choose one of the options.

The improvement of the mechanism of social involvement in Ukraine should consist of the following:

- 1) it is necessary to diversify the forms of involvement, giving citizens more opportunities to choose an acceptable form of involvement;



2) it is necessary to introduce technologies of civic education. Specific options for its implementation may vary from the Academy of civic education, to a system of informal education that would give residents an idea of the system of management, division of responsibilities and subordination, mechanisms of involvement in the decision-making process.

Possible options for involving residents in civic education are: 1) educational meetings in schools with representatives of city authorities and public activists organized in the form of quizzes or "What? Where? When?"; 2) city festivals of public participation; 3) social advertising; 4) open house days in city authorities; 5) webinars and online courses.

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# STATE SUPPORT FOR THE ECONOMIC COOPERATION DEVELOPMENT BETWEEN UKRAINE, THE EASTERN PARTNERSHIP COUNTRIES AND THE EU

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## ABSTRACT

This comprehensive analysis discusses the reform of Ukraine's state administration, emphasizing the need to integrate global public management theories and practices, and the experiences of Eastern Partnership countries. It highlights the shift from state-centric to human-centric governance, focusing on efficiency, effectiveness, and citizen-oriented services. The document examines the challenges in implementing EU integration mechanisms like Twinning, TAIEX, and SIGMA in Ukraine. It underscores the importance of a unified coordination center for effective implementation and the need to align Ukrainian policies and practices with EU standards, highlighting the necessity for Ukraine to develop its own national concepts of management and public administration, integrating both national and international experiences.

**Keywords:** economic cooperation, EU, Eastern Partnership, development, state support.

## Introduction

The comprehensive reform of Ukraine's state administration cannot proceed without studying and utilizing theoretical foundations of public management from abroad. Ukraine's reform efforts have faced not only significant organizational and technical challenges but also a lack of a modern, unified, well-developed state concept (theory) of public administration. Currently, there's a need to develop a modern theory of state management that incorporates global theories and the positive experiences of Eastern Partnership countries, considering Ukraine's unique administrative, political, economic, legal, cultural, and socio-psychological aspects.

In modern global trends of state management, there's a shift from state-centric concepts to focusing on meeting human needs as the primary element of the state-administrative system. This involves state functioning, policy development, government and local self-government bodies, and reform implementation.

**Analysis of recent research and published papers.** The development and cooperation of Ukraine with the countries of the Eastern Partnership and the EU have been extensively studied by scholars such as O. Sushko, V. Chuzhikov, I. Klimenko, Y. Kharazashvili, O. Sharov, D. Mitrany, and others. Current efforts of theorists and practitioners in public administration are aimed at developing a general paradigm of state management, adapting fundamental principles of global concepts to Ukrainian politicians and officials' practical activities, improving aspects of



reforms that haven't yielded positive results, and supporting new ideas for administrative reform and public management improvement.

**Result of the research.** In the rapidly changing global environment, there's a quest not only for applied management theories but also for a comprehensive theory of management that could serve as the ideological and philosophical foundation for modern governance. Some authors emphasize the need for a fundamentally new paradigm in management [1-2]. The contradiction between global factors, state capabilities, and the need for national identity necessitates the development of national management and public administration concepts. These concepts should integrate the best practices of both national and foreign administrative experiences.

The reorientation of Ukraine's state management towards principles of efficiency, effectiveness, profitability, and quality service provision hinges on decentralization and deconcentration in state administration, transparency, and openness in government institutions and organizations. This requires engaging all social institutions, shifting from a uni-centric to a multi-centric system of state governance. It involves combining the state's political and legal framework, the private sector's job and income generation, and civil society's social and political interaction. The state's role should transition from administration to regulation and service provision, maintaining a central and proactive role in governance. Modern state management should be based on information-communication interaction, dialogue between state and society, e-governance, professionalization of public service, and aligning with citizens' needs. Hence, gradually implementing new state management principles, networks, and democratic governance is seen as a pathway to sustainable development and social justice in Ukraine, transitioning from a service-providing state concept to a regulatory state concept. Forming a modern state management paradigm should consider Ukraine's experiences in reforms, international experiences in successful administrative reforms, and global theories and concepts of state management, identifying prospective directions for reforming Ukraine's state management based on positive international experiences.

In the realm of executive power in Ukraine, an important issue is the distribution of administrative functions at the territorial level. Based on foreign experience, this can involve designating the development of national policy, legal acts, and targeted programs of nationwide significance as the prerogative of the Ukrainian government. The implementation of state policy should be the main function of the apparatus of ministries and civil servants in territorial units of central executive bodies. A prospective direction for improving the state management system in Ukraine is a clear division of control functions for the effectiveness of executive authorities, both internal and external, which includes not only hierarchical subordination but also coordination and re-coordination relationships [3-4].

In the context of executive bodies at the central level in Ukraine, a primary task in state management reform is addressing the distribution of powers between central and local executive bodies. It's advisable to consider the experience of administrative reform in Austria, where significant achievements included the consolidation and even elimination of central and local government bodies with overlapping functions. This approach could potentially streamline governance and increase efficiency in the Ukrainian context [5-6].

To enhance Ukraine's state management mechanisms in the context of its ongoing involvement with the European Union's supranational governance system, practical recommendations can be formulated as follows:



1. Expanding participation in EU governance structures for key aspects of state policy and regional and sectoral programs.
2. Deepening political cooperation through associated participation in EU supranational governance bodies.
3. Advancing economic integration and reducing trade barriers through the formation of supranational and intergovernmental bodies for financial-economic and trade interaction.
4. Boosting financial cooperation, not only through borrowing but also by Ukraine's direct involvement in European economic projects.
5. Participation in the new "European Neighbourhood and Partnership Instrument" to assist Ukraine, including in cross-border and interregional cooperation with EU member states.
6. Increasing involvement in EU's social, humanitarian, and cultural programs to develop cultural, educational, technical, scientific ties, and environmental protection.
7. Further adapting legislation to EU norms and standards, preemptively incorporating them into Ukraine's national law-making process.
8. Concluding a new enhanced agreement defined by the achievements of the Action Plan and the overall development of Ukraine-EU relations.

This section emphasizes the traditional hierarchical structure of Ukraine's state management system, characterized by a strict vertical hierarchy. In contrast, the EU's supranational governance system lacks such rigidity, featuring a complex functional system of participation, interaction, cooperation, and coordination across various levels and fields of management. The integration of Ukraine into this non-linear hierarchical system of the EU necessitates differentiating its external functions in relation to various levels of EU intergovernmental management. The structural-functional model for integrating the Ukrainian state management system with the EU is based on principles of democratic governance, focusing on citizen participation in forming, implementing, and evaluating state Euro-integration policy. It also emphasizes legality, efficiency, openness, and transparency. The model is designed as a system approach, where signing the Association Agreement with the EU is the entry point, and Ukraine's eventual EU membership is the ultimate goal of its state Euro-integration policy. The practice of EU enlargement shows that signing an Association Agreement is an initial step toward closer relations, with such agreements being strategic tools of EU external policy, not limited only to states aspiring to join the EU [7-8]. Accordingly, in pursuing Ukraine's strategic goal of EU membership, it's crucial to recognize that signing the Association Agreement doesn't guarantee future EU membership, but rather represents the first step towards it, serving as an "entrance" into the system.

Within the author's structural-functional model for forming and implementing Ukraine's state Euro-integration policy, it is recognized that after signing the Association Agreement ("entry" into the system), Ukraine must implement specific mechanisms of its state Euro-integration policy (economic, political, organizational, legal, informational-control) as structural elements to meet the Copenhagen criteria for EU membership. This involves:

- Developing small and medium-sized businesses as a basis for a market economy and a democratic political system.
- Tax reform aimed at actual tax reduction, especially for small and medium-sized businesses.
- Attracting foreign investment through macroeconomic stabilization, tax reform, and anti-corruption measures to create an attractive investment climate.
- Reforming the energy sector for energy independence and implementing energy-saving technologies.



- Creating free trade zones with the EU, including ensuring the "four freedoms" of the EU and visa-free travel.
- Gradual economic integration with the EU across various sectors [9].

The Association Agreement outlines the main aspects of Ukraine's cooperation with the EU, especially in economics and trade. It aims for economic integration into the EU's common market through legislative harmonization and the creation of a free trade zone. The initial goal after signing the agreement is to ensure the "four freedoms of the EU" by establishing a comprehensive free trade area and ensuring freedom of movement through a gradual visa-free regime. Institutional development mechanisms like Twinning, TAIEX, and SIGMA have become accessible to Ukraine, offering experience exchange, targeted consultations, and support for aligning with EU norms and standards. However, these mechanisms remain under-researched in Ukraine [10,11].

Compared to other Eastern Partnership countries, Ukraine, along with Azerbaijan and Armenia, utilizes an extensive normative-legal and methodological base for implementing projects. Azerbaijan adopted specific recommendations in 2009 for Twinning projects and TAIEX applications, establishing clear procedures for project preparation and implementation. In Armenia, Twinning procedures are regulated by a Government Decision and a Guide on Twinning Instrument Usage. Mediterranean African countries generally do not develop specialized legislation for project implementation [13].

In Ukraine, a comprehensive normative-legal base and a Twinning project coordination system have been developed. This system ensures project planning and registration according to Ukrainian legislation and the objectives outlined in the Partnership and Cooperation Agreement. Key institutions involved include the National Agency of Ukraine on Civil Service, the EU Representation in Ukraine, the Twinning Program Administrative Office, and a Coordination Group formed by a joint order of Ukraine's Ministry of Economy and the Main Department of Civil Service [14].

In Ukraine, the overall coordination of Twinning projects is managed by the Coordination Group, which comprises various institutions. Its primary function is to systematically monitor the preparation and implementation of Twinning projects, enhancing conditions for their execution. This group approves the Indicative Twinning Project List based on requests from central executive bodies and prepares recommendations for the Ukrainian part of the EU-Ukraine Cooperation Committee. The Twinning Program Administrative Office carries out tasks formulated by the Coordination Group.

In the implementation of Twinning projects, the management system for EU aid resources is crucial. The EU has developed two systems for Eastern Partnership countries: a decentralized system used in the Southern region and a centralized system used in the Eastern region. Ukraine employs the centralized system, where the European Commission acts as the contracting authority, unlike the decentralized system where this role is played by the Administrative Office. This distinction determines the institution with the authority to execute contracts [15]. In Ukraine's centralized system for managing Twinning projects, the European Commission plays a critical role, excluding any intervention in project financial management or partner selection from EU member states. The Administrative Office acts as a Secretariat, providing consultations to beneficiary bodies and implementing tasks set by the Coordination Group. However, this rigid system may negatively impact project implementation in Ukraine by limiting initiative from central executive bodies.





The analysis of the normative-legal and methodological base, along with the Twinning project coordination system in Ukraine, leads to the conclusion that they are ineffective. A strategic issue is the absence of a unified coordination center for European integration policy in Ukraine. European integration matters are dispersed among various ministries and agencies without centralized coordination. The only mechanism for harmonization is the meetings of the Ukrainian part of the EU-Ukraine Cooperation Committee, whose regularity varies with government changes. Additionally, Ukraine also utilizes TAIEX, an institutional development mechanism, which became accessible in 2006 following a decision by the European Council. The term TAIEX is used in its English version in Ukrainian legal documents [16].

Among the countries implementing TACIS measures and part of the Eastern Partnership, Ukraine was the first to implement Technical Assistance and Information Exchange (TAIEX). The official introduction of TAIEX occurred on November 22, 2006, during a seminar-training for Ukrainian state authorities, organized by the Twinning Program Administrative Office, the European Commission's Directorate-General for Enlargement, and the EU Representation in Ukraine. By participating in TAIEX, Ukraine addresses national priorities, practical integration challenges, enhances administrative and institutional capacity, and establishes networked relations with European partners [17].

Under TAIEX, Ukraine can access three types of services for organizational support:

1. Dispatch of experts from EU member states for legislative advice and support in administrative adjustments for *acquis communautaire* compliance.
2. Seminars and meetings focusing on EU policy directions, legislation, and operations, tailored for individual or multiple countries to foster experience sharing.
3. Study visits to EU countries, enabling Ukrainian representatives to understand practical approaches of EU member states in implementing and adhering to *acquis communautaire*, and stakeholder interaction aspects [18].

Ukraine's use of TAIEX, similar to Twinning, faces challenges due to a lack of unified Euro-integration policy coordination. TAIEX assistance includes expert dispatches, training visits, and seminars, initiated either by Ukrainian authorities or the European Commission. However, the absence of quality indicators in TAIEX implementation reflects its underutilization for reforms, as it operates independently of the President's reform agenda. A proposed solution is aligning the Twinning Program Administrative Office under the President and incorporating quality indicators in TAIEX reports. Additionally, Ukraine has access to SIGMA (Support for Improvement in Governance and Management) aimed at assessing public administration in transitional countries [19].

SIGMA's assessment of Ukraine's public administration system in 2005 highlighted the need for systemic reform to define constitutional duties and strengthen the rule of law. However, Ukraine was deemed unprepared for such extensive reforms. SIGMA's recommendations led to the development of an Administrative Services Code and advice on the Law on Civil Service. A key issue identified by SIGMA is the lack of independent state control over government activities, with democratic procedures and stakeholder engagement largely being only formalities [2-26].

The institutional development mechanisms available to Ukraine, including TAIEX, Twinning, and SIGMA, are part of the broader Eastern Partnership and European Neighborhood Policy, aimed at avoiding new dividing lines and integrating diverse countries. The Eastern Partnership, to which Ukraine is a party, introduces the Comprehensive Institution Building program for deeper cooperation. Ukrainian state support for economic cooperation between Ukraine, Eastern



Partnership countries, and the EU must protect national interests, comply with legislation, foster fair competition, focus on new technologies for market access, and ensure transparent state aid with independent oversight.

### Conclusions

To support national producers, Ukraine needs a state system encompassing financial assistance (like export-credit agencies), export support institutions, and enhanced diplomatic representation for socio-political and economic interests. Reducing non-tariff barriers, especially sanitary and technical trade barriers, developing e-commerce, and integrating into the EU's Digital Market are vital. Revisiting the economic part of the Association Agreement is crucial due to significant economic changes in Ukraine since its negotiation. Priorities include liberalizing market access, protecting national producers' interests in the EU market, and expanding joint investment projects with European capital in Ukraine's strategic economic sectors.

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## NEGATIVE CHANGES IN PUBLIC HEALTH AS AN OBJECT OF PUBLIC ADMINISTRATION DURING THE RUSSIAN-UKRAINIAN WAR

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### ABSTRACT

The full-scale invasion of the Russian Federation into Ukraine caused extremely terrible consequences for the health of Ukrainians, as well as for human capital in general. The population of Ukraine has lost the previously stable conditions of quality life, constant stress against the background of armed aggression has caused the deterioration of mental health, the level of forced migration has increased significantly, and a new crisis has arisen in the health care system. The occupation of part of the territory by Russian troops led to the loss of access to medical facilities, an increase in morbidity and mortality. War causes not only tragic consequences for the population at the time of armed aggression, but also long-term consequences for the lives of individuals and even generations as a result of injuries, mutilations and mental trauma.

**Keywords:** Russian-Ukrainian war, public health, health care system, public administration, public health monitoring.

### Introduction

In modern conditions, the global system of social development, in terms of public health, is an extremely important factor for Ukraine. After all, the correct choice of an effective development strategy will contribute to obtaining the status of a candidate for joining the European Union and finding ways to solve the problems that have arisen in the health care system as a result of Russian aggression and its consequences directly on the health and lives of people. Public health is an important resource for economic and social stability and plays one of the key roles in reducing poverty in any country.

The chief sanitary doctor of Ukraine, Ihor Kuzin, noted[1] that "during armed conflicts, there are two types of impact on the health of citizens - direct and indirect. Terrorist attacks by the aggressor country on the civilian population or military personnel is a direct impact that is recorded daily. However, the indirect impact has long-term consequences, as there is a loss of contact of the population with the health care system, access to obtain and use of basic food in the occupied, occupied or front-line areas. This leads to the spread of infectious diseases and premature death of people. During the air alert, the daily bombings, the population faces a violation of the psychological state of health. The experience of other countries in which hostilities took place shows the following ratio of direct and indirect impact, namely - one to nine, that is, one person who died on the battlefield or died as a result of direct war, then nine people die as a result indirect losses. Therefore, indirect losses are the most significant in relation to the public health system."

According to the data provided in the "Report on the results of the work of the UN for 2022: Efforts for the early recovery of Ukraine", it is stated that the main problems of health care in Ukraine today are:

- "a shortage of qualified medical workers, complicated by significant injuries caused by the war to medical workers who worked on the front lines, and the destruction of medical institutions;
- civil society organizations, especially those led by women, are overburdened and need mental health and psychosocial support»[2].

The problem of analyzing the state of public health during an armed conflict is extremely relevant, because the initial statistical data provide an opportunity to assess the change in the state of the population's health, in terms of their types and mortality rate, for the further implementation of the process of restoring the health care system.

**The analysis of recent researches and papers published.** A large number of scientific works and studies are devoted to the issue of the state of public health. However, it should be noted that the works of scientists who studied the state of public health during the war, namely: D. Hrycyszen, H. Slabky, O. Bezpalo, O. Krasnova, N. Karabash, I. Olshevska, V. Sakevich, T. Tribat, S. Shut, V. Shafranskiy.

**Results of the research.** The inherited Soviet health care system in today's conditions has confirmed its inefficiency, the necessary solution was the introduction of new medical reforms in 2018, which were aimed at eliminating existing shortcomings, strengthening public health institutions and ensuring Ukrainians' access to primary medical care through digitalization of medical services. However, in the healthcare system, as a result of COVID-19 and the war, a double crisis occurred, which became an obstacle for further and effective implementation of reforms.

According to the Office of the United Nations High Commissioner for Human Rights, as a result of the full-scale invasion from February 24, 2022, as of September 2023, more than 9,701,000 people died and more than 17,748,000 people were injured[3].

As a result of rocket attacks on the entire territory of Ukraine, the number of wounded is increasing daily, both among the civilian population and among the military contingent in the combat zone. As a result of injuries, there are victims who have to have their limbs amputated, the number of people with established disabilities is constantly growing. As of September 2023, the number of people with disabilities in Ukraine reached more than 3 million people, which is 300,000 more than in 2021[4].

Since the beginning of the full-scale invasion, the number of patients who were forced to seek medical care outside their region of residence has increased more than 4 times. The Ministry of Health confirmed data on the transfer of medical workers of more than 3,073,000 workers, including: 1,636 - doctors; 991 - nurses, nurses, pharmacists, etc., 446 - technical workers, however, the real data are much larger, since the war continues throughout the territory of Ukraine, and the data may change. The movement of medical personnel leads to a non-spatial mismatch between access to medical care and the population that needs it.[5]

It is worth noting that during the full-scale invasion, many medical workers had to leave their homes to save their lives and their loved ones. Thus, according to the data of the International Organization for Migration, as of September 2023, more than 14 million Ukrainians have left their permanent place of residence, of which: 5.9 million are refugees abroad and 3.6 million are internally displaced persons and 4, 5 million returned to Ukraine[6].



The movement of people from the war zone and occupied territories to safer regions poses a threat to the rapid spread of various types of infectious diseases. At the beginning of the mass armed aggression of the Russian Federation on the territory of Ukraine, the European Center for Disease Prevention and Control developed recommendations for prevention and control methods to reduce the spread of infectious diseases among Ukrainians living abroad. Specialists of the European Center for Disease Prevention and Control insist on the urgent introduction of measures for the epidemiological surveillance of certain infectious diseases, and special attention must be paid to people who are in refugee reception centers, because this category of people is the most vulnerable to infectious diseases. Due to active military operations in the territories where citizens lived before migration, lack of access to medical services or their absence at all, unsatisfactory living conditions are the primary reason for the spread of infectious diseases. It is possible to prevent mass disease from various types of infections by conducting vaccination, as vaccination is the main component of public health[7].

In today's conditions, the main socially dangerous infectious diseases are tuberculosis, HIV/AIDS and COVID-19.

During the armed aggression, the Government canceled the quarantine restrictions that had been in effect since the beginning of the pandemic in accordance with the amendments to Resolution No. 1236[8], which defined the specifics of the quarantine to combat the corona virus disease during the period of martial law in Ukraine. According to official data, the total number of confirmed cases of COVID-19 since the beginning of the pandemic in Ukraine as of June 2023 amounted to more than 5,562,748 million people, of which 5,448,166 million people recovered and 112,478 thousand people died [9].

Tuberculosis occupies an important place among the social and medical problems of mankind. During armed conflicts, the population partially loses access to medical care, the availability of taking the necessary medicines, as a result, the probability of the disease and the spread of tuberculosis increases. In the following figure 1. the incidence rates of active tuberculosis, including its recurrences in Ukraine for 2021 - September 2023 are presented.

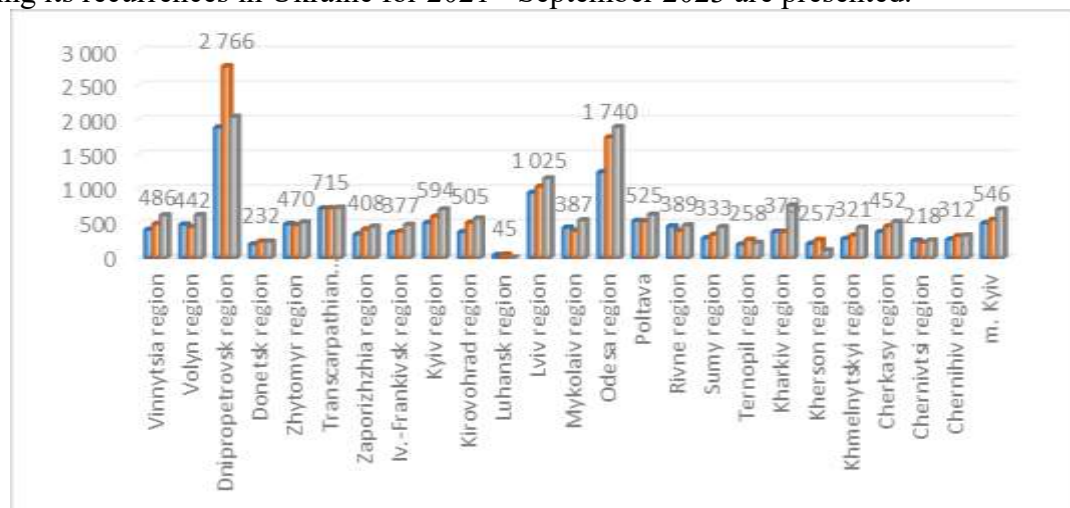


Fig. 1. Dynamics of the number of registered cases of tuberculosis and its recurrences, 2021 - September 2023 [10].

So, according to the above data, we can state that the maximum number of recorded cases of tuberculosis is concentrated in Dnipropetrovsk, Odesa and Lviv regions. Thus, as of September

2023, the number of tuberculosis cases in Dnipropetrovsk region exceeded 2,036 people, which is 155 more than in 2021, in Odesa region the figure was 1,889 people, which is 654 more cases than at the beginning of the studied period, in Lviv oblast, the number of recorded cases is 1,146, which is 208 more than in 2021. The situation of tuberculosis in general in Ukraine in connection with the war, which is still ongoing, has significantly worsened, because almost all regions have recorded an increase in new cases of tuberculosis. In connection with the aggravation of the situation in the east of Ukraine, data on Donetsk and Luhansk regions are partially missing, because there is no access to collect reliable information due to fierce fighting in these regions. In the regions that suffered significant damage during the bombings and were partially under occupation, namely Zaporizhzhya, Kharkiv, Chernihiv, Mykolaiv and Kherson, a decreasing trend was observed, as many citizens left the war zone.

The full-scale invasion of the Russian Federation on the territory of Ukraine provoked serious problems in the field of public health, in particular, there was a violation of the delivery of medical drugs to patients with HIV infection in the southeastern regions of Ukraine, where active hostilities took place and are currently taking place, more than thirty medical institutions ceased their activities due to occupation or destruction, disrupted by care for patients with HIV/AIDS. Access to antiretroviral therapy during the active phase of hostilities became extremely difficult in such regions as: Chernihiv, Mykolaiv, Kherson, Kyiv, Kharkiv, Donetsk, and Zaporizhzhia regions. In the following fig. 2. the indicators of the incidence of HIV infection in Ukraine for the period 2021 - September 2023 are presented.

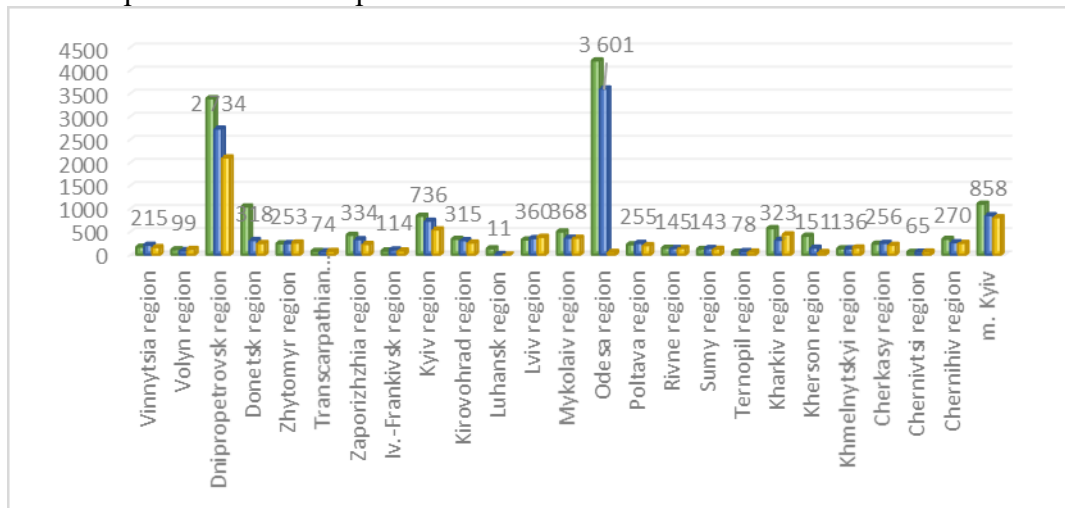


Fig. 2. Dynamics of the number of registered cases of HIV infection, 2021 - September 2023 [11]

It is worth noting that the largest number of new cases of HIV infection as of September 2023 is concentrated in such regions as Dnipropetrovsk - 2,107 people, Odesa - 1,386 people, Kharkiv - 440 people, Kyiv Oblast - 547 people and Lviv Oblast - 386 people.

The incidence rate as of September 2023 has decreased compared to the same period in 2022 in such regions as: Odesa – by 53% less (- 1,564 people). in Kherson region by -60% (-88 people) and Luhansk region by -91% (10 people), the decrease in these regions is possible due to insufficiently complete information, as part of their territories are occupied by Russian troops.

In the next fig.3. indicators of the incidence of AIDS in Ukraine during 2021 - September 2023 are displayed.

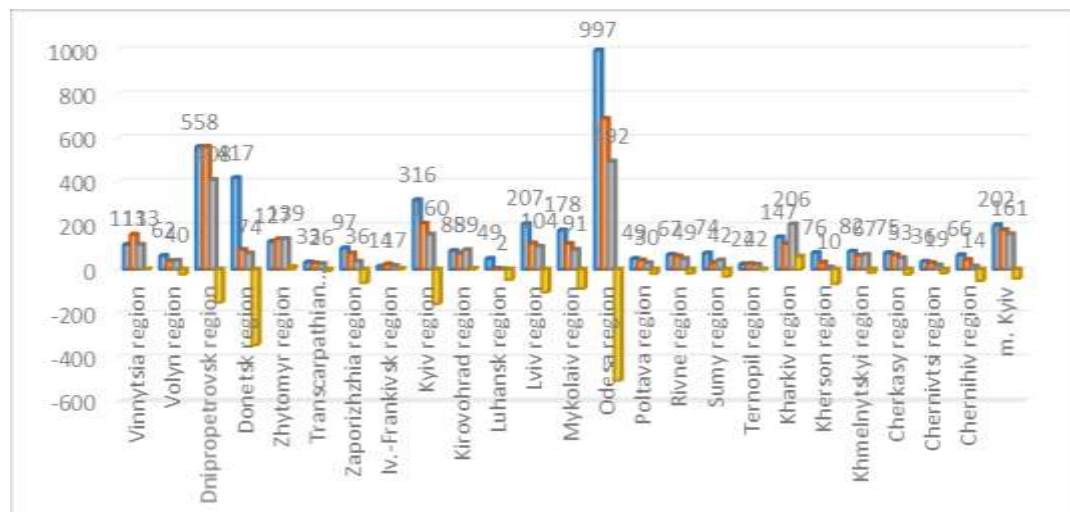


Fig. 3. Dynamics of the number of registered AIDS cases, 2021 – September 2023 [11]

So, from the above figure 3, we can see that as of September 2023, the largest number of AIDS cases is concentrated in such regions as Odesa - 492 cases, Dnipropetrovsk - 408 cases, and Kharkiv - 206 cases. However, during 2021 - September 2023, an increasing trend was recorded in Kirovohrad, Zhytomyr and Kharkiv regions.

During armed aggression, citizens are in constant emotional stress, which leads to an increase in the spread and exacerbation of diseases of the circulatory system and oncological diseases.

One of the most common diseases of the circulatory system in Ukraine is coronary heart disease and stroke. According to statistical data, at the beginning of 2022, more than 36,724,000 people died from diseases of the circulatory system, of which 25,618,000 people died from coronary heart disease, which is 39.31% more than in the same period of the previous year, stroke (cerebrovascular diseases) - 7,110 people, which is 0.70% more than in January 2021[12].

As for oncological diseases, in January 2021, the number of deaths from malignant tumors was 6,063, in the same period of 2022, the number of deaths was 5,720, which is 5.65% less.

The population living in the territory where armed aggression is taking place, during daily missile attacks and aerial alarms, is exposed to a violation of its own psychological state, a healthy sleep is disturbed, and constant fear for one's life provokes depression, post-traumatic stress disorder (PTSD), apathy, anxiety disorders behaviors that provoke a tendency to use narcotic drugs and alcoholic beverages [13].

A significant negative consequence of the war for the population of Ukraine in the future is the development of post-traumatic stress disorder. The prevalence of PTSD is on average about 30% among citizens who stayed in the country during the war and who went abroad. The main factors that form a high rate of PTSD among refugees and citizens living in the war zone are the level of education, forced relocation, air raids and the sounds of shelling and bombing. It should be noted that women who witnessed armed aggression have twice the risk of post-traumatic stress disorder than men. Pregnant women diagnosed with long-term PTSD can cause delayed mental and intellectual development in the child, behavioral and communication disorders in the infant [1].

"We can say without exaggeration that the impact of the war in Ukraine is far from limited to physical damage and destruction. It penetrates the very essence of society, leaving invisible scars for many generations to come. The psychological impact of the war on society will potentially be





its most catastrophic legacy, as at least 10 million people in Ukraine require mental health and psychosocial support. The UN is advocating for the strengthening of mental health services based on a comprehensive roadmap adopted by the Government, through community mental health groups and through large-scale guided self-help training for the general population. Digital solutions and a set of information materials have also been developed to ensure access to mental health services, even in the workplace" [2].

## Conclusions

The armed aggression of the Russian Federation will have long-term negative consequences for Ukraine, which will affect all spheres of life, and especially the health of the population and our future generations. A quick and effective response to new, unpredictable challenges is a necessary task for the entire health care system, as well as for Public Health Centers. One of the priority directions of the health care system to minimize the consequences of the armed actions of the aggressor country is to improve access to medical, social and psychological assistance. It is worth paying special attention to the access of the population to the services listed above, who live in hard-to-reach settlements, where the occupied territories were most affected by Russian aggression. Therefore, for Ukraine, a strategically important direction is the improvement of existing national strategies and the development of a new long-term concept of sustainable development of the health care system with possible extraordinary risks, both internal and external, as well as constant monitoring of existing and emerging problems in this area. Improving public health indicators must reflect the large and complex range of factors and health influences and the multi-sectoral and multifaceted nature of the strategic response.

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## ASSESSMENT AND WAYS TO MINIMIZE THE FINANCIAL RISKS OF THE BANKING SECTOR UNDER FINANCIAL INSTABILITY

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### ABSTRACT

The article is devoted to the assessment of financial risks of the banking sector, their impact on the activity of banks and their minimization in conditions of economic instability. The banking sector is a key link that ensures the development of the financial system, but banking activity is risky.

Therefore, it is important to study banking risks and ways to minimize them in order to increase the efficiency and stability of the banking system. The article provides a classification of banking risks in accordance with domestic literature. Factors due to which banking institutions are exposed to risks are reflected. Financial risks of the banking sector affect the net profit, capital of the bank. Therefore, the impact of risks on the financial stability and efficiency of Ukrainian banks was analyzed. The bank's regulatory capital is one of the most important indicators of its activity, the main purpose of which is to cover the negative consequences of various risks. During the entire studied period, there is a tendency to increase this indicator, which is positive. Due to external risks, namely the difficult military and economic situation, the profit of Ukrainian banks decreased. The credit risk, which is one of the most significant in banking activity, is characterized. The causes of credit risk in banking are given. The dynamics of the assets of Ukrainian banks, the volumes of loans granted, were studied. It was concluded that in modern conditions of banking activity, there is a slight slowdown in lending to the population and an increase in the volume of loans granted to business entities. To reduce credit risks, commercial banks use various methods to protect against credit risk: diversification, limiting, insurance, risk distribution. The banking sector cannot exist without risk, so it is necessary to look for ways to minimize them. Minimizing the level of financial risks in the banking sector involves the implementation of risk management measures and methods. Measures to minimize banking risks include preventive and protective measures. Banking risk management methods include: methods of avoiding and accepting banking risks. The article reflects the peculiarities of these measures and methods.

**Keywords:** financial risks, banking sector, bank profit, credit risk, bank assets, bank risk minimization.

### Introduction

**Statement of the problem** in a general form and its connection with important scientific or practical tasks. Banking activity is one of the most risky among all types of financial activity. Economic instability, a number of internal and external threats have a negative impact on the state of financial security of the banking sector and the efficiency of the functioning of banks. In today's conditions, the disruption of the economic situation in the market of banking services due



to the unstable economic and military-political situation is accompanied by an increase in the risks of banking activity. The issue of assessing and managing financial risks of banking institutions is important and relevant in the context of ensuring the efficiency and stability of the functioning of an individual bank and the banking system as a whole. The stability and reliability of the banking sector is one of the indicators of the state of the national economy. Therefore, in modern conditions, despite the large number of scientific studies, there is a need to assess the financial risks of the banking sector and determine the directions for their minimization.

**Analysis of the latest research and publications** in which the solution to this problem was initiated and on which the author relies. A large number of economists devote their scientific works to the issue of banking risk assessment, in particular: V. Bobyl, T. Barton, T. Vasylieva, V. Vovk, V. Hrushko, N. Demchuk, A. Yepifanov, S. Kozmenko, Yu. Makarenok, G. Markowitz, D. Melnyk, O. Pernarivska, L. Prymostka, P. Rose, M. Savluk, U. Shenkyr and others. In scientific research, these scientists reveal the content, methods of evaluating and minimizing financial risks affecting the functioning of the banking sector.

**Formulation of the goals of the article (statement of the task).** The purpose of this work is to analyze the financial risks of banking activity and outline ways to minimize them in order to ensure the effectiveness of the functioning of the banking sector of Ukraine.

**Presentation of the main research material.** Banking activity is one of the most risky among others, because when carrying out banking operations, banks use both their own funds and the investments of their customers. The presence of risk in banking activities can lead to unexpected losses, namely the loss of own resources and failure to receive the bank's planned income. In banking, risk can be considered as the probability of a decrease in income, the bank losing part of its profit, incurring losses or making additional expenses as a result of financial transactions [1]. In domestic literature, banking risks are classified according to various criteria, T. Osypenko, L. Prymostka, Yu. Potiyko distinguish credit, market, liquidity risk, operational risks, legal, management risks, interest rate, currency, securities market risk, insolvency risk, risk variability. [2, p. 91]. Domestic banks may be exposed to risks arising from an ineffective business strategy, an imperfect organizational structure, and inconsistency in the bank's policy. In addition, banks are exposed to risks due to the unstable macroeconomic, military-political environment and financial market conditions. Financial risks of the banking sector affect the net profit due to changes in its components and the bank's capital. Let's consider the main indicators of the activity of Ukrainian banks in the period from 2019 to the beginning of 2023.

From the given data (Table 1), we observe that despite the decrease in the number of banks and difficulties in their activities, which are accompanied by financial risks and an unstable economic situation, there is an increase in the assets of Ukrainian banks. Thus, as of the beginning of 2023, the volume of assets of the banking sector amounted to UAH 2,353,592 million, which is UAH 300,360 million more compared to the beginning of 2022.

The bank's regulatory capital is one of the most important indicators of its activity, the main purpose of which is to cover the negative consequences of various risks. Throughout the studied period, there is a tendency to increase this indicator, which is a positive aspect of banking activity. The National Bank established that the regulatory capital should be at least UAH 200 million, as of the beginning of 2023, in the banking system as a whole, this indicator is UAH 211,091.1 million, that is, the economic standard is being met. Due to external risks, namely the difficult military and economic situation, the profit of Ukrainian banks decreased by more than 65% in



2022 compared to 2021, and Ukrainian banks received UAH 24,716 million in net profit against UAH 77,376 million a year earlier.

Table 1

The main indicators of the activity of Ukrainian banks in the period from 2019 to the beginning of 2023

Years	Indexes			
	Number of banks, pieces	Regulatory capital, UAH million	Assets of banks, everything, UAH million	Profit (loss), UAH million
01.01.2019	77	126116,7	1359703	22339
01.01.2020	75	150313,8	1493298	58356
01.01.2021	74	182283,6	1822841	39727
01.01.2022	71	211742,3	2053232	77376
01.01.2023	67	211091,1	2353592	21921

Source: systematized by the authors according to [3]

As already mentioned above, banking risks include credit risk, it is the most significant, because credit operations of banks, which belong to active operations, are one of the most important among other operations and serve as an income tool of the bank. O. Kryklii and N. Maslak give the following definition of credit risk: "The probability of a complete or partial loss of the value of the bank's assets as a result of the inability of counterparties (borrowers) to fulfill their obligations or failure to receive income on invested capital as a result of the influence of various factors" [4, p. 7]. The main causes of credit risk include: improper actions of clients when executing a credit agreement; negative changes in the political and financial systems; the occurrence of crisis phenomena in the economy or its sectors, which causes a decrease in the business activity of business entities; sudden unilateral change of terms of credit agreements by commercial banks and others.

In the table 2 shows the dynamics of the assets of Ukrainian banks, the volume of loans granted. As a result of the war, in 2022 there is a slight slowdown in lending to the population - as of January 2023, the amount of loans granted to individuals is 209,944 million UAH, which is 32,689 million UAH less than at the beginning of 2021.

Table 2

Dynamics of assets of banks of Ukraine during 2019-2022, UAH million

Years	Assets, everything	Assets in foreign currency	Loans are provided to clients, everything	Loans are granted to business entities	Loans are granted to individuals	Loans are provided to state authorities
01.01.2019	1359703	494623	1118860	919071	196859	2865
01.01.2020	1493298	492157	1033430	821936	206737	4724
01.01.2021	1822841	585493	960597	749335	199561	11641
01.01.2022	2053232	583133	1065347	795513	242633	26973
01.01.2023	2353592	731394	1036129	801327	209944	24809

Source: systematized by the authors according to [3]

On the contrary, the volume of lending to business entities increased compared to previous years. Crediting of state authorities during the analyzed period is growing and at the beginning of 2023 it amounts to UAH 24,809 million.

The share of loans for business entities from the total amount provided by banking institutions is on average more than 70%, and the share of lending to individuals is more than 20% (Fig. 1).

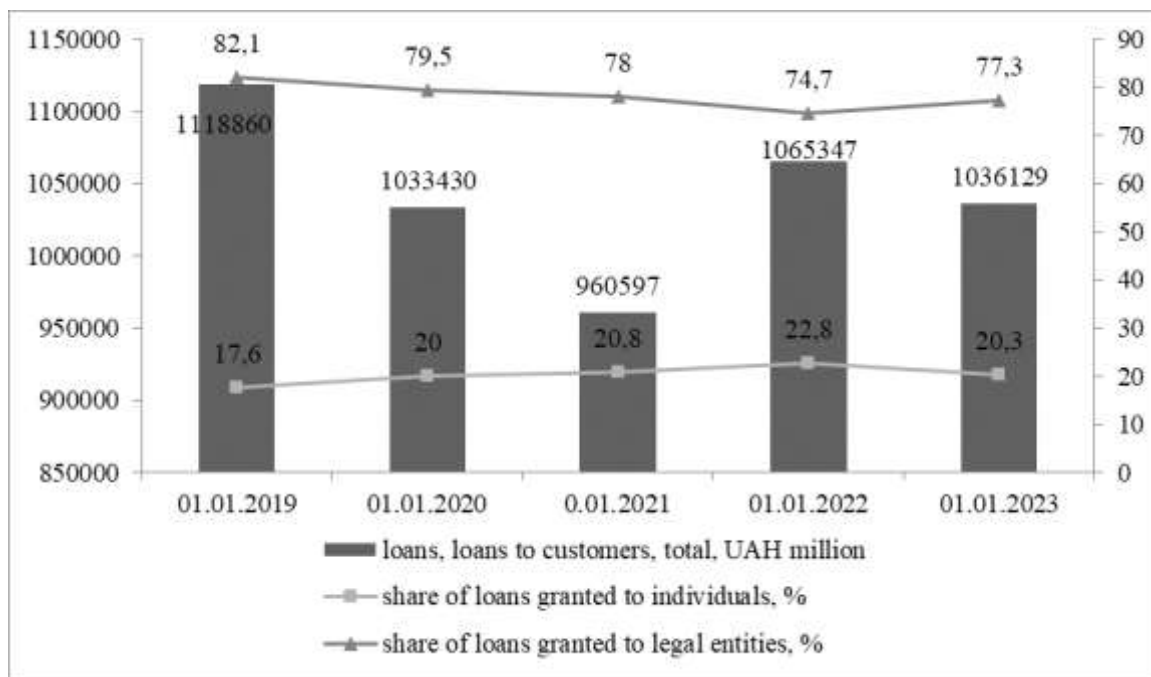


Fig. 1. The share of loans granted to individuals and business entities in the total amount of loans granted

Source: [3]

The share of loans granted to subsidized entities is significant, and the increase in lending carries certain risks, because in conditions of economic instability, a large number of clients have a rather low level of collateral, and are significantly dependent on the situation on the financial market, the rate of inflation in the country. Therefore, it is important for banks to create a credit risk management system that will correspond to the state of the economy and will be based on the bank's developed strategy.

To reduce credit risks, commercial banks use various techniques and measures to protect against credit risk, namely: diversification, limiting, insurance, risk distribution, etc. [5, p. 1063].

In the conditions of a difficult economic situation, banks should use the method of diversification, which consists in the distribution of the loan portfolio among a wide range of borrowers, and the method of limiting, that is, establishing the maximum allowable size of loans, which makes it possible to limit risks. Commercial banks, carrying out transactions with currency as an asset, are exposed to currency risk, which is defined as the possibility of losses in transactions with foreign currency caused by fluctuations in market exchange rates. To minimize currency risk, it is necessary to introduce limitation of currency transactions and currency risk insurance (hedging) [6].



Financial risks affect the activities of all commercial banks, including systemically important ones. The efficiency and stability of the entire banking sector depends on the activity of systemically important banks. Therefore, in conditions of economic instability and an increased level of risks, there is a need for stress testing of systemically important and largest banks in the country by assets. Stress testing allows you to identify systemic risks, the implementation of which can threaten the stability of the entire banking system. After passing this test, the NBU notifies the banks of the need to draw up capitalization or restructuring programs. Also, the regulator can apply influence measures against individual banks [7].

Therefore, the banking sector cannot exist without risk. Therefore, it is necessary to look for ways to minimize the level of risks in banking activities in order to improve the efficiency of the functioning of banks, multiply income and capital gains. Minimizing the level of financial risks in the banking sector involves the development and implementation of risk management measures and methods.

Banking risk management involves: 1) identification of existing risks, determination of the causes of their occurrence and directions to which they extend; 2) calculation of risks using quantitative methods; 3) search for optimal methods and measures to minimize risks.

Preventive and protective measures are used to minimize financial risks in the banking sector. Preventive measures should include: requirements for the size and structure of the bank's capital; bank liquidity requirements; restrictions on operations performed by banks.

Protective measures are a way to protect the existing negative situation, which can cause insolvency or bankruptcy of banks. These measures include: functioning of the Individual Deposit Guarantee Fund; formation of reserves by banks; refinancing of commercial banks by the central bank [8].

Banking risk management methods include: methods of avoiding and accepting banking risks. Methods of avoiding banking risks: refusal of certain banking activities; performing banking activities in other ways; changing the place of performing banking activities.

Accepting banking risks, the following methods can be used: reduction of banking risks; independent resistance to banking risks; transfer of banking risks [9, p. 81].

## Conclusions

In the conditions of economic instability, there is a need to assess the financial risks of the banking sector, because they affect the assets, capital, profits of banks and the conduct of banking operations. Analysis of banking risks makes it possible to find ways to manage them. Implementation of measures and implementation of banking risk management methods helps to minimize them, which in turn has a positive effect on the effectiveness of functioning and profitability of the banking sector.

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## FINANCIAL POLICY OF UKRAINE IN THE DEVELOPING ITS FOREIGN TRADE RELATIONS

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### ABSTRACT

At the present stage of development of the market economy in Ukraine, the priority is the steady inclusion of the domestic economy in the system of international division of labor and global integration processes. One of the stages of our country's integration into the world is the intensification of Ukraine's trade relations with the countries of the European Union. Therefore, Ukraine's financial policy should be aimed at shaping integration priorities.

The basis of financial policy are strategic directions, which determine the long-term and medium-term prospects for the use of finance and provide for solving the main tasks of society. At the same time, the state takes a number of measures aimed at using financial relations in terms of solving tactical tasks, namely - to mobilize and effectively use financial resources, regulate foreign trade processes, stimulate the development of STP, certain sectors of the economy, certain territories.

Therefore, we can state the fact that Ukraine has chosen integration into the European Union as a priority of its integration into world structures.

After all, the focus on the European Union it's a significant capital markets, new technologies, higher standards of production, and environmental protection. Ukraine's integration with the EU is also important as a reform-stimulating factor for its economy, legal framework, and the main means of avoiding the threat of being outside the common European home.

Thus, in the article are analysed the basic strategic direction of financial policy, which focused on the intensification of foreign trade cooperation between Ukraine and the European Union. Are assessed the obstacles that negatively affect at the further development of the foreign trade sector of Ukraine's economy . The main causes of the investment crisis in the country as a factor in reducing integration processes are highlighted. The model of formation of the optimum system of financing of foreign trade operations is offered. Recommendations for the formation of an optimal system of regulation of foreign economic activity in Ukraine are formulated. Are offered the main directions of financial policy improvement in the conditions of European integration development of the country.

**Keywords:** financial policy improvement, conditions of European integration development.

### Introduction

Finance as a distributive category is closely related to foreign trade. On the one hand, the GDP created in society is distributed through finance, and on the other hand, foreign trade relations form a certain system of economic interests that influence the development of the country's economic system, stimulating or, conversely, restraining its growth. This influence is exerted through the financial mechanism, which reflects the directions, nature, and essence of the functioning of finance in society and has quantitative and qualitative characteristics.



The quantity, i.e. the amount of financial resources, is the primary basis for the functioning of the trade mechanism, since no task can be accomplished without them. At the same time, the provision of resources does not guarantee the solution of a specific task. In the context of our country's European integration, finance is the main instrument for the development of foreign trade relations. They are a specific form of development of production and trade relations, a subsystem of the framework with a certain regulatory basis.

At the present stage of development of the national economy, one of the most important tasks is to formulate the financial policy of the state aimed at achieving specific goals, namely, intensification of Ukraine's foreign trade relations with the European Union countries. From this perspective, the topic of the article is relevant both in theoretical and practical terms.

**Analysis of recent research and published papers.** It should be noted that many works of foreign and Ukrainian economists have been devoted to the study of the factors of formation of the state financial policy in foreign trade relations. Among the foreign authors studying this issue are E. Denison, E. Domar, J. M. Keynes, D. Clark, R. Lucas, G. Mensch, B. Twiss, R. Harrod, J. Schumpeter, and domestic authors - P. Buriak, V. Heets, M. Krupka, O. Lapko, I. Lukinov, B. Malitsky, A. Peresada, V. Fedosov, A. Chukhno, etc. In particular, their scientific works address the problems of forming an optimal financial policy of Ukraine, factors of intensification of trade cooperation with the European Union, and analyze different approaches to building a strategy for the integration of the Ukrainian economy into the world community.

It should be noted that today there are still many questions regarding the determination of strategic directions for the formation of the State's financial policy in the context of its trade cooperation with the EU countries.

**Result of the research.** At the current stage of development of the market economy in Ukraine, the primary task is to steadily integrate the national economy into the system of international division of labor and global integration processes. One of the stages of our country's integration into the global space is the intensification of Ukraine's trade relations with the European Union. Therefore, Ukraine's financial policy should be aimed at setting integration priorities.

In the context of modern economic development, the financial policy of the state should be aimed at ensuring that public expenditures correspond to the amount of budget revenues and concentrate public expenditures on priority areas of economic development [1].

Thus, financial policy is primarily used to exert a multifaceted regulatory influence on trade relations and expanded reproduction, and to create conditions for capital accumulation, which determines the rate of economic growth. Financial policy affects the realization of GDP, primarily by expanding or contracting public consumption, i.e. the purchase of goods and services. It is also an important lever of influence on the formation of the domestic market:

- state financial support for exporters is provided through tax benefits and subsidies;
- a well-thought-out (effective) customs policy ensures that the state budget is filled with customs payments from importers;
- reduction of national production costs reduces the competition of producers in foreign markets;
- By directing finances to expand the possibilities of market functioning and development, the state contributes to the formation of an efficient production structure, improvement of the organization of economic relations, and priority sectors of the economy.

The financial policy is based on strategic directions that determine the long-term and medium-term prospects for the use of finance and provide for the solution of the main tasks of society's development. At the same time, the state carries out a number of measures aimed at using



financial relations in terms of solving tactical tasks, namely, mobilization and efficient use of financial resources, regulation of foreign trade processes, stimulation of STP development, certain sectors of the economy, and certain territories [2].

Based on the above statements, we can state the fact that Ukraine has chosen integration into the European Union as a priority direction of its integration into global structures. The interest in integration and full membership in the EU is based not only on the fact that the EU is a structure that has already proven its viability and prospects. Ukraine's interest is long-term, as the EU represents a market of almost 500 million consumers.

Focusing on the EU means significant capital markets, new technologies, higher production and environmental standards. Ukraine's integration with the EU is also important as a reform-motivating factor for its economy and legislative framework, and the main means of avoiding the threat of being outside the common European home.

Economic integration is based on coordination, synchronization, and consistency of decision-making in the economy of Ukraine and the EU and involves the elimination of restrictions on competition and the use of protectionism, and the formation of the basic economic preconditions for Ukraine's full membership in the EU. The development of the economic integration process involves liberalization and synchronized opening of the EU and Ukrainian markets, mutual balancing of trade, reciprocal promotion of EU investments in Ukraine and Ukrainian exporters in the EU markets, introduction of a common legal framework and uniform standards in the field of competition and state support for producers.

According to the Copenhagen criteria, the necessary preconditions for Ukraine's full membership in the EU are the consistent implementation of the following steps [3]:

- negotiating and signing the EU-Ukraine Association Agreement. Changing the Partnership and Cooperation Agreement to the European Association Agreement between Ukraine and the EU will determine a new format of relations that would meet Ukraine's long-term interests and bring it closer to the ultimate goal of creating the preconditions for full membership in the European Union;
- conducting negotiations on the establishment of a free trade area between Ukraine and the EU, which would provide for the functioning of market institutions, guaranteeing legal norms in the business sphere, stable and non-discriminatory legal framework, clearly defined property rights, application of appropriate rules of origin, proper organization of border infrastructure, etc;
- bringing Ukrainian legislation in line with the requirements of EU legislation in priority areas;
- completion of the procedures necessary for the entry into force of the EU-Ukraine Association Agreement. By obtaining such an associate status, Ukraine will be better informed about internal transformations in the European Union, participate informally in negotiations on various issues of pan-European scope and importance, and gain easier and larger access to EU financial resources;
- Negotiating and establishing a Customs Union between Ukraine and the EU, aimed at gradually removing customs, legal and technological barriers in this area;
- full implementation of the EU-Ukraine Association Agreement and the Copenhagen criteria for EU membership;
- creating realistic preconditions for Ukraine's accession to the EU.

Today, trade is central to the overall system of financial and economic cooperation between Ukraine and the EU. It should be noted that in recent years, trade cooperation between Ukraine and the EU has developed quite dynamically. However, there are significant obstacles that negatively affect the further development of Ukraine's foreign trade sector. Among them are the



following:

1. The commodity structure of exports is dominated by products from energy-intensive industries (metallurgy, chemistry), raw materials, and low-value-added goods. There is a tendency to further increase the share of such goods in exports and decrease the share of goods with a significant level of processing (mechanical engineering, electrical engineering).
2. Low competitiveness of domestic goods and services.
3. Underdevelopment of basic market economy institutions. The state has not yet been able to create conditions for increasing the competitiveness of national business. It is very difficult for Ukrainian exporters to compete in foreign markets in the face of uncertainty about property rights and business rules, as the country has not yet adopted the Land and Civil Codes.
4. Imperfect state regulation mechanisms. This is manifested in the state's inability to correctly determine structural priorities for foreign trade and in the confiscatory tax policy and tight monetary system that deprive enterprises of working capital and investment to modernize production.

To solve these problems, Ukraine needs to develop an external and internal strategy aimed at shaping the priorities of our country's integration into the global space, in particular into the EU. It is clear that the integration process is quite long and complex. Therefore, even before joining the EU, the national economy must find a financial mechanism that would significantly accelerate integration processes and use it to speed up trade relations, which in turn will create conditions for enhancing economic growth in general [4].

In line with the accelerating pace of integration, Ukraine should expand international cooperation in the economic, scientific, technical, and information sectors. At this stage of economic development, cooperation in these areas is insufficient.

The second component of the strategy, the implementation of which will ensure the creation of the necessary conditions for the development of competitive production in Ukraine, is to take measures aimed at protecting national property and creating a favorable investment climate in the country.

Reforming the financial, currency and tax systems is an important task for protecting Ukraine's national interests. The current financial system in Ukraine is disconnected from the real sector of the economy, which is the reason for the depreciation of the hryvnia, low production and low competitiveness of products [5]. To this end, it is necessary to create an effective legal system for regulating the activities of financial institutions that would prohibit the export of capital and stimulate investment activity in the country.

Further development of banking legislation to protect deposits would increase the confidence of potential investors inside and outside the country, which would significantly improve the investment climate in the country, which would contribute to a strong industrial policy.

The main reasons for the investment crisis in the country include the following: insufficient sources of domestic investment; insufficient investment attractiveness of Ukraine for foreign investors due to its financial and political instability; lack of positive changes in industrial restructuring and the growing share of capital- and energy-intensive industries in the structure of capital investments; inadequate real institutional environment, i.e., insufficient banking system, ineffective stock and commodity exchanges, credit unions, investment, underdeveloped physical infrastructure; lack of investment resources in human capital, science, etc.

Therefore, having analyzed all the above problems, we will identify the main directions for improving financial policy in the context of the country's European integration development.



First, we emphasize the need to strengthen the impact of financial, including budgetary policy on creating favorable conditions for sustainable economic growth, transition to an innovation and investment model of development, and implementation of social priorities of economic policy by

- ensuring the balance and transparency of the budget, social orientation of budget expenditures;
- Increasing the efficiency of the use of budget funds;
- improving inter-budgetary relations;
- strengthening the investment component of the state and local budgets;
- introduction of program-targeted method of public finance management, project-based method of budget management at all levels;
- improving the methodology for forecasting consolidated budget revenues and methodological approaches to forecasting VAT revenues;
- Ensuring balanced medium-term budget forecasting and planning as one of the main tools for effective and prudent public finance management, which will allow to increase the role of budget policy in the implementation of economic and social goals of the government, primarily to improve the level of state social standards and reduce poverty;
- ensuring effective and balanced budgetary regulation by taking into account the cyclical nature of economic development and the state of public finances when developing budget policy.

Secondly, financial policy should help to increase the investment component of economic growth, develop financial infrastructure, improve corporate governance, and attract household savings to investment and innovation development programs. To this end, it is advisable to: form a system for planning and evaluating the socio-economic performance of budget expenditures using qualitative and quantitative indicators; improve the mechanisms of state support for investment and innovation priorities, including through the introduction of development budgets [6].

Third, in order to create a favorable investment climate in the country, it is first and foremost necessary to develop an effective mechanism for attracting and concentrating domestic investment in priority industries and production. These sectors of the national economy include:

- 1) industries characterized by rapid cost recovery (food industry, agricultural processing industries, light industry)
- 2) "upstream" industries, the development of which will give a strong impetus to the economic growth of other industries (aircraft, shipbuilding, rocket and space technology, etc.)
- 3) industries and sectors with high export potential and competitiveness, the development of which will significantly reduce the foreign trade deficit.

An important aspect of the investment policy is the development of a system of protection and mechanisms for the return of investment funds, their insurance, and compliance with the declared conditions for the return of funds. This requires improving the legal framework for ensuring the rights of investors as legal entities.

## Conclusions

Thus, the optimal development of foreign economic relations is based primarily on fundamental changes in the structure of the national economy of Ukraine. Therefore, it is important to reform Ukraine's foreign economic sector, integrate its economic system into the international economy, and create an extensive infrastructure that would ensure the rapid implementation of market transformations, especially in the external sector of the economy. The transformation of the external sector of Ukraine's economy determines the country's further economic development, the efficiency and effectiveness of business activity, and Ukraine's place in the global economy. If



Ukraine wants to become a full-fledged actor in global economic activity and a member of the European Union, to participate not only in the markets for ferrous metals or simple chemicals, it must create its own transnational structures.

To summarize the above, we can conclude that in order to intensify the development of trade cooperation between Ukraine and the European Union, it is necessary to formulate a long-term financial policy. It should ensure the fulfillment of strategic large-scale tasks that require large expenditures of time and capital.

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## UKRAINIAN-POLISH RELATIONS DURING THE WAR: FINANCIAL ASPECT

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### ABSTRACT

This article delves into the complex international relations between Ukraine and Poland amidst the backdrop of Russia's full-scale invasion of Ukraine. Focused on military, financial, and humanitarian aspects, the study examines the extent of support provided by various nations, emphasizing the role of Poland as an early and significant contributor. Utilizing extensive data, the article reveals the magnitude of financial aid, with the United States and Germany leading the contributions. Additionally, it explores non-refundable aid, highlighting the diverse sources and amounts. The authors scrutinize military, financial, and humanitarian commitments, shedding light on the substantial assistance directed towards priority state budget expenditures. Despite challenges, Poland's multifaceted support, including the provision of residential modules and social benefits for displaced Ukrainians, underscores the depth of collaboration.

However, the article acknowledges hurdles in fostering transparent diplomatic relations, citing the influence of political elites and speculative discourse surrounding the Russia-Ukraine conflict. The study concludes with a snapshot of the refugee situation, emphasizing Poland's significant role in providing legal recognition and social assistance to over 1,7 million Ukrainian citizens. Overall, the analysis paints a nuanced picture of the evolving dynamics between Ukraine and Poland during this critical period.

**Keywords:** military situation, Ukrainian-Polish relations, financial support, cooperation

### Introduction

The global challenges arising from the onset of Russia's full-scale war against Ukraine have confronted the entire civilized world. Poland was the first country to extend assistance to Ukraine, welcoming refugees and providing humanitarian aid from the early days of the conflict. Gradually, European countries and the United States began offering military, financial, and humanitarian support.

The purpose of the article is to analyze the international relations between Ukraine and Poland in the context of military, financial, and humanitarian assistance. The relevance of the topic is driven by the challenges arising from the consequences of Russia's military invasion into the territory of Ukraine.

From the beginning of the full-scale invasion by the Russian Federation into the territory of Ukraine, 40 countries around the world have provided military, humanitarian and financial support to Ukraine, amounting to an estimated 185 billion USD. Let's examine the financial assistance from Ukraine's partners during the years 2022-2023.



The largest financial aid to Ukraine came from the United States and Germany, constituting 0,33% and 0,19% of their respective gross domestic products (GDP). Let's analyze the extent of assistance to Ukraine from allies based on the percentage of GDP for each of these countries.

Table 1

Analytical data on the amount of aid to Ukraine from partners in 2022-2023  
(as of October 16, 2023)

№ з/п	The country	Aid from the country, % of GDP	Contribution of the country to total EU aid, %	Total amount, billion USD
1.	Estonia	1,26	0,20	0,54
2.	Latvia	1,09	0,19	0,51
3.	Lithuania	0,95	0,19	0,76
4.	Poland	0,68	0,23	6,21
5.	Slovakia	0,63	0,28	1,06
6.	Denmark	0,51	0,24	3,01
7.	Netherlands	0,44	0,28	7,24
8.	Finland	0,44	0,22	1,97
9.	Bulgaria	0,31	0,26	0,48
10.	Czech Republic	0,36	0,20	1,58

Source: [1]

The Baltic countries and Poland are leaders in providing assistance to Ukraine based on their own gross domestic product (GDP). During the analyzed period, Estonia spent 1,26% of its GDP on supporting Ukraine, amounting to 0,54 billion USD. Latvia allocated 1,09% of its GDP (0,51 billion USD), Lithuania spent 0,95% of its GDP (0,76 billion USD), and Poland contributed 0,68% of its GDP (6,21 billion USD) to support Ukraine. Slovakia (0,63%) and Denmark (0,51%) also spent over 0,5% of their GDP on assistance to Ukraine. The United States provided the most significant assistance to Ukraine since the start of the full-scale war, amounting to 76,84 billion USD, but this represents only 0,33% of the country's GDP.

Table 2

Analytical data on the amount of non-refundable aid to Ukraine from partners in 2022-2023 (as of October 16, 2023)

	Країна	2022	2023
1.	USA	11,98 billion USD	10,90 billion USD
2.	Germany	1,28 billion USD	52 млн дол США
3.	EU	743 млн дол США	-
4.	Italy	117,2 million USD	-
5.	United Kingdom	91 million USD	-
6.	Spain	-	50,3 million USD
7.	Finland	-	36 million USD
8.	Denmark	23,4 million USD	-
9.	Norway	21 million USD	-
10.	Ireland	-	21 million USD
11.	Latvia	16 million USD	-





12.	Lithuania	11,7 million USD	-
13.	Austria	11 million USD	-
14.	Switzerland	-	10 million USD
15.	Belgium	5 million USD	3 million USD
16.	Albania	1 million USD	-
17.	Iceland	0,5 million USD	2 million USD
18.	Estonia	-	0,1 million USD

Source: [1]

From February 24, 2022, to October 2023, Ukraine attracted approximately 65 billion US dollars in non-repayable international assistance in the form of grants and concessional loans. In 2022, the Ukrainian state budget received 14.3 billion US dollars in non-repayable financial support. In 2023, the European Union and European countries, including Italy, the United Kingdom, Denmark, Norway, Latvia, Lithuania, Austria, and Albania, did not provide non-repayable financial support to Ukraine.

During 2023 (as of October 2023), Ukraine received 11,07 billion USD in grant assistance from partners, with 10,9 billion USD coming from the United States. The amount of financial assistance from Poland from 2022 to mid-October 2023 is 6,21 billion USD.

Table 3

Military, financial and humanitarian commitments to Ukraine 2022 – 2023

Name of commitments	Humanitarian commitments	Financial commitments	Military commitments	Total commitments
Money, billion euros	0,347	0,959	3,036	4,341
% of GDP	0,675	0,149	0,472	0,675

Source: [1]

The military, financial and humanitarian aid provided by governments to Ukraine since the start of the war between Russia and Ukraine on January 24, 2022 has been listed and quantified.

International funding is directed to the financing of priority state budget expenditures, in particular, to the provision of social protection of the population, humanitarian needs, and wages for workers in the education and health care sectors. Poland also helps Ukraine in creating proper conditions for the residence of forcibly displaced persons within Ukraine. More than 2,000 residential modules have already arrived from Poland to Ukraine for the construction of container cities in Lviv, Kyiv, Chernihiv, Kharkiv and Sumy regions.

But the amount of 4,341 billion euros does not take into account the humanitarian aid that Ukrainian regions receive from local self-government bodies and ordinary people from Poland.

As of November 2023, there are over 4,1 million refugees from Ukraine in the European Union, benefiting from temporary protection. More than 1,7 million Ukrainian citizens have refugee status in Poland, with 35,8% of them being individuals under the age of 18 [3].

Ukrainian citizens who have arrived in Poland and whose stay is legally recognized, based on the Law of March 12, 2022, on assistance to Ukrainian citizens in connection with the armed conflict on the territory of this state, are provided with support within the framework of local social assistance. Thus, in Poland in 2022, 1111,0 thousand individuals and 612,0 thousand families received social benefits, with the total amount of payments reaching 364,8 million Polish zlotys [3].



## Conclusions

During the analyzed period, the international relations between Poland and Ukraine reflect a sequence of decision-making, mutual support, and mutual respect for the territorial integrity of each country. Obstacles on the path to transparent democratic relations include the influence of political elites on diplomatic decision-making and speculation on the topic of the Russian-Ukrainian war.

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# CURRENT SOCIO-ECONOMIC PROBLEMS OF THE DEVELOPMENT OF URBAN TERRITORIES OF UKRAINE UNDER THE CONDITIONS OF THE RUSSIAN-UKRAINIAN WAR

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## ABSTRACT

In the current territory conditions of urbanization, development, and intense urbanization, a series of problems arise related to implementing and realizing effective policies amid constant internal and external changes. This necessitates the identification of problems in the economic development of urbanized territories in Ukraine. The issue was exacerbated by the Russo-Ukrainian War, which posed direct risks and threats to the country's national security.

Through the analysis of the current state of economic development in urbanized territories, it identified that the following problems hinder economic development: disparities in the development of urbanized environments, a low level of cooperation between regions, outdated approaches to urban planning leading to urban sprawl and chaotic construction, unbalanced housing policies, and urban infrastructure that does not meet modern requirements. The military aggression from the Russian Federation has led to the decline of economic development in urbanized territories, resulting in a high level of external and internal migration, increased unemployment, and overall deterioration of the country's economic growth.

Effective development programs at national and regional levels address urbanized territory development problems. These programs should focus on reconstructing territories, infrastructure, and industry, creating a comfortable and safe environment, providing new job opportunities, reducing unemployment, and promoting overall economic growth..

**Keywords:** urbanized territories, Russian-Ukrainian War, social problems of territory development, economic problems of territory development, national security.

## Introduction

Urbanized territories are the main drivers of the economy both at the country level and in individual regions, as they concentrate a significant amount of capital, human, financial, technological, informational, innovative, and other types of resources. However, in the current conditions of urbanized territory development and intense urbanization, a series of problems arise related to implementing public management decisions and introducing and realizing effective policies amid constant internal and external changes. These issues are driven and associated with the intensive urbanizing processes, hindering the economic development of urbanized territories and other regions.



The necessitates identifying and assessing threats and risks of urbanization and problems in the economic development of urbanized territories in Ukraine. Given the context of the Russian-Ukrainian War, this issue becomes particularly acute regarding ensuring national security.

**The analysis of recent research and papers published.** Economic security is considered an integral component of national security, and scholars' opinions vary regarding the correlation between urbanization and economic security processes. According to Gilbert A., there is no consistent or significant connection between urbanization and financial security. The conclusion is that the success of a city or urbanized area depends not on the urbanization process but on specific measures of regional and local policies to strengthen the population's security in all aspects [2].

On the other hand, Kuzmenko D.M. emphasizes the importance of the interconnection between urbanization and economic security. He claims that ensuring the financial security of regions in the conditions of dynamic urbanization requires a complex set of measures aimed at sustainable, balanced development and improvement of the economic and social complexes of the city, suburban areas, and urbanized rural territories. It includes preventing conditions that restrict economic interests and lead to the degradation of the social sphere. The process necessarily involves mechanisms to counter external and internal threats [1].

**Results of the research.** Every country in the world has no state of absolute stability in the economic system because there are always factors (external or internal) that impact its condition. Development problems in urbanized areas also affect the country's financial system, and people can identify internal and external factors.

Among the internal factors that negatively influence the economic development of urbanized areas are:

- Ineffective public policy on the economic development of urbanized territories;
- Low level of infrastructure development;
- Uncontrolled migration;
- Corruption.

External factors hindering economic development in urbanized areas include:

- Unstable political situation, military conflicts, war;
- Economic crises;
- Inflation;
- Devaluation of the national currency.

Romanovska Y.A. notes that "urbanization processes in modern Ukraine generally follow global trends but also have their specific features, including the need to pay attention to the following:

- Urbanization occurs against the background of population depopulation in the country;
- There is migration from small towns to large ones;
- The most active population growth in cities occurs in the west, south, and center of Ukraine due to the continuation of industrialization, development of the service sector and resort industry, migration from rural areas, and the search for favorable climatic conditions (in the south). Industrial cities in the east (especially the Donbas) are losing population intensively, even in economically attractive cities, due to security threats, proximity to the border with Russia, destruction, relocation, and cessation of industrial enterprises, lack of serious investments in industry and other sectors of the national economy, unfavorable environmental conditions;
- Recently, a new, post-industrial accumulation has become more active, forming agglomerations (strengthening ties between the largest cities and the adjacent territories based on labor migration,



common labor markets, land, financial resources, etc.). The most vivid examples of new-type agglomerations are the territories of Kyiv, Kharkiv, and, to some extent, the Odesa and Lviv regions. Suburban outflow of affluent population, the construction of cottage towns, and the reorganization of villages adjacent to the city contribute to the emergence of agglomerative forms even near much smaller cities and in traditionally rural regions (Vinnytsia, Ternopil, Zhytomyr), although they are not full-fledged urban agglomerations in the classical sense;

- Cities in Ukraine are the "engines" of the country's economic growth, where the production volume is higher in absolute and per capita terms, and conditions for work, education, healthcare, household, and leisure are more favorable. However, with the population growth, the complexity of urban life systems increases, anthropogenic loads of the city on the natural-anthropogenic system grow, the scale of energy resource consumption increases, and the diversity of natural and urbanized landscapes decreases" [7, p. 173].

In our opinion, the following problems hinder the economic development of Ukraine:

1. *Disparities in urbanized areas' development involve significant deviations in economic development indicators and the provision of engineering and transportation infrastructure.* Modern urbanization processes in Ukraine indicate their heterogeneity, and there are disparities in the development of territories, as some cities are more economically developed than others. They attract more investments, account for a larger share of GDP, have higher average wages, and attract migrants. For example, in Ukraine, Kyiv is such a city (Table 1).

Analyzing the indicators of economic development in the regions of Ukraine, it is established that the Gross Regional Product (GRP) is highest in Kyiv, and with the country's average, it constitutes 338.4%. The GRP is also higher than the national average in Dnipropetrovsk, Kyivska, and Poltava oblasts. The lowest GRP is recorded in Donetsk, Zakarpatska, Luhansk, Rivnenska, Ternopilska, Khersonska, and Chernivetska oblasts. The highest volume of capital investments per capita is recorded in Kyiv, constituting 473.40% of the country's average. This indicator is also above average in Dnipropetrovsk, Kyivska, and Poltava oblasts. The lowest figures (less than 50% concerning the country's standard) are recorded in Zakarpattia, Kirovohradska, Luhansk, Rivnenska, Khersonska, and Chernivetska oblasts. As for the average wages, they are highest in Kyiv, as well as in Dnipropetrovsk, Donetsk, Kyivska, Zaporizka, and Mykolaivska oblasts.

2. *Low level of cooperation between territories, hindering regions' joint spatial socio-economic, environmental, and cultural development.* Analyzing the data from the Ministry of Development of Communities and Territories of Ukraine, it is found that the number of cooperation projects in all Ukraine regions needs improvement. The highest number of cooperation projects is recorded in Dnipropetrovsk, Zaporizka, Lvivska, Rivnenska, and Kharkivska oblasts.

This problem is particularly relevant in the current conditions and requires resolution, as the consequences of Russian military aggression necessitate coordinated actions of territories, especially regarding reconstruction. It would help develop shared infrastructure, regulate migration processes, and form a unified economic and investment-attractive space.

3. *Outdated approaches to urban planning leading to chaotic development and neglect of citizens' opinions.* For a long time, Ukraine's main urban planning document was the general plan, developed without active citizen involvement and presented as technical drawings. However, with changes to the law regulating urban planning activities, Ukraine, like leading foreign countries, will create comprehensive plans for the spatial development of territorial communities. It is crucial to involve citizens actively in developing and implementing these plans.

Table 1.



## Indicators of Economic Development of the Regions of Ukraine. [4, 5]

Region name	"Gross Regional Product (GRP) per capita (2020, UAH)"	"Gross Regional Product (GRP) relative to the country's average (2020, %)"	"Volume of capital investments (excluding investments from the state budget) per capita (2021, UAH)"	"Volume of capital investments per capita in relation to the country's average (2021, %)"	Average monthly salary (January 2022, UAH)	Average monthly salary in relation to the country's average (January 2022, %)
<b>Ukraine</b>	<b>101138</b>	<b>100.00%</b>	<b>11551.4</b>	<b>100.00%</b>	<b>14577</b>	<b>100.00%</b>
Vinnitsia Oblast	88380	87.39%	8153.7	70.59%	12555	86.13%
Volyn Oblast	75193	74.35%	6694.5	57.95%	11735	80.50%
Dnipropetrovsk Oblast	126209	124.79%	19351.2	167.52%	14479	99.33%
Donetsk Oblast	50124	49.56%	6510.7	56.36%	15480	106.19%
Zhytomyr Oblast	76017	75.16%	6355.8	55.02%	12123	83.17%
Zakarpattia Oblast	49538	48.98%	3948.2	34.18%	12115	83.11%
Zaporizhia Oblast	99738	98.62%	7833.5	67.81%	14510	99.54%
Ivano-Frankivsk Oblast	66245	65.50%	5942.3	51.44%	11827	81.13%
Kyiv Oblast	135817	134.29%	19875.2	172.06%	15152	103.94%
Kirovohrad Oblast	81166	80.25%	5732.3	49.62%	11658	79.98%
Luhansk Oblast	20297	20.07%	1375.9	11.91%	12266	84.15%
Lviv Oblast	94317	93.26%	8564.0	74.14%	12936	88.74%
Mykolaiv Oblast	86750	85.77%	6279.0	54.36%	14382	98.66%
Odessa Oblast	92823	91.78%	7445.5	64.46%	12960	88.91%
Poltava Oblast	136608	135.07%	14732.1	127.54%	13412	92.01%
Rivne Oblast	62485	61.78%	4770.7	41.30%	13358	91.64%
Sumy Oblast	75815	74.96%	6204.3	53.71%	12119	83.14%
Ternopil Oblast	60565	59.88%	7243.0	62.70%	11455	78.58%
Kharkiv Oblast	97428	96.33%	7062.2	61.14%	12510	85.82%
Kherson Oblast	66973	66.22%	4879.6	42.24%	11778	80.80%
Khmelnitskyi Oblast	77153	76.28%	7814.6	67.65%	12352	84.74%
Cherkasy Oblast	91817	90.78%	6442.6	55.77%	12311	84.45%
Chernivtsi Oblast	50110	49.55%	3312.9	28.68%	11326	77.70%
Chernihiv Oblast	85435	84.47%	6586.0	57.01%	11853	81.31%
Kyiv City	342247	338.40%	54684.4	473.40%	21347	146.44%

4. *Unbalanced housing policy resulting in problems with affordable housing; a significant portion of the housing stock needs to be updated.* According to the State Statistics Service [1], the number of old and emergency residential buildings as of December 1, 2021, amounted to 62,852 units

with a total area of 4,337,823 m<sup>2</sup>. Corruption in housing policy, inefficiency of state housing programs, and destruction of housing due to Russian aggression are challenges faced by Ukraine.

5. *Mismatch of urban infrastructure with modern requirements.* The potential for the development of urbanized areas directly depends on the level of infrastructure development in such territories and its alignment with existing needs. Updating urban infrastructure, including communal, transport, and social infrastructure, to meet modern societal demands, international ecological standards, and energy efficiency is crucial for fostering economic development in urbanized territories.

6. *The Russo-Ukrainian war has become an obstacle to the economic development of urbanized territories and the country.* It has led to increased levels of both external and internal migration, unemployment, and problems with the resettlement and employment of internally displaced persons and migrants, negatively impacting the country's economic development.

One of the central and most pressing problems posing a threat to Ukraine's economic system and national security as a whole is military aggression. Almost 30% of Ukraine's territories that Russia occupied during the Russo-Ukrainian war were liberated. However, a significant part of the territory (about 18%) remains occupied, including Crimea and specific areas of Donetsk and Luhansk oblasts. Landmines cover around 30% of the entire region. As of September 1, 2023, the direct economic losses from the damage and destruction of residential and non-residential buildings and infrastructure in Ukraine amounted to \$151.2 billion, compared to \$127 billion on September 1, 2022 [8, 1].

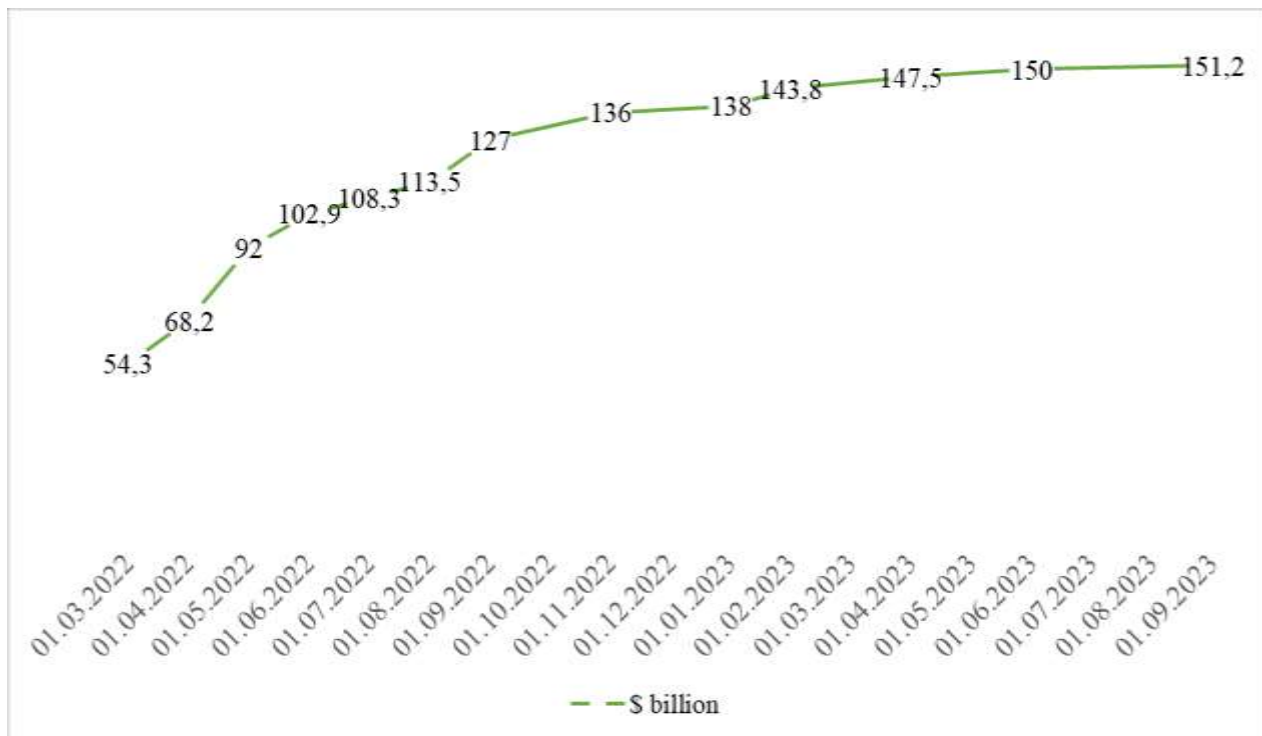


Fig. 1. Dynamics of the cumulative assessment of direct losses to Ukraine's economy, \$ billion [3] According to the Kyiv School of Economics, direct losses by types are represented in Fig. 2.

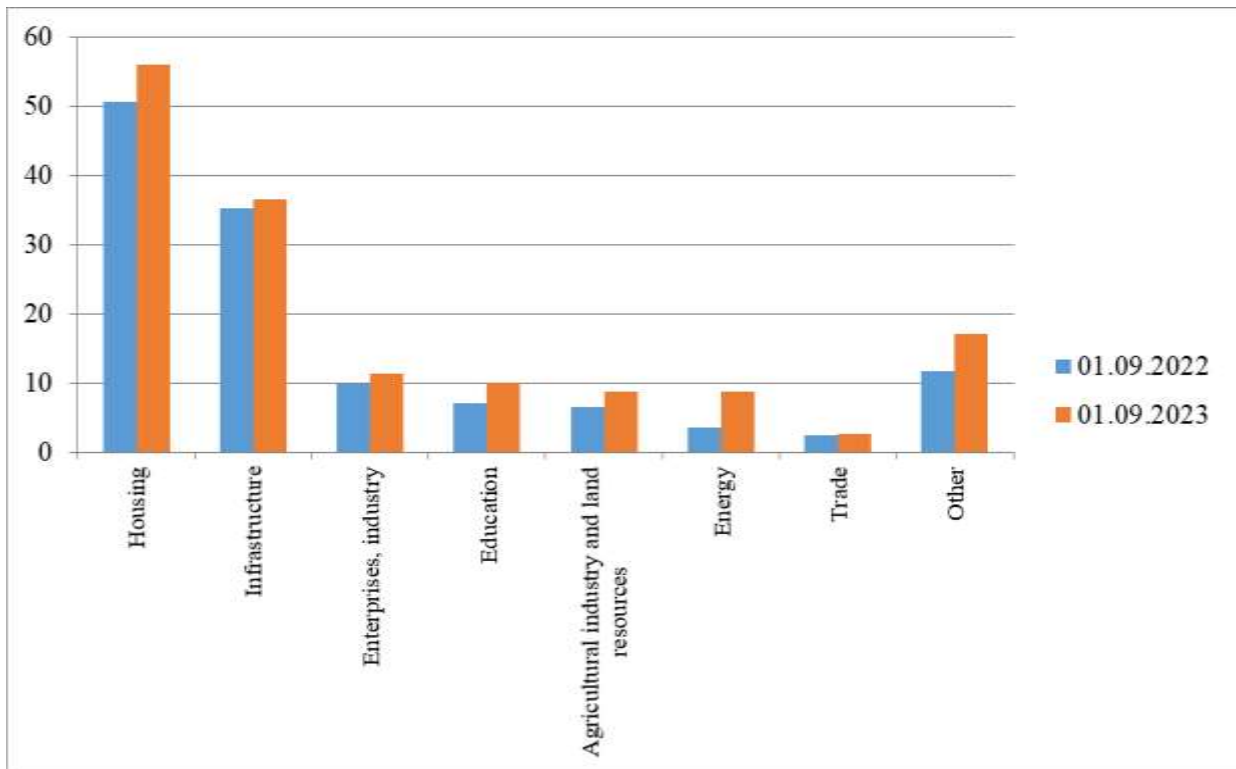


Fig. 2. Direct losses by property types [3]

The largest share of total losses is attributed to destroyed or damaged housing. According to estimates, losses due to the destruction of the housing stock increased by \$5.4 billion in a year. In total, 167.2 thousand objects of the housing stock were destroyed or damaged due to hostilities, including 147.8 thousand private houses, 19.1 thousand apartment buildings, and 0.35 thousand dormitories. The second and third places in terms of losses are occupied by infrastructure and industrial sectors and losses of enterprises amounting to \$36.6 billion and \$11.4 billion, respectively.

Since the beginning of hostilities in Ukraine, 18 airports and civilian airfields, at least 344 bridges and overpasses, over 25 thousand kilometers of state and local roads, and municipal roads have been destroyed. The losses in industry and enterprises include at least 426 large and medium-sized private enterprises and state-owned companies damaged or destroyed due to the war. The top priority for Ukraine's recovery is the reconstruction of strategically critical infrastructure [3].

The social sphere has also suffered significant damage, resulting in substantial losses. It includes the number of destroyed and damaged objects in education, healthcare, and the social sphere as of July 27, 2022, with approximately 2,217 educational institutions amounting to \$3.8 billion, 903 healthcare facilities incurring losses of \$1.6 billion, and 89 social institutions with losses exceeding \$300 million. As of September 2023, losses in this sector due to the war amounted to \$10.1 billion. Compared to June 2023, this amount increased by over \$400 million. The number of damaged and destroyed educational facilities now exceeds 3,500, including over 1,700 secondary education institutions, over a thousand preschools, and 586 higher education institutions [3].





In total, since the beginning of the full-scale war, more than 400 enterprises, 630 administrative buildings, 19 airports, 207 thousand passenger cars, and 30 oil bases have been destroyed, damaged, or captured. Experts estimate that more than \$400 billion is needed to restore the damaged or destroyed assets [3]. Considering active combat operations, the number of destructions and losses increase with each passing day.

Russia's actions destroyed most schools, roads, and hospitals in the Kharkiv, Donetsk, Luhansk, Mykolaiv, Kyiv, Kherson, Zaporizhia, Zhytomyr, and Chernihiv regions. War destroyed Most housing in the Luhansk, Donetsk, Kharkiv, Kyiv, Chernihiv, and Mykolaiv regions.

According to the National Bank [6], Ukraine's real GDP contracted 29.1% in 2022. Considering the significant destruction inflicted on Ukraine's industries, the recovery will occur quite slowly, with GDP growth forecasted to be around 5-6% per year.

As one of the consequences of the Russo-Ukrainian war, Ukraine's economic condition and its territories experienced a significant decline, leading to a decrease in wages and an increase in unemployment. Specifically, due to the substantial damage or destruction of many enterprises, some business entities lost their economic activity, resulting in the inability to pay wages. Additionally, many Ukrainians emigrated abroad, losing their jobs in the process.

## Conclusions

As a result of analyzing scholars' approaches to identifying contemporary development issues in urbanized territories and based on an analysis of the current state of economic development in urbanized regions, it has been determined that economic progress is hindered by several problems: Disparities in the development of urbanized territories: Uneven development of different areas poses challenges for the effective use of resources and ensuring sustainable economic growth. Low level of cooperation between parts: The need for more effective interaction and collaboration between regions limits joint development and resource exchange opportunities. Outdated approaches to urban planning: Obsolete methods lead to cities' sprawl and chaotic construction, undermining the balanced housing policy. Unbalanced housing policy: The absence of an effective housing policy can lead to issues of housing accessibility and a decline in its quality. Urban infrastructure needs to meet modern requirements: Outdated systems and adequate infrastructure can impede the sustainable development of cities. Military aggression: The conflict with the Russian Federation has resulted in severe economic difficulties, including high levels of external and internal migration, elevated unemployment, and an overall deterioration of the country's economic development. These problems necessitate a comprehensive approach and practical strategies to ensure sustainable economic growth in urbanized territories and the government. Therefore, to address the development issues of urbanized regions, it is necessary to develop effective development programs at both the national and regional levels. These programs should focus on reconstructing territories, infrastructure, and industry, creating a comfortable and safe environment, generating new employment opportunities, reducing unemployment, and promoting overall economic growth.

The priority tasks that, once resolved, will contribute to the economic development of urbanized territories include:

1. Overcoming disparities in the development of urbanized territories by designing effective state policies, strategies, and programs for economic growth in these areas.
2. Establish cooperation and further develop collaboration between different territories.



3. Improving urban planning by creating effective plans for spatial development with active citizen involvement.
4. Develop housing policies to renovate outdated housing stock and construct housing to meet the needs of society and internally displaced persons.
5. Advancing urban infrastructure development with a focus on inclusivity and innovation.
6. Addressing the consequences of war, including the reconstruction of residential, social, and critical infrastructure, considering international standards and societal needs based on sustainable development principles.

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# THE IMPACT OF MIGRATION PROCESSES CAUSED BY THE WAR ON THE DEVELOPMENT OF THE POLISH AND UKRAINIAN ECONOMIES

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## ABSTRACT

The outbreak of war in Ukraine has dramatically changed the migration situation in many countries of Central and Eastern Europe. Among them, the most important role is played by Poland, where the largest number of Ukrainians who fled the war zone after 24 February 2022 arrived. Citizens of Ukraine are leading in terms of statistics on entry, settlement, visas, people working and studying in Poland, and people applying for Polish citizenship. The social and economic ties that have been built over the years through economic migration, as well as the cultural and geographical proximity of our countries, make Poland a place where those fleeing war can count on safe haven, help and support. It is difficult to predict the future of Ukrainian refugees from Russian aggression in Poland, as well as in Ukraine, when they return after the victory and to establish their role in the reconstruction of the country. Their number, as people returning to Ukraine, depends mainly on the events of the war, the EU's policy on Ukraine's accession to the Union, and living and working conditions during the reconstruction of the Ukrainian state. A significant proportion of refugees from Ukraine state that they may stay in Poland, which means that they will actively support the Polish labour market in the long term and ensure the development of the Polish national economy. All of this requires immediate, balanced action on the fate of refugees by state institutions in both Ukraine and Poland.

**Keywords:** migration, economy, war, refugees, migration crisis, labour migration.

## Introduction

In the context of Russia's military actions against Ukraine, Poland has become the main country of foreign migration for Ukrainian citizens. On the one hand, this contributes to the deepening of interpersonal and thus interstate relations and understanding, but on the other hand, it threatens Ukraine with the loss of population, and is ambiguously perceived by some citizens in Poland, who see Ukrainian migrants as competitors in the labour market and a factor in the stagnation of their income.

Since 24 February 2024, almost 12 million Ukrainians have crossed the Ukrainian-Polish border. Today, there are about a million Ukrainian refugees in Poland. At the same time, Poland has recently been losing Ukrainian citizens enjoying temporary protection. According to Eurostat, at the beginning of the second half of 2023, almost 975,000 Ukrainian citizens were registered in Poland, while in Germany there were approximately 1.1 million. This means that since 2022, the



number of registered refugees in Poland has decreased by more than 350,000, while in Germany it has increased by more than 10,000.

Therefore, the issue of forming priority vectors of relations between Ukraine and Poland regarding Ukrainian refugees and determining their role in the development of national economies both during the period of Russia's military aggression and after the victory and reconstruction of Ukraine is of particular relevance.

The analysis of recent researches and papers published. Many scholars have studied the migration processes of Ukrainians to Poland in the context of the armed conflict in Ukraine. Among the studies that deserve attention are the works of Bilenko O. [5], Chornoi H. [3], Duhiienko N. [3], Gusak D. [4], Horban S. [5], Khrustaleva V. [9], Nikolaets K. [9], Ozhelevskoi T. [9], Shkuropadskoi D. [9], Stunder I. [9], Trubnik, T. [5], Yeninoi M. [17], Zayets O. [17].

However, the dynamic changes in the migration processes of Ukrainians to Poland, their features, challenges and prospects during the period of continued Russian aggression and after the victory and reconstruction of Ukraine remain relevant. As noted by economic expert Kushniruk B., the loss of consumers means a loss of budget revenues, a decrease in the capacity of the domestic market and, accordingly, a decrease in investment [1].

The importance of the migration processes caused by the war in Ukraine and their impact on the economies of both Ukraine and the recipient countries, including Poland, has led to a number of analytical studies [2; 7; 8; 11; 12].

In particular, according to research of the National Bank of Ukraine [13], the inflow of labour and expenditures of Ukrainian migrants abroad are positive factors for the economies of host countries, although a significant inflow of migrants poses a number of challenges, in particular for public finances. At the same time, the net fiscal effect for Europe in the long run will be positive, as Ukrainians actively integrate into the European labour market and pay taxes. Ukrainian migrants' spending supports the economies of host countries primarily through private consumption (partially offsetting the negative impact of Russia's full-scale war against Ukraine on real private consumption in the EU). In particular, in 2022, the expenditures of Ukrainians abroad more than tripled compared to the previous year, to USD 2 billion per month. Spending on Ukrainian migrants also stimulates public consumption, in particular in the areas of housing infrastructure, healthcare, and education (given the significant share of children - from 28% to 44% in different countries). According to calculations based on estimates from the IMF study (2020), UN and Razumkov Centre surveys, *ceteris paribus*, the contribution of Ukrainian migrants will result in a 2.2-2.3% increase in the output of goods and services in Estonia, Poland and the Czech Republic in 2026 compared to the baseline scenario without migration [13].

Another study also points to positive economic changes in the host countries. Its authors, having analysed economic trends and data on Ukrainians' expenditures abroad, concluded that despite short-term challenges for recipient countries, there are a number of positive economic trends for countries that have hosted Ukrainians in the medium term [15].

The purpose of this study is to assess the current state and prospects of the impact of the refugee flow from Ukraine to Poland due to Russia's full-scale war against Ukraine on the development of the national economies of the countries.

Results of the research. Russia's armed aggression has prompted millions of Ukrainian citizens from all regions to migrate outside the country in search of safety. According to the United Nations High Commissioner for Refugees in Europe, at the end of 2023, there were almost 5.8

million Ukrainians who fled Ukraine after the start of Russia's full-scale invasion. The vast majority of refugees are people of working age with higher education.

The EU Council's forecasts indicate that migration could reduce Ukraine's population by 24-33%, depending on the duration of the hostilities and the unstable functioning of critical infrastructure.

Since the beginning of the Russian invasion, Ukraine's economy has been operating under unprecedented security challenges. Genocidal warfare has led to the migration and internal displacement of about 11-12 million Ukrainians. Many businesses have suspended their operations due to the direct military threat or blocked access to markets or raw materials.

With the outbreak of full-scale armed aggression, there is not a single industry in the country that has not suffered losses, directly or indirectly. The dynamic processes of business development before and after Russia's full-scale invasion of Ukraine are shown in Table 1.

Table 1

Indicators of business development in the Ukrainian economy before and after Russia's full-scale invasion of Ukraine

Indicators	Years		Reduction	
	2021	2022	-	%
1. Number of operating business entities (thousand units):				
✓ legal entities, total	370,9	262,0	108,9	29,4
• large	0,6	0,5	0,1	19,0
• medium	17,5	14,8	2,7	15,5
• small	352,7	246,6	106,1	30,1
• of which are micro	304,7	206,2	98,4	32,3
✓ individual entrepreneurs	1585,4	1470,6	114,8	7,2
• medium	0,3	0,2	0,1	17,8
• small	1585,1	1470,3	114,8	7,2
• of which are micro	1576,2	1465,3	110,9	7,0
2. Number of employees (thousand people):				
✓ legal entities, total	6511,6	5486,1	1025,5	15,7
• large	1648,7	1369,9	278,8	16,9
• medium	2967,8	2582,8	385,0	13,0
• small	1775,2	1429,7	345,5	19,5
• of which are micro	777,1	583,6	193,5	24,9
✓ individual entrepreneurs	2544,5	2120,0	424,5	16,7
• medium	31,9	27,3	4,6	14,4
• small	2512,5	2092,6	419,9	16,7
• of which are micro	2350,3	1999,9	350,4	14,9
3. Volume of sales (goods and services) (UAH billion):				
✓ legal entities, total	13867,1	10617,3	3249,8	23,4
• large	5140,4	4024,3	1116,1	21,7
• medium	5901,1	4906,8	993,3	16,8
• small	2576,4	2101,9	474,5	18,4
• of which are micro	862,4	672,8	189,6	22,0
✓ individual entrepreneurs	1373,0	86,9	1286,1	93,7
• medium	31,8	31,8	0,0	0,0
• small	1341,2	55,1	1286,1	95,9
• of which are micro	1291,1	31,2	1259,9	97,6

Source: calculated by the author according to [16].



Ukrainian statistics do not determine the impact of Ukrainian migration abroad, and in particular to Poland, on the negative development of the economy, but the share of this factor is quite significant. 85% of Ukrainian refugees in Poland were professionally active in Ukraine.

By place of work in Ukraine, refugees worked in trade – 14 %, education and culture – 9 %, industry – 6 %, healthcare and care – 6 %, finance – 5 %, agriculture – 4 %, hotels and gastronomy – 4 %, transport – 3 %, construction – 3 %, computer science - 2 %, office work and administration - 11 %, private services – 6 %, household services – 1 %, other work – 10 %, neither working nor looking for work – 11 %, neither working nor looking for work – 5 % [13].

Economic studies show that Ukrainians who have taken refuge in the EU support the country through the following factors: spending on purchases; legal employment and paying taxes; using bank cards and ATM transactions; and renting housing [15].

Ukrainian refugees take an important part in the active life of the EU. In 2022, Ukrainians spent USD 20 billion abroad (UAH 14.73 billion in the second quarter of 2023), which is 10% of Ukraine's pre-war GDP - this is how much Ukraine will lose if women of working age do not return home after the war.

Ukrainians have signed 1.87 million labour contracts in 17 EU countries, meaning that more than half of able-bodied Ukrainians have found work in Europe.

One of the best employment dynamics is observed in Poland, where 70% of almost 1 million Ukrainians with temporary protection are employed.

The Polish Employment Agency EMC conducted a study that concluded that the country's GDP grew by at least 1% thanks to Ukrainian forced migrants.

Ukrainian refugees contribute to the development of the Polish economy in the following sectors: industry - 19 %, trade and warehousing - 10 %, household cleaning services - 9 %, education and culture - 7 %, hotel and gastronomy - 6 %, office activities and administration - 6 %, private services (e.g. hairdressing) - 5%, construction - 3%, agriculture - 4%, health and care - 3%, transport - 3%, IT - 3%, finance - 2%, household care services - 1%, and other - 18% [13].

An important issue is the process of integration of migrants from Ukraine into the Polish labour market (Table 2).

Table 2

The role of Ukrainian education in the employment of refugees in Poland, %

Differences in work	Levels of education		
	secondary technical and lower	secondary	higher
1. In Poland different, but not lower qualifications	36	38	25
2. In Poland lower qualifications	36	31	47
3. No noticeable difference	28	31	28

Source: [13].

More Ukrainian entrepreneurs are also registering in Poland, and in 2022 they paid social contributions in Poland worth USD 927 million. The forecast for 2023 is about USD 1.4 billion. In 2022, the number of Polish companies with a Ukrainian share in the capital increased by 15 thousand.

Ukrainian migrants are adapting very effectively to the Polish labour market and economic landscape, and have increased revenues in the trade sector. As of the summer of 2023, Ukrainians' expenditures abroad averaged €1.2 billion per month.



Polish statistics show that Ukrainians had a significant impact on the growth in 2022 in the number of people transported by passenger transport (35%), financial and insurance services (42%), consulting services (29%), and employment services (31%) [8].

Today, refugees from Ukraine partially solve the EU's problem of staff shortages and population ageing. Ukrainians in Poland have full and free access to healthcare, education and other social benefits, just like Poles.

An important tool for the future development of Poland's economy is the work with children who have been sheltered in this country since the beginning of full-scale Russian aggression.

According to the Educational Information System of the Ministry of Education of Poland, 182012 children who arrived from Ukraine after 24 February 2022 were registered as of 11 October 2023. This includes 33180 children in preschools, 108077 in primary schools, and 40755 in secondary schools. At the same time, the monitoring of the Centre for Civic Education Foundation shows that 350,000 Ukrainian children arrived in Poland, including 56% of school-age children, which means 170,000 were not covered by the Polish school system and stayed at home [6].

The way these children will be educated (Polish schools, Ukrainian online schools, mixed learning) will determine how many Ukrainian children and their parents will stay in Poland or return to Ukraine, and this is to some extent the future of the Ukrainian and Polish states.

## Conclusions

It is difficult to predict the future of Ukrainian refugees from Russian aggression in Poland and Ukraine when they return after the victory and their role in the reconstruction of the countries. Their number, as people returning to Ukraine, depends mainly on the events of the war, the EU's policy on Ukraine's accession to the Union, and living and working conditions during the reconstruction of the Ukrainian state.

A significant proportion of refugees from Ukraine state that they may stay in Poland, which means that they will actively support the Polish labour market in the long term and ensure the development of the Polish national economy.

All of this requires immediate, balanced action on the fate of refugees by state institutions in both Ukraine and Poland.

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$$f(x) = a_0 + \sum_{n=1}^{\infty} \left( a_n \cos \frac{n\pi x}{L} + b_n \sin \frac{n\pi x}{L} \right) \quad (1)$$

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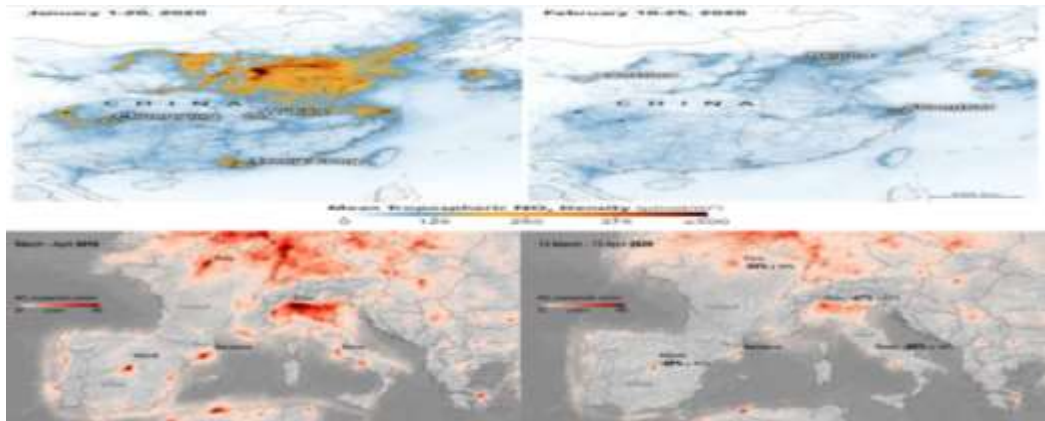
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Font	<b>Article Title</b>	<b>Headings</b>	<b>Subheadings</b>	<b>Reference list</b>	<b>Text</b>
	Times New Roman, 16 pt, Bold, centred	Times New Roman, 11 pt, Bold, Left aligned	Times New Roman, 10 pt, Bold, Left aligned	Times New Roman, 8 pt, Justified	Garamond, 11 pt, Justified
Line Spacing	1.15	1.15	1.15	1.15	1.15
Page number	We will format and assign page numbers				

(Times New Roman, 10)





**Figure 1:** Logo of the AIJR Publisher (Times New Roman, 12)

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