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## LEGAL SUPPORT OF FORMATION THE PUBLIC POLICY OF THE FOR HUMAN RESOURCES TRAINING FOR UKRAINIAN HEALTHCARE SYSTEM

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### ABSTRACT

This article analyzes the mechanisms of legal support for the training of professional and managerial staff for the pathology service and the health care system of Ukraine. There is also analyzed regulatory and legal support of public policy on training for the health care system and pathology service in Ukraine. There is in study result was revealed that the formation of public policy on training for the health care system in Ukraine involves the creation of legal, organizational, and other conditions that determine the formulation of legal acts for regulating these activities and appears in the study of organizational and regulatory framework of such policy. It is also proven that the regulation of the process forming public policy of on the training of professional and managerial staff for the health care system requires the existence of both laws and regulations acts.

**Keywords:** pathological anatomical service, normative-legal regulation, personnel of pathological anatomical service, leading personnel of the health care system.

### INTRODUCTION

**Formulation of the problem.** Prior to the reforms, Ukraine had a rather large and rather complex basis for the regulation of the health care system, which had been formed over many decades. During the ongoing transformations, the legal framework for health care reform was created, aimed at decentralizing the state health care system and health care management with the separation of a single health care system into public and private. The structural restructuring of the industry is underway. However, due to the organizational difficulties and conservatism of the legal system, it is impossible to immediately replace the current array of the health care system regulations acts with another, even the most effective. In addition, the fragments of legislative support of the public health care system, which are separated and presented in all branches of law, do not contribute to the formation of a holistic system, so the measures taken are not comprehensive [1].



This requires not only a well-thought-out strategy for health care reform, but also the creation of a single legal framework for the regulation of medical activities, which includes civil, criminal, administrative, financial and economic aspects, as well as moral and ethical ideas. Which are an integral part of the activities of the pathological service and are extremely important for it. The topical issue is the state management of the pathological service of Ukraine.

**Analysis of recent research and publications.** Scientific research is devoted to the problem of ensuring the effective functioning of the pathological anatomical service in Ukraine. These include works by domestic and foreign authors, such as: S.Hychka, I.Gorelyk, S.Goryunova, V.Greenberg, V.Dibrova, A.Dividenko, L.Julian, B.Eshmurotov, A.Iskandarov, G.Kasymova, A.Kotuzha, D.Kuldashev, A.Pakhlevanzade, L.Rosha, I.Sidorenko, V.Stetsenko, Z.Salnikov, S.Taylor, V.Krisko, S.Szyman and others.

**The purpose of the article.** To analyze the legal ensuring mechanism of the public policy formation on the training of professionals for the pathology service and for the health care system of Ukraine.

**Presenting main material.** In modern conditions, the pathological service in Ukraine provides lifelong and postmortem diagnosis of diseases, pathological processes, quality control of medical and diagnostic work in health care facilities, advanced training of doctors of the medical network, provides statistical authorities with reliable information about causes of death in medical institutions. The formation of public policy on accessibility, efficiency and quality of the health care in Ukraine supposes the creation of legal, organizational and other conditions that require improvement of legislation aimed at regulating this activity and is manifested in the study of organizational and regulatory framework for such policy. The peculiarity of the public policy formation in the system of managerial public relations is that it should be a tool for regulating relations between members of society, taking into account their diversity [2].

That is, the regulation of the process of forming public policy for the preparation of the effective functioning of the pathological service of the health care system presupposes the existence of both laws and by-laws. Most modern laws are effective only when political, administrative and social actors (subjects of the political process), united by various institutional agreements, make management decisions, that is form public policy, taking into account the rules of these laws [2]. Thus, the Sustainable Development Strategy “Ukraine – 2020” provided for the implementation of reforms and programs of state development, including the reform of the health care system within the framework of these four vectors of movement:

- it's creation of a patient-oriented system capable of providing medical care for all citizens of Ukraine at the level of developed European countries;
- increasing the personal responsibility of citizens for their own health [3].

It is important that significant changes have taken place recently, such as the development and adoption of regulations that have begun the process of health care reform. Law of Ukraine of 19.10.2017 № 2168-VIII “On state financial guarantees of medical care”, namely in paragraph 1 of Art. 4, it is determined that within the program of medical guarantees the state guarantees to citizens, foreigners, stateless persons permanently residing on the territory of Ukraine, and persons recognized as refugees or persons in need of additional protection, full payment of their medical services and medicines at the expense of the Ukrainian State Budget [4].

The Law of Ukraine of April 6, 2017 № 2002-VIII “On Amendments to Certain Legislative Acts of Ukraine on Improving the Legislation on the Activities of Health Care Institutions” [5] initiated the process of changing the organizational and legal form of a municipal non-profit enterprise



(autonomy). Although some progress has been made in reforming the health care system in 2014-2018, the health sector remains in a critical state.

Continuation of transformation processes in the Ukrainian health care system and especially in the organization of effective functioning of the pathology service requires the training of qualified managers capable of implementing reforms, which are actual in the analysis of legal and organizational principles of public policy for effective functioning of the pathology service of Ukraine. Accordingly, there is a need to analyze the current state of legal regulation of public policy for training pathologist's personnel in the health care system, specialist's sectoral personnel policy, and to outline possible changes to regulations governing the staffing of the health care system and for management system for health care.

During the years of independence, Ukraine has developed legal acts that cover certain aspects of state personnel policy, often with a practical, sectoral focus. In the conditions of formation of a legal social state, the formation and implementation of state policy aimed at public health and transformation of the health care system is carried out by taking of regulations. Legal regulation is a process of purposeful influence of the state on public relations with by special legal means and methods which are aimed at their stabilization and streamlining. Thus, it is the regulation of people's behavior through regulations designed for their repeated use in the presence of the circumstances provided by them [6].

According to the criterion of hierarchy in the normative legal acts system, the legislative base of the health care system consists of five groups (levels) of normative documents [7]:

- 1) Of the Constitution of Ukraine (such as, Article 49 - the right to health care, medical assistance and medical insurance) [8];
- 2) sectoral codes that contain general rules applicable in the medical field (Civil Code of Ukraine, Criminal Code of Ukraine, Code of Ukraine on Administrative Offenses, Code of Labor Laws of Ukraine, etc.);
- 3) Laws of Ukraine "Fundamentals of the legislation of Ukraine on health care", as the main special law in this area [9];
- 4) Special laws in certain areas of medical activity (donation, psychiatric care, infectious diseases, etc.);
- 5) Acts of central and local bodies of state executive power (decrees and orders of the President of Ukraine, resolutions and orders of the Cabinet of Ministers, orders and instructions of the Ministry of Health of Ukraine, normative legal acts of other authorities).

Thus, today the system of Ukrainian legislation the health care system consists of regulations governing the training of personnel in the health care system and managers for the health care system in general [10]:

- 1) International legal acts ratified by Ukraine.
- 2) Constitutional legislation.
- 3) General legislation on public health.
- 4) Sectoral legislation, which contains legal norms governing public relations in certain industries and spheres of medical activity, the participants of which are medical workers and patients.

Training, retraining and advanced training of medical and pharmaceutical workers are carried out by the relevant secondary special and higher educational and scientific institutions, institutions of advanced training and retraining, as well as through internships, residencies, postgraduate and doctoral studies in accordance with education legislation. Curricula and programs of training, retraining and advanced training of medical and pharmaceutical workers in the prescribed manner



are agreed with the central executive body, which ensures the formation of state policy in the field of health [9].

The development of management and medical education in modern conditions is regulated by the legislation of Ukraine in the field of higher education of Ukraine, namely: laws of Ukraine “On Education”, “On Higher Education”, Decree of the President of Ukraine of June 25, 2013 № 344/2013 education in Ukraine for the period up to 2021”, etc. [11-13]. The Law of Ukraine “On Higher Education” establishes the basic legal, organizational, financial principles of the higher education system, creates conditions for strengthening cooperation of state authorities and business with higher education institutions on the principles of autonomy of higher education institutions, combining education with science and industry to prepare competitive human capital for high-tech and innovative development of the country, self-realization of the individual, meeting the needs of society, labor market and the state in qualified professionals [12].

Participants of the parliamentary hearings on “Medical education in Ukraine: a look into the future” held in the Verkhovna Rada of Ukraine on March 22, 2017, considering the current state and prospects of medical education in Ukraine, noted that the medical education system in Ukraine must accord the modern needs of the health sector in highly qualified personnel and be integrated into the European economic and educational space and recommended the Cabinet of Ministers of Ukraine to ensure the development and approval of the Concept of personnel policy in the field of health of Ukraine.

Modern public policy tends to expand and include a significant number of both public and private actors in the process of formulating public policy for the management of the health care system. The mechanisms for making public policy are thus becoming more complicated and more and more modern requirements are being imposed for its implementation. For systems in the process of transformation, the formation of public policy acquires a special meaning. This issue is especially acute for modern Ukraine, which is in a state of solution of problems caused by deep political and economic crises, including transformations in the field of health care.

Public health policy – making is possible with a professional, accountable, effective and efficient system of central government. Improving the quality of training of public servants, including health care managers, is a priority. The laws of Ukraine determine the basics of education and health care. The state guarantees equal opportunities in choosing a profession and type of employment, implements training and retraining programs in accordance with social needs [2]. The state is forming health care policy in Ukraine and ensures its implementation [8].

The legislation determines that the implementation of the state health care policy is entrusted to the executive authorities, as the Cabinet of Ministers of Ukraine (CMU), the Ministry of Health, the Council of Ministers of the Autonomous Republic of Crimea, and local state administrations. Local self-government authorities implement state policy in the field of health care within the limits of their powers provided by law. The Minister of Health (MOH) is the main body in the system of central executive bodies that ensures the formation and implementation of state policy in the field of health care, in the formation of public policy on training of medical and managerial staff for the health care system, respectively to the tasks assigned to him:

- forms proposals for the state order for the training of specialists, scientific, scientific and pedagogical personnel, advanced training and retraining of personnel in the field of health care for the relevant years and places the approved volumes in the manner prescribed by law;
- approves in the prescribed manner the curricula and programs of training, retraining and advanced training of medical and pharmaceutical workers.





For organize its activities, the Ministry of Health selects personnel for the staff of the Ministry of Health, enterprises, institutions and organizations belonging to the sphere of its management, organizes training, retraining and advanced training of employees of the staff of the Ministry of Health. The Ministry of Health ensures the formation of state policy in the relevant field and monitors its implementation by central executive authorities, whose activities are directed and coordinated by the Minister. By the order of the Ministry of Health of October 31, 2018 № 1977 it was included in the Handbook of Qualification Characteristics of Workers' Professions (Issue 78 "Health Care"). According to which the head of the health care institution - the general director (director) or the head (head) of the health care institution - will perform exclusively managerial functions and will be engaged in administrative activities, and all medical functions of the head will be performed by the medical director, in particular:

- A new position of medical director was introduced;
- Clearly distinguish the functions of director and medical director;
- Criteria for heads of health care institutions of national, regional and district level were introduced;
- defined educational requirements for the director, whose activities are not related to the organization of the treatment process.

Thus, the General Director or the director of the institution deals with issues of economic activity, manages the production and economic and financial and economic activities of the institution, namely solves the issues:

- Strategic planning.
- Budget formation.
- Coordination of the institution.
- Economic efficiency.
- Organizes the work and effective interaction of all structural units.
- Provides funds for investment needs of the institution, etc.

Until 2022, a candidate with a humanities degree, a lawyer, an economist, a doctor, or a manager may hold the position of director on a competitive basis. From 2022, applicants who do not have managerial or managerial education in the field of knowledge "Management and Administration" or "Public Administration" will have to obtain it. In order to achieve the best results in the implementation of domestic health care transformations, the issues of forming public policy on management training for the health care system become relevant, and sectoral personnel policy should be reasonably developed from services depends primarily on the quality of training of medical staff. various stages, as well as the training of managers for the health care system.

Ensuring the legal regulation of health care reform, in particular public policy on management training, the formation of an appropriate legal framework is a complex process designed for the long term and constant updating, the implementation of which is impossible without clear and coordinated cooperation of public authorities and local governments involved in the development of legislation on health care.

## CONCLUSIONS

Given the above, there is a need to improve the legal framework for the formation of public policy on the training of managers for the health care system, in particular, there is a need to adopt additional legal documents, that would regulate and regulate the implementation of such



activities. Methodical recommendations were developed for the first time in Ukraine on the basis of the analysis of the pathological service of Ukraine, at the initiative of the Association of Pathology of Ukraine, appeals of regional pathological institutions and departments to improve the work of institutions. The provisions of the Order of the Ministry of Health of Ukraine “On the development and improvement of pathological services in Ukraine” dated 12.05.1992 № 81 (which expired on the basis of the Order of the Ministry of Health of Ukraine № 628 25.09.2015), other legal documents and sources were used in the development of recommendations.

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## FUNCTIONS OF THE STATE AND LAW ENFORCEMENT: THE SEARCH FOR RELATIONSHIPS IN THE SYSTEM OF PUBLIC ADMINISTRATION

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### ABSTRACT

The theoretical basis for the formation and implementation of state policy in the field of law enforcement is the justification of its place in the context of the implementation of the function of the state and ensuring the appropriate level of security. The functions of the state are the category that determines the directions of its development and transformation in general and individual components in particular. "The question of the functions of the state remains one of the most important issues in the theory and practice of state formation. They play an important role in the implementation of public policy, because without influencing certain social relations, the state is not able to solve the problems facing it and achieve its goals. A special place is occupied by the political function - fundamental for the implementation of other functions of the modern state "[8, p. 23]

The functions of the state are always aimed at ensuring the appropriate level of its security in general and individual elements in particular. Accordingly, law enforcement activity determines both the actual law enforcement function of the state and ensuring the implementation of others related to the implementation of public administration decisions in various spheres of public life.

"The study of the functions of a democratic, social, legal state provides an opportunity to reveal its democratic potential and contributes to a deeper understanding of the mechanism of state interaction with other structures of society in solving the most important political, economic, social, cultural, ideological and environmental problems. The solution of these problems largely depends on the effectiveness of the internal functions of the Ukrainian state, their financial, organizational and legal support, deepening political and legal reform, the introduction of European-style democracy "[11, p. 222].

**Key words:** state policy, law enforcement activity, functions of the state, public administration.

### INTRODUCTION.

**Formulation of the problem.** Formulation of the problem. In the conditions of transformation of external vectors of development of Ukraine and necessity of maintenance of activity of law enforcement agencies, the scientific search of modernization of functional provisions of the state policy in the field of law enforcement activity is actualized. In particular, there is a need to



substantiate the structure of state functions and the place in this structure of law enforcement functions and law enforcement activities as a form of implementation of the set of state functions.

**Analysis of recent research and publications.** The functions of the state were considered by domestic and foreign scientists, in particular: V.B. Averianov, T.H. Andrusiak, S.S. Aliksieiev, M.I. Baitin, K.S. Bielskyi, O.H. Varych, A.B. Venherov, A.I. Denysov, N.I. Dolmatova, M.V. Dzeveliuk, O.O. Dzhuraieva, M.V. Zhyhulonkov, L.I. Zahainov, T.V. Kashanina, S.V. Kivalov, M.M. Kovalevskyi, M.I. Koziubry, V.V. Kopeichikov, O.L. Kopylenko, S.O. Komarov, V.O. Kostiuk, S.A. Kotliarevskyi, V.V. Lazarev, O.V. Martseliaka, O.V. Malko, H.N. Manov, M.M. Marchenko, M.I. Matuzov, A.D. Mashkov, L.A. Morozova, S.M. Melnychuk, T. Mitchell, V.S. Nersesiants, S.V. Kukhtyk, Yu.M. Oborotov, M.P. Orzikh, P.V. Onopenko, H.V. Padalko, Yu.H. Prosvirmina, O.V. Petryshyn, V.F. Pohorilko, P.M. Rabinovych, V.I. Salo, V.V. Sukhonos, O.F. Skakun, L.I. Spiridonov, O.V. Surilov, O.V. Tymoshchuk, Yu.A. Tykhomyrov, Ye.O. Kharytonova, O.F. Frytskyi, A.F. Cherdantsev, V.A. Chetvernyn, V.Ye. Chirkyn, V.V. Shapoval and others. Scientists have laid down theoretical positions and directions of transformation of the function in different periods of the developed state.

**Presenting main material.** In the context of the study of law enforcement, there is a need to understand both the actual law enforcement function and its place in the implementation of other functions of the state.

"According to the conceptual provisions of the theory of state and law, the functions of the state - is the division into separate types, species, groups depending on various criteria (political, economic, social, legal, etc.), which acquire practical significance for the development of strategies and recommendations for transformation, transformation and modernization of certain areas of state activity "[4, p. 8].

"Modern philosophical science has not been able to develop a universal understanding of the concept of function, which would be equally well used to characterize the various objects of study - both tangible and intangible. A certain complexity of the use of the achievements of philosophy in the function of state and legal phenomena is explained by a significant degree of generalization of philosophical definitions. In theoretical jurisprudence, the use of the term "function" is usually associated with the characteristics of the essential side of state and legal phenomena and means the direction, subject of a political and legal institution, the content of this activity and its provision "[8, p. 24]. This is very important from the standpoint of the formation of directions for the development of law enforcement as one of the activities of political and legal institutions, which are the subjects of the formation and implementation of state policy in the field.

Law enforcement activities are a set of tasks that determine the development of state functions. In particular, domestic scholars point out that "the functions of the state reflect its dynamic characteristics. They show what the state must do to achieve and achieve the goals and objectives facing it in a given historical period. However, the functions of the state as the main directions of its activity should not be reduced to the activity itself, because in practice the state sometimes evades or distorts these directions. They should not be equated with the goals and objectives facing the state. If the goal indicates what the state aspires to, and the task - the means and ways to achieve it in certain conditions, the function reflects the coordinated activities of the state mechanism. One problem can be solved by performing several functions "[3, p. 406]. It is worth agreeing with scientists, especially in the position that one problem can be solved with several functions. This indicates that law enforcement, like any other area of government, is not determined by a single function, but can be implemented by a set of other functions, which today are classified on various grounds.



"The ontology and epistemology of the functions of the modern state (their theoretical knowledge, comprehension) in changing global conditions are in cognitive interaction, connections with the axiological, teleological and praxiological components of their research. Being in obvious connection with the social purpose and goals of the state, its functions reflect their essential properties, taking into account the socio-target (teleological) characteristics. This approach enhances the certainty of the argument for understanding the function of the state. If the social purpose of the state justifies the system of its integral (mandatory) functions, stabilizing the process of public administration, the analysis of the hierarchy of goals of the state determines the subject-object orientation of its functioning - ensuring legal and social protection in all spheres "[14, with. 67].

Domestic researcher of modern functions of the state Dzhuraeva O.O. points out that "The beginning of the new millennium is characterized by very important changes in the modern legal and state development of Ukraine, which is determined by the uniqueness, uniqueness of each state, including Ukraine, and the growing globalization. The need to improve the current legislation to most effectively implement its functions by the modern state is becoming increasingly apparent. First of all, this problem requires the creation of a clear economic and political program of social security, improving health care, maintaining the environmental security of the country given the low level of activity of the modern Ukrainian state in these areas. Given the desire of modern Ukraine to economic and political change, the state needs to make some adjustments to the methods of traditional state bodies and create new structures that are most capable to perform the most important functions of the state in this period "[6, p. 3].

Accordingly, the transformation of the vectors of development of the state affects its functions and mechanisms for their implementation, as well as the methodology of public policy and public administration in the field of law enforcement and other spheres of public life.

I. Tkachenko, a domestic researcher of the problems of state functions, believes that "the understanding of the essence and concept of the state function has changed historically. Until the beginning of the twentieth century, it was considered in the context of the general doctrine of the state; from the beginning of the twentieth century to the middle of the twentieth century the meaning of the concept of "functions of the state" was studied through the social essence of the state (revealed the tendency to expand the spheres of influence of state activity); from the second half of the twentieth century to the 90s of the twentieth century, the provisions of the theory of state functions were revealed by identifying their nature, classification criteria, characteristics of individual species; the functions of the state are interpreted as the main directions of its activity, reflecting its social essence and purpose of the state (this definition is still in circulation in modern legal science); since the end of the twentieth century, under the influence of the doctrines of a democratic, legal state, ensuring human rights, the content of the functions of the state has changed; the beginning of the XXI century and to date the change of semantic aspects of the concept of "state function" (in connection with the introduction of the idea of service state and decentralization), strengthening the interaction of internal and external functions of the state "[19, p. 103].

The evolution of the functions of the state at the present stage of their development was substantiated by O.O. Bandurka [2, p. 17], with which I. Motil agreed [11, p. 222-223], in particular in the works it is noted:

- "the process of building society, which partially takes over the powers of the state, significantly affects the content of functions, forms and methods of their implementation." It should be noted



that the functions of the state have been significantly transformed in the context of the formation of civil society and the growing involvement of the public in the formation and implementation of public policy in various spheres of public life. In addition, in today's conditions, public control has an increasing influence on law enforcement;

- "the influence of the international environment, which is manifested in the strengthening of the interdependence of states in solving global problems and expanding their multilateral and bilateral cooperation in various spheres of public life." Since the second half of the twentieth century, there has been an increasing role of international organizations in the development of nation-states. In addition, globalization processes have led to the increasing dependence of states on transnational corporations and the international community. This is due to several approaches: first, resource, which is most typical for countries dependent on imports of resources, including energy; secondly, financial, which is typical for Ukraine from the standpoint of receiving funding from international donors; third, rating, when the state must build confidence in the international arena, which in turn in the future will ensure the attractiveness of the state as a full-fledged international partner and attract additional financial resources in the development of the state economy;

- "the growing role of local governments in solving social problems." In the last five years, decentralization reform has become increasingly popular in Ukraine, which has had a very positive effect on certain territorial communities. Accordingly, certain functions of the state were redistributed;

- "creation of favorable political, economic, social, spiritual and other internal and external conditions." Conditions are important in the implementation of state functions because it is the political will, economic resources, social and spiritual preconditions that influence the structure and content of functions;

- "strengthening of financial, organizational, legal forms and methods of realization of functions, improvement of the normative-legal base of activity of the state". The effectiveness of the state's functions assigned to it depends on the forms of their implementation. These forms are manifested in the mechanisms of public administration and public policy. Public administration itself is a system of realization of state functions at all levels;

- "strengthening the harmonious combination of novelty arising from the democratic content of the modern state, and the succession of individual elements from the previous state." The evolution of the state and the formation of democratic principles of its development led to a change in functions and the transfer of some of them to the private sector.

Domestic researcher V.V. Murza studying the substantive provisions of the functions of the state emphasizes the following provisions:

«1. The direct connection between the essence and social purpose of the state, which is realized in the relevant activities (the content of which reflects its subject, the focus on the realization of the interests of certain social groups, forms of its implementation, etc.). There is a particularly significant difference in the content of the functions of states with different political regimes.

2. Reflection of the main activities of the state. Forms and methods of performing functions may change, while the main activities of the state remain unchanged for a long time. The functions of the state have a substantive, objective nature because they arise in society due to objective necessity, at a certain stage of its development and are characterized by a high degree of stability (stability).

3. Focus on solving specific tasks in the interests of achieving the general state goal facing society at a certain stage of its development. The content of functions does not remain unchanged



throughout the development of the state and society. Changes in functions can occur radically, for example with the change of political regime, in periods of radical socio-political transformations, or gradually, when the development and improvement of social relations gradually changes the essence of the state and, accordingly, the tasks facing it "[12].

According to the specified functions of the state are changeable to the internal and external environment, it is caused by a set of factors, in particular:

- first, the evolution of social relations leads to the transformation of state functions. In turn, the functions of the state are the elements of the theory that evolve and have a hereditary nature, which in its ergo leads to variability. "The functions of the state are characterized by heredity, which is because they are subject to the powerful influence of ethnocultural layers of society - national, territorial features, traditions and more. Therefore, a new type of state, which is formed in the development of a particular state organizational society, in overt or covert form retains and even develops some old functions; each function of the state should be considered as an element of a single system of functions, outside such a system the concept of function has no real meaning "[6, p. 7]. "The activity of the state to carry out its functions in general always has a specific historical meaning, and it is in the process of implementation that their specific relationship is formed, the meaning of each function in the general system is formed. In certain periods of the state's existence, there may be a change in priorities, which causes appropriate changes in the functioning of the state, and the functions that are currently of the greatest social importance come to the fore "[12].

- first, the emergence of new risks and threats for the state as a whole and its elements in particular. Such elements are different spheres of public activity, which determine different levels of state and national security, in particular: economic, social, military, public, environmental, legal, geopolitical and others. Accordingly, the functions are aimed at ensuring the appropriate level of security. "The highest social purpose of the state is to guarantee the normal, safe functioning of society, to create solid and stable conditions under which the integrity of society and its proper (natural) functioning is achieved mainly due to economic and spiritual factors [1, p. 23]»This indicates the transformation of the structure of state functions and as a result causes changes in the system and methodology of public administration and the process of formation and implementation of public policy in various spheres of public life. This is especially important because the task of public administration and the purpose of public policy can be achieved by different functions of the state;

- secondly, the transformation of methods and methodologies of public administration and the process of formation and implementation of public policy affect the mechanisms of implementation of state functions, and accordingly their content and structure. In modern science, there are legal and non-legal forms of implementation of such functions. "Legal forms of exercising the functions of the state traditionally include law-making and law-enforcement (executive). These and other forms of state activity under the influence of objective and volitional factors develop in content and species, which gives grounds to distinguish, in addition to traditional, new approaches to their systematization: law enforcement (including law enforcement, control and supervision, judicial); contractual; administrative; registration and title; law enforcement. As a criterion for the classification of legal forms, it is advisable to take into account the specific content of state activity. Non-legal forms are also important in the implementation of state functions. They are not related to legally significant actions and their legal consequences, but, in most cases, are regulated by law, are manifested in bylaws and are associated with



organizational, including preparatory work. The term "non-legal", however, does not mean that they are not implemented through law (for example, planning, which includes intellectual, analytical activities, law-making activities for the adoption of the budget law). Legal and non-legal forms of realization of state functions are interdependent in the following variants: a) non-legal forms precede legal ones, provide the possibility of their use (for example, collection, processing, analysis of information, development of proposals precede the adoption of laws and other normative acts); b) non-legal forms can be implemented by enshrining them in regulations, acquiring a legal form (for example, the financial plan adopts the form of the law on the budget); c) the implementation of legal acts is ensured through organizational measures (bringing to the executors, inspections, personnel work, etc.) "[14, p. 156-157].

- thirdly, although the functions have a practical implementation, they are a theoretical position of the state development and always change both in content and structure, which in turn leads to a change in the theoretical provisions of public administration. "Functions are such objectively necessary directions of the substantive activity of the state, without which society cannot exist and develop normally. They are stable in certain spheres of public life and require concerted management decisions and actions of all components of the state mechanism. Therefore, the functions of the state should not be equated with the functions of individual state bodies. Functions reflect not only the direction of electoral influence of the state but also coordination, comparison of administrative activity of the state with similar activity of other public associations. Therefore, the functions of the state are objectively determined by the laws of this political and legal system, the peculiarities of interaction between society and the state, the current goals and objectives facing them throughout the history of the state and in a certain historical period "[3, p. 406].

- This indicates that the functions of the state are an important theoretical position of public administration as a system of their implementation. Accordingly, for the formation of a highly effective system of public administration of law enforcement, there is a need for scientific knowledge about the functions of the state and the place of law enforcement to ensure them, which forms the basis for the formation and implementation of public policy in the study area.

- The properties of the functions of the state are quite clear in their classification. Today in the scientific literature the classification of state functions is not established, different scholars distinguish different features and types of state functions. Even with the same classification structure, different types are given different content functions.

- Domestic researchers of the problems of the theory of the state and law R.Ya. Shai [16] and Klimov OO [7] offer a multilevel classification of state functions:

- depending on the duration of action: steel (carried out by the state at all stages of its existence (for example, economic)); temporary (the appearance and disappearance of which are caused by specific conditions of social development (for example, the function of assisting in the region where the natural disaster occurred));

- depending on their social purpose: main (main functions are a priority at a particular stage of development of society. These include the functions of defense, maintaining external relations, law enforcement, economic, environmental, social, etc.); derivatives (auxiliary) (derivatives must include functions of ancillary, auxiliary or service nature (for example, personnel management, logistics and property management, implementation of budgetary policy and accounting, etc.));

- depending on the direction of the state goals being implemented and the tasks performed: internal (these are the main activities of the state under the internal tasks (economic, political,





social, environmental, taxation and financial control function, cultural, law and order) external) (these are the main activities of the state following its external tasks (protection of the country, maintaining order, community with other states, etc.). They are closely related to internal, their implementation ensures the full existence of the state, especially in today's world. increasingly interconnected, globalized).

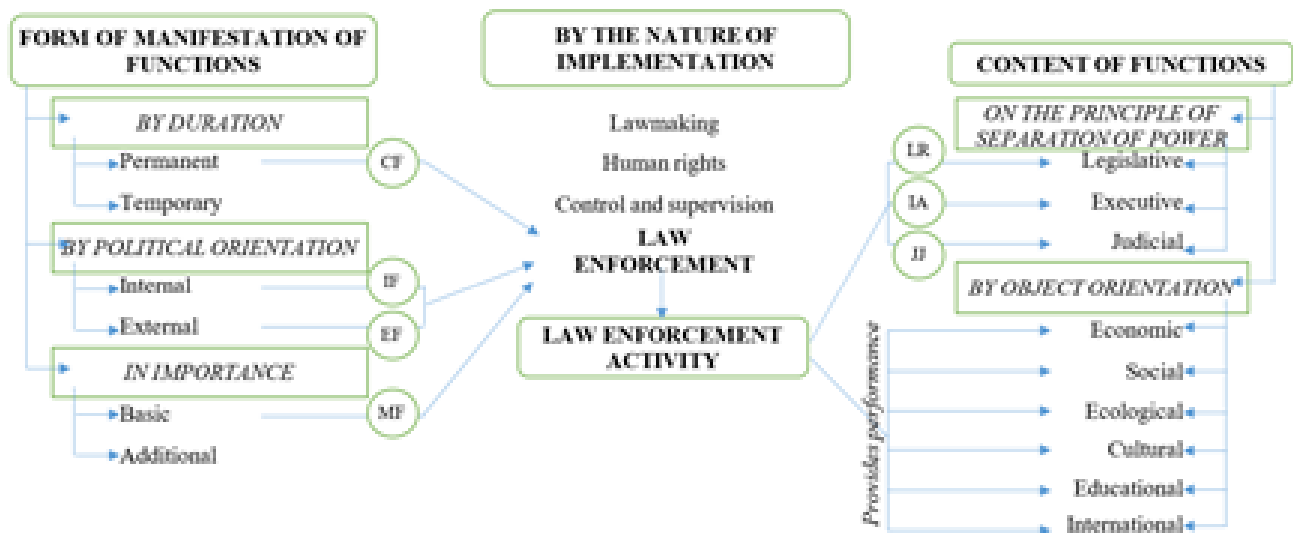
Dzeveliuk M. [5] offers the following classification features of state functions:

- by social importance: basic (under the main functions are understood the most general and important areas of state activity to implement strategic objectives and goals facing the state in a particular historical period); non-core (non-core functions include the implementation of specific tasks by the state in secondary spheres of public life);
- by the duration of action: permanent (carried out at all stages of development of the state); temporary (caused by certain specific conditions, with the disappearance of which this function disappears);
- by the political orientation of the state: domestic (provide domestic policy); external (provide activities outside it);
- on the principle of separation of powers: legislative (law-making); managerial; judicial;
- by objects of state influence: in the field of the economy (long-term planning and forecasting of economic development of the country, formation of the state budget, the establishment of the taxation system, promotion of entrepreneurial activity, etc.); in the social sphere (social protection of the poor, development of the health care system); in the political sphere (protection of law and order, human rights and freedoms, ensuring the free will of citizens, prevention of interethnic and religious conflicts); in the cultural sphere (state support and financing of culture, art, education); in the international sphere (mutually beneficial economic, political, scientific and technical, military and cultural cooperation with other states, protection of territorial integrity and sovereignty, support of the international security system, etc.).
- Murza VV [5] proposed the following classification of state functions:
- by social importance (significance): the main (under the main functions understand the most general and most important activities of the state to implement strategic objectives and goals facing the state in a particular historical period); non-core (non-core functions include the implementation of specific tasks by the state in secondary spheres of public life);
- by the duration of action: permanent (carried out at all stages of development of the state); temporary (caused by certain specific conditions, with the disappearance of which this function disappears);
- depending on the political orientation: internal (activities within the country); external (activities outside it);
- by objects of state influence: in the economic sphere (long-term planning and forecasting of economic development of the country, formation of the state budget, the establishment of the taxation system, promotion of entrepreneurial activity, etc.); in the social sphere (social protection of the poor, development of the health care system); in the political sphere (protection of law and order, human rights and freedoms, ensuring the free will of citizens, prevention of interethnic and religious conflicts); in the cultural sphere (state support and financing of culture, art, education); in the international sphere (mutually beneficial economic, political, scientific and technical, military and cultural cooperation with other states, protection of territorial integrity and sovereignty, support of the international security system and others);

- depending on the nature of the exercise of state power: law-making; law enforcement; law enforcement; control and supervision.
- Butsan M.S. [3]. offers the following classification of state functions:
- according to the specifics of objects of state influence: economic, social, ideological, ecological, defense, etc.;
- by spheres of activity of the state: internal and external;
- by the duration of action: permanent and temporary;
- by the degree of commonality: basic and non-basic.

The presented classification features of the functions of the state are debatable and do not fully characterize one or another activity of the state. This is especially true of law enforcement. After all, some scientists highlight the law enforcement function, which at the same time can be characterized by other classification criteria. In addition, the law enforcement function is implemented by the state through law enforcement activities, which in turn ensures the performance of other state functions. Per the above, there is a need to form a classification of functions of the state from the standpoint of their place in the overall structure of the functional orientation of the state, which showed their interaction.

Given the diversity of approaches to the functions of the state, we consider it necessary to determine an adaptive theoretical model of the interaction of state functions and the place of law enforcement in it. This will fully identify the properties of law enforcement in the functional orientation of the state and public administration, which will lay the conceptual basis for the formation and implementation of public policy in the study area (Fig. 1).



**Legend:** CF – law enforcement activities - constant function; IF – law enforcement - internal function; EF – law enforcement – implemented through an external function; MF – law enforcement - main function; LR – law enforcement – regulated by the legislature and ensures compliance with the law; IA – law enforcement -implemented by the executive authorities; JJ – law enforcement - ensures the execution of judgments of the judiciary

*Fig. 1. Classification model of state functions*



The above classification model of the functions of the state characterizes them in terms of forms of manifestation, nature of implementation and content, as well as determines the order of interaction of different functions. We describe each of the presented areas.

The form of manifestation of the functions of the state implies that they are classified on the following grounds:

1) for the duration of the action. According to this classification feature, permanent and temporary functions are distinguished. This classification features domestic scientist Dubinsky IY. Thus, the scientist notes that "over time, the functions of the state are divided into permanent and temporary. Permanent functions are performed by the state for a long time and are inherent in it at all or most stages of its existence, functioning and development (political, social, defense organization, etc.). Temporary ones appear due to the emergence of specific conditions of social development, the need to solve some urgent problems. As they disappear, they cease to exist (management of military operations during the war, the fight against epizootics, natural disasters, etc.) "[4, p. 9]. It should be noted that even certain functions of the state may be permanent or the content may change. Why such changes can occur both in the context of historical epochs and in the context of the archetypes of the state, which emphasizes the domestic scientist V.G. Bukboiu (Table 1.).

*Table 1. Dominant state functions and archetypes of states according to V.G. Bukboiu*

Functions	Type of state			
	Totalitarian	Authoritarian	Transit	Democratic
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
<u>Соціальні</u>	The social protection; Social equality	Social equality	Stabilization and adaptive	Ensuring human rights and freedoms, compliance with social standards
<u>Political</u>	Ideological, Socialization, Educational	Legitimization of power, Socialization,	Educational Creation of equal political	Openness, transparency and accessibility of government
<u>Economic</u>	Fiscal, Control, State regulation	Fiscal, Control, State regulation	Innovation and investment, Regulatory, Protective	Regulation and coordination of market relations

However, this division of functions of the state is often criticized by domestic and foreign scholars. M. Dzeveliuk believes that "such a typology of functions loses its meaning in the modern world, because all the functions of any modern state can be considered permanent, but due to a specific stage of the historical development of society. The activity of the state to carry out its functions in general always has a specific historical meaning, and it is in the process of implementation that their specific relationship is formed, the value of each function in the overall system is formed. In certain periods of the state's existence, there may be a change in priorities, which causes appropriate changes in the functioning of the



state, and the functions that currently have the greatest social significance come to the fore "[5, p. 173].

In turn, in our opinion, this division still has a right to exist. And even though it is impractical to allocate non-permanent functions of the state, there is still a need to allocate such functions, which in one or another period of development of the state are declared and disappear in the future. Concerning law enforcement activities and the law enforcement function itself, it will be important to point out that ensuring public order, preventing and combating various types of crime and forming security mechanisms is a permanent function of the state. Accordingly, law enforcement is a priority objective of state policy.

2) by political orientation. This classification feature involves the division of state functions into internal and external. Dubinskyi I.Yu. notes that "the focus of the state on solving internal or external problems serves as a criterion for the division of functions into internal and external. Internal functions give an idea of the activities of the state within the country, manifesting itself in such areas of society as economic, environmental, social and others. External functions give an idea of the activities of the state outside its borders, characterize its activities in the international arena in the field of establishing and maintaining relations with other states (defense of the country, ensuring integration into the world economy, maintaining world order, etc.). Both internal and external functions cannot be the same for all states. Certain differences depend on the type of state and the nature of the political regime, the stages of its development, the international situation, the nature of relations between coexisting states. There is a close connection between internal and external functions. Each state for the most effective solution of internal problems enters into relations with other countries in the field of economy, politics, culture, development of armed forces, through which the state can effectively solve those problems that for various reasons can not solve independently, especially when lack of necessary raw materials and other material resources. This leads to the fact that a significant part of external functions is a continuation of internal ones, especially in states with the same type of social base "[4, p. 9].

Dzeveliuk M., a domestic researcher, criticizes this division of functions, noting the following: "the division of state functions into internal and external in modern conditions is becoming more and more conventional. In the conditions of rapid globalization of the world, when almost all countries are connected in an extensive network of various interactions that determine the nature of production, its volumes and standards of consumption, and, finally, human values and ideals, the activities of the modern state are becoming increasingly international. , and activities within the country largely depend on external political and economic circumstances "[5, p. 173].

Scientists have not defined a clear list of internal and external functions of the state (Table 2).

Regarding the identification of law enforcement functions and law enforcement activities as a system of its implementation, this classification should emphasize: that, in its content, law enforcement activities are internal functions of the state, but its implementation uses aspects of external functions, especially concerning the interaction with international law enforcement organizations ( Interpol, Europol and others) and combating cross-border crime, which requires dialogue at both the political and law enforcement levels.

3) the importance of the functions of the state is suppressed on the main and additional.

Table 2. List of internal and external functions of the state in the works of scientists

Source	Functions	
	Internal	External
Skakun O.F. [18, c. 134]	political, economic, social, environmental, cultural, informational, law enforcement, human rights	the function of cooperation and integration with modern states in various state and legal spheres of public life; the function of state defense, peace; support of world law and order
Lazariyev V.V. [9, c. 90]	protection of law and order and property rights, other rights and freedoms of citizens; economic; social; ecological	support for peaceful coexistence; ensuring business partnership and cooperation; protection of state sovereignty
Shestaiev M.T. [17, c. 4-7]	to the internal functions of the state adds the function of social services and cultural and educational function	to foreign - diplomatic activities; the function of economic and cultural ties; the function of combating international crimes; participation in international environmental protection
Morozova L.O. [10, c. 107-108]	ensuring democracy, economic and social functions, taxation function, ecological function, function of protection of rights and freedoms of citizens, ensuring law and order	function of integration into the world economy, foreign economic partnership, function of national defense, support of world law and order, cooperation with other states in solving modern global problems

Skakun O.F. He believes that “the main functions are understood as the most general and important directions of the state's activity about the implementation of strategic tasks and goals that the state faces in a specific historical period. The non-main functions include the implementation of specific tasks by the state in secondary spheres of public life ”[18, p. 134].

Nalyvaiko L.R. has a slightly different position on this issue: "The functions of the state are the main (main) objectively necessary areas and types of internal and external activities aimed at achieving the goals to achieve the appropriate goal in specific forms, using inherent methods purpose of the state, role and place in society at this stage of development "[13, p. 185].

Dubynskiy I.Yu. characterizes this division as follows: "According to the level of social significance in public life, the functions of the state can be divided into main and derivative. The main functions include the most important activities of the state, which are a priority at a particular stage of the development of society. Thus, the main functions of a modern democratic state are the function of protection of human rights and freedoms, economic and social functions. The highest degree of their social significance is indisputable and at the same time objective, as the implementation of the functions of the state is the basis for



ensuring the normal development of society, personal security of people, their material well-being. Derivative functions are those that have an ancillary, ancillary or service nature, such as the function of taxation and financial control, which has an ancillary nature to economic and social functions "[4].

Conclusions. We believe that law enforcement is a system of implementation of the main function of the state, which in turn ensures the implementation of both basic and additional state functions. Thus, the nature of the functions of the state in the form of manifestation indicates that law enforcement:

- first, it is a permanent function of the state, due to the need to ensure the security of public relations in the state;
- secondly, law enforcement is manifested as an internal (public order) and external function (interaction with countries and international organizations to combat crime);
- thirdly, law enforcement has always been the main function, due to the need for security of public relations;
- fourth, law enforcement is its birthplace, which ensures the performance of other functions of the state.
- The nature of the implementation of functions determines their following division:
  - law-making;
  - human rights
  - control and supervision
  - law enforcement.

A feature of the law enforcement function is its implementation through law enforcement activities. Law enforcement is a special type of state activity that provides an appropriate level of security of public relations, as well as the performance of other functions of the state, in particular by object orientation.

Characterizing the content of the function of the state should emphasize the classification of the following features:

1) on the principle of separation of powers: legislative, executive and judicial. In terms of legislative functions, law enforcement activities are regulated by the legislature and ensure compliance with the law. About the executive branch, it should be noted that law enforcement activities are implemented by the executive authorities, in particular by the subjects of formation and implementation of state policy in the field of law enforcement activities. Law enforcement activities are important in the implementation of judicial functions, as they ensure the implementation of judicial decisions.

2) by object orientation, the functions of the state can be classified by areas of public relations, which are objects of public administration, in particular: economic, social, environmental, international, security, cultural, educational, informational and others. In turn, law enforcement is the basis for ensuring the security of public relations and the performance of the above functions.

## CONCLUSIONS

Thus, we have developed a classification model of state functions and determined the place of law enforcement functions and law enforcement activities in it. It is substantiated that the law enforcement function by the form of manifestation refers to the main, permanent, internal and external functions. Accordingly, the law enforcement function is aimed at ensuring the



performance of state functions, which are classified according to the principle of separation of state power and object orientation. In general, this determines the theoretical basis for the development of state policy in the field of law enforcement.

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## **PUBLIC SECURITY IN THE CONTEXT OF THE OBJECTIVE ATTENTION OF PUBLIC ADMINISTRATION: A CONCEPTUAL ANALYSIS**

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### **ABSTRACT**

The article considers the issue of state security in the context of the objective attention of public administration. Based on the semantics of the concepts of "state" and "security", elaboration of a set of approaches to the interpretation of these definitions, analysis of options for different authors in favor of certain approaches to the interpretation of the concept of "state security" formed and motivated the author's vision of this term such a state of protection of various vector interests of the state and its simple cluster unit - the citizen - which ensures the effective functioning of all spheres, industries, institutional sectors (including their units), mechanisms in general and the implementation of the functions and powers of the state institution in particular for their further development in a changing environment, external and internal threats. The proposed in some way unification approach allows emphasizing the content of the concept, as a logically related set of relevant objects, in the context of the prevailing philosophical nature of the phenomenon of "security", leaving open the "scope" of the concept for further more detailed detailing of its characteristics in the segment. theoretical foundations of the science of public administration in the field of public security concerning its elemental components. This approach provides a focus on the most general object-subject features of the concept while avoiding minor characteristics.

**Key words:** state, society, public administration, national security, state security, threats.

### **INTRODUCTION.**

**Formulation of the problem.** Ukraine's election of a new vector of development based on independence and intensification of the processes of direct involvement in all spheres of life of the Western world community necessitated a continuous restructuring of state mechanisms and, above all, subsystems of public administration. Such a request of society required an updated definition of the object field of public administration, which is a set of spheres and branches of public life under the influence of the state.

Traditionally, one of the central objects of public administration of any country is state security. However, despite the stability of the latter phenomenon, its components, and therefore priorities are constantly changing; this trend has been most pronounced in recent decades against the background of deep acceleration of global, regional and local changes of various nature. Thus, at present, the issues of cybernetic, epidemiological, biological, economic, man-made, and military security have become acute all over the world, and they need to be urgently addressed through the consolidation of the efforts of all mankind. The latter is possible only under the conditions of strengthening the direct leadership of the state, which, in turn (as demonstrated by world events in recent years), obviously needs to be modernized on a scientifically sound basis.

Under these conditions, the study of state security issues in general in the context of the objective attention of public administration becomes important.



**Analysis of recent research and publications.** Such scientists as O. Borysenko, C. Biela, A. Diehtiar, S. Dombrovska, O. Yevsiukov, O. Iliash, V. Kovrehin, S. Maýster, S. Poltorak, A. Pomazy-Ponomarenko, I. Prykhodko, V. Sadkovyi, H. Sytnyk, V. Stepanov, D. Yurkovskiy and etc. Issues of public administration of state security were investigated: M. Potebenko, V. Honcharenko, M. Melnyk, M. Khavroniuk, S. Yatsenko, S. Hordiienko, V. Pylypchuk, I. Korzh, O. Vovk, V. Chumak, V. Nastiuk, A. Yanchuk, I. Koziakov, M. Medvid, M. Baiuk, A. Yanchuk, V. Chumak, B. Berdanskyi, N. Serohina, H. Kuts. Despite their significant achievements in this scientific field, a clear formulation of the concept of «state security» and systematization of the components of state security did not happen, which complicates the formation of methodological approaches to the definition, evaluation and control of the latter.

**The purpose of the article.** The purpose of this publication is to form the main position of the conceptual component of the science of public administration in the field of public security - the term "public security" - and components of the latter.

**Presenting main material.** The current stage of development of the civilized world against the background of globalization, the rapid development of information technology, multidimensionality and variability not only of public life but also of crisis phenomena is characterized by many diverse factors of uncertainty, threats and risks. Under these conditions, the formation of mechanisms in the field of state security is the key to sustainable development not only of an individual state, but also of any institutional unit. The concept of state security is complex and multifaceted. Consider it, its characteristics and components.

First of all, let's turn to the domestic legislation, within which the Law of Ukraine "On National Security of Ukraine" proposes the concept of both national and state security, respectively [1]: national interests of Ukraine from real and potential threats; state security - protection of state sovereignty, territorial integrity and democratic constitutional order and other vital national interests from real and potential threats of a non-military nature; ". It should be noted that the difference between these concepts is the emphasis on state security on non-military threats. It should also be noted that the only mention of state security in Article 1 "Definition of terms" of the above Law and complete disregard for this concept in the main text of the latter is not clear enough.

Encyclopedic publications suggest that state security should be understood as "a set of conditions and institutions that are designed to guarantee the sovereignty of the state, protection/defense of its territory, population, state institutions and external threats. State security is also understood as a state of balance between the military and socio-economic potential of the country and a set of threats that can lead to conflict. ... The key components in the state security system are considered to be the strength/potential of the state. Traditionally, it is determined by the level of economic development of the country, the characteristics of the armed forces, the infrastructure of the state and human potential. ... .. In the system of state security there are external and internal components... .to state security include issues of environmental safety, energy, information, social, etc. "[2, P.202-203].

Chronologically, in earlier publications, domestic authors interpreted the concept of state security as follows:

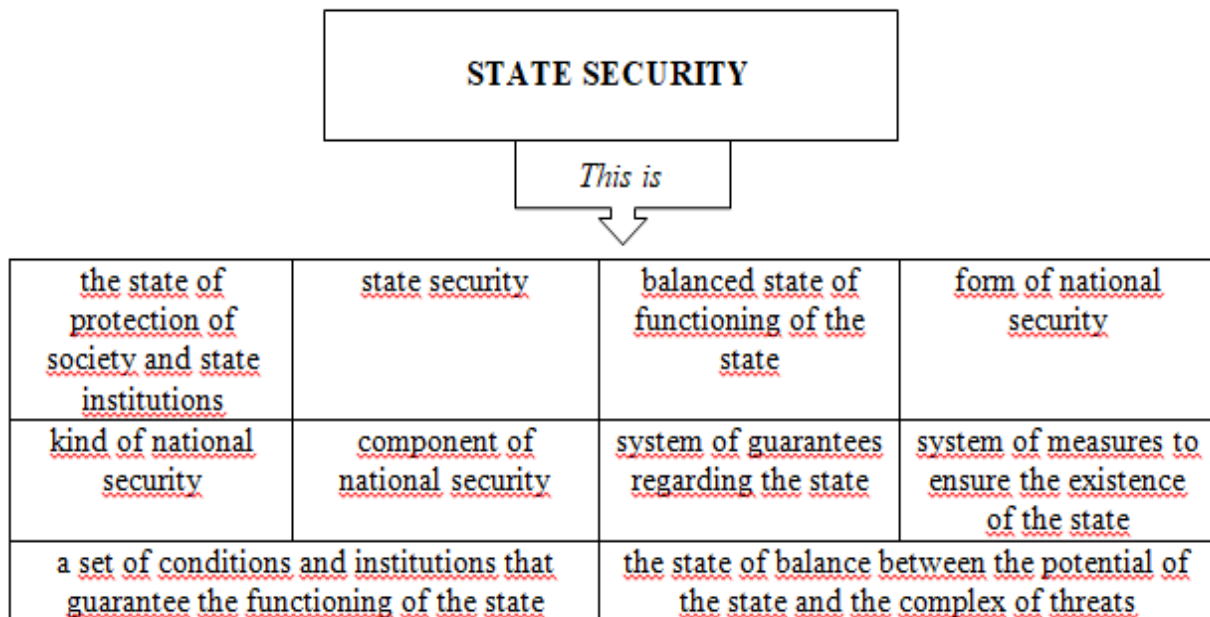
- "the state of protection of the fundamental foundations of society, state institutions necessary for the state to perform its functions to manage the common affairs of society" (M. Potebenko, V.



Honcharenko, 2001) [3, p. 16];

- «protection of state sovereignty, constitutional order, territorial integrity of Ukraine, its economic, scientific, technical and defense potential, state secret, law and order, state border, vital infrastructure and population» (M. Melnyk, M. Khavronyuk, 2001) [4, p. 111];
  - «state of protection of state power, sovereignty, territorial integrity, defense, peace of the people, social harmony, environment, national and religious equality» (S. Yatsenko, 2003) [5, p. 21];
  - «a kind of national security, which involves the ability of the state to ensure the stable functioning of state and public institutions, as well as the state of their protection from potential and real threats» (S. Gordienko, 2003) [6, p. 116];
  - «protection of state sovereignty, constitutional order, territorial integrity, economic, scientific, technical and defense potential of Ukraine from external and internal threats, intelligence, terrorist and other illegal encroachments of special services of foreign states, as well as organized criminal organizations, groups and individuals vital interests of Ukraine» (V. Pylypchuk, 2006) [7, p.19];
- The last decade in the scientific field has been marked by the following approaches to the definition of «state security»:
- «balanced state of functioning of the state as a political institution of power, which is achieved by forecasting, preventing, identifying and minimizing the negative impact of existing and likely threats to the main features of the state ) and allows the state to effectively implement its social purpose to ensure the further development of the individual (citizen), society and the state»(I. Korzh, 2012) [8, p. 74];
  - «component of national security (together with such elements as military security; genetic security; geopolitical security; humanitarian security; environmental security; economic security; epidemic security; ethnic security; information security; space security; scientific and technical security; noosphere security; food security; psychological security; radiation safety; social security; technogenic security), the state of protection of state power, sovereignty, territorial integrity, public harmony, which is ensured by the activities of state bodies both legally and in reality» (O. Vovk, 2013) 9, pp.46-47];
  - «system of guarantees, which provides a balanced state of the state, which means the state of strength and inviolability of the state and social order of the state, its territorial integrity and independence in determining foreign and domestic policy. This implies a state of security guaranteed by the system of public relations and the ability of the state to withstand global challenges and hostile actions of the subjects of international relations» (V. Chumak, 2014) [10, p.102];
  - «system of general and special measures that ensure the reliable and stable existence of the state as a political organization of society, as well as its protection from real and potential threats (risks) of external and internal nature that could harm its normal functioning» (In . Nastyuk, 2015) [11, P. 56];
  - «form (type) of national security, which is implemented by state institutions with the use of intelligence, counterintelligence and operational search activities to protect and defend state sovereignty, independence, constitutional order, territorial integrity, economic, scientific, technical and defense potential of Ukraine, its public administration and national interests from external and internal threats from intelligence, terrorist and other illegal encroachments of special services of foreign states, organized criminal groups, individuals and counteraction to criminal corruption offenses that threaten the national security of Ukraine»(A . Yanchuk, 2016) [12, P. 345];

• «balanced state of functioning of the state as a universal political form of government, characterized by sovereign power, political and public nature, aimed at ensuring the protection of state sovereignty, constitutional order, territorial integrity, economic, scientific, technical and defense potential of Ukraine from external and internal threats, intelligence, terrorist and other illegal encroachments of special services of foreign states» (I. Kozyakov, 2019) [13, p.163]; Conducting a semantic analysis of the presented characteristics of the concept of «state security» indicates the existence of a significant number of approaches, which can be represented as follows (Fig. 1)



*Fig. 1. Multi-vector interpretations of the concept of "state security"*

Given the philosophical understanding of the concept of "security", taking into account the presented positions on the interpretation of the concept of "state security", it is proposed to understand the latter category as a state of protection of various interests of the state and its simple cluster unit - the citizen. (including their units), mechanisms in general and the implementation of the actual functions and powers of the institution of the state, in particular, to further develop them in a changing environment, external and internal threats. The proposed in some way unification approach allows emphasizing the content of the concept, as a logically related set of relevant objects, in the context of the prevailing philosophical nature of the phenomenon of "security", leaving open the "scope" of the concept for further more detailed detailing of its characteristics in the segment. theoretical foundations of the science of public administration in the field of public security concerning its elemental components.

## CONCLUSIONS

Modern threats and danger factors in the public sphere necessitate the intensification of scientific research in the field of public administration of state security. The proposed author's approach to the definition of "state security" is characterized by an emphasis on the meaning of the concept, as a logically related set of relevant objects, in the context of the prevailing philosophical nature of



the phenomenon of "security", leaving open the "scope" of the concept itself. and motivate within the components of state security.

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## INNOVATIVE DEVELOPMENT PARADIGM OF TELECOMMUNICATIONS ENTERPRISES IN THE AGE OF ECONOMY DIGITALIZATION

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### ABSTRACT

Formation of a competitive economy in the age of information technologies is based on the economy digitalization. Activation of Ukraine's European integration progress and the use of the world's leading technologies require economic development acceleration, which is based on the innovations application in all national economy sectors. The telecommunications industry has strategic importance for ensuring sustainable development, stable industrial and social spheres functioning in Ukraine. Progressive development of science, engineering and technologies, innovation and high knowledge intensity of modern production make special demands as for the ways of telecommunication enterprises development. With deepening of globalization and competition constant intensification, the foundation of telecommunication enterprises functioning are innovations which are enabling their innovative development. Formation of innovative development paradigm of telecommunication enterprises development involves: regulatory and legal support of innovative ideas; state support and stimulation of innovative activity (protection and support of domestic companies, financial support of industrial samples patenting, utility models, inventions abroad); giving priority to innovative factors in order to increase competitiveness and to ensure positive financial performance of enterprises; information interaction and coherence of innovation activity; creativity of approaches to ensure the conditions of the enterprise's innovative activity.

**Key words:** telecommunication enterprises, innovative activity, innovative development, risk, competitiveness, digital economy, scientific and technological progress, information and communication technologies, information society.

### INTRODUCTION.

**Formulation of the problem.** In the modern global economic environment, a new paradigm of national economies' innovative development is being formed, industries and enterprises. The sector telecommunications has strategic importance for ensuring sustainable development of Ukraine's economy. Progressive development of science, engineering and technologies, innovation and high knowledge intensity of modern production make special demands as for the ways of telecommunication enterprises development. Today's Ukrainian telecommunications market is characterized with significant dynamism, requires constant rapid response and



adjustment of management methods, appropriate strategic decisions. Strengthening of these trends is the cause of new risks and threats in the activities of domestic telecommunications companies.

Formation of a competitive national economy in the age of information technologies is based on the economy digitalization. Therefore, the question of forming priority vectors of telecommunications enterprises' innovative development in the new paradigm of national economy digital transformation becomes especially important.

**Analysis of recent research and publications.** Scientific works of many domestic and foreign scientists are devoted to the study of enterprises' innovative development. Among such fundamental researches, which deserve considerable attention belong to M. Tugan-Baranovsky as for the cyclical nature of economic development and the state of development of technological progress, J. Schumpeter, who developed the innovative theory of economic development, and P. Drucker on innovations as a source of economic progress. Scientific researches of O. Bryzhak, O. Halych, O. Kyryk, I. Lukinova, T. Mostenska, S. Tyvonchuk, O. Cherep, V. Cherepanova are devoted to peculiarities of enterprises' innovative activity.

The fundamental principles of formation and development of the digital economy are presented in the scientific works of such foreign researchers as B. Larralde, N. Negroponte, H. Toffler, P. Hagen, K. Schwab. Considerable attention is paid to the problems of formation and development of digital economy in Ukraine by domestic scientists – O. Hrybinenko, O. Dannikov, D. Karliuk G. Kolomiets, S. Kolyadenko, N. Podolchak, K. Sichkarenko, O. Yurchak.

However, dynamic changes of the digital economy cause constant social transformations, which changes the aspects of innovation and the principles of innovative development of telecommunications enterprises. Therefore, the questions of innovative development priority areas of telecommunications enterprises in the context of digital economy functioning remain relevant.

**Presenting main material.** The global world is creating strict requirements for countries, industries and enterprises as for high efficiency of creating information and communication technologies and their introduction into public sector. This global trend is especially relevant for domestic telecommunication companies. The introduction of digitalization into all spheres of society is characteristic of the economically developed countries of the world. Large-scale spread of technologies leads to a decrease in the share of the traditional economy along with digitalization. Because to the absence of unambiguous interpretation of the concept as digital economy, there is an absence of a generally accepted indicator of a digital society.

The term "digital economy" was introduced into scientific circulation in 1995 by American scientist N. Negroponte [1]. However, this term has a significant number of visions and interpretations. So, the digital economy is often identified with the knowledge economy and information or network economy. Synonyms of the digital economy are the Internet economy, the new economy, the web economy. It is believed that the foundation of digitalization is information, namely the digitization of significant amounts of knowledge and data, which causes qualitative changes in the behaviour of economic entities [2, p. 140].

The digital economy is a type of a market of economic system subjects in which one, several or all stages of economic processes are carried out through computer networks; one of the manifestations of economic freedom, innovation and the level of economic development. Digitalization means transformation, penetration of digital technologies in order to optimize and automate business processes, increase productivity and improve communication with consumers. Conceptualization and business process management face certain fundamental problems, namely



the relationship between many business processes management and their contribution to a corporate value [3].

New World economists began to single out digital economy in the 1990s, and in the European space this category gained importance in 2010 during the European Commission's review of the Digital Single Market Strategy in the framework of the strategy "Europe 2020" [4]. An important component of the EU Digital Order is the creation of the Digital Single Market.

The first step towards the digital economy development in Ukraine was the development in 2016 of the conceptual foundations of digitalization, which are reflected in the joint project "Digital Agenda of Ukraine – 2020" [5]. Based on the existing project of implementing digital economy in Ukraine, in 2018 the Cabinet of Ministers of Ukraine approved the "Concept of digital economy development and society of Ukraine for 2018-2020" [6]. The Concept set benchmarks for Ukraine for 2020, including the following indicators: 30<sup>th</sup> place in the Networked Readiness Index (WEF); 40<sup>th</sup> place in the Global Innovation Index (INSEAD, WIPO); 50<sup>th</sup> place in the ICT Development Index (ITU); 60<sup>th</sup> place in the Global Competitiveness Index (WEF).

The state assessment of the digital economy in Ukraine is based on global indices calculated by international organizations for many countries (Table 1): Networked Readiness Index (WEF) – network readiness index, which characterizes the level of information and communication technologies [7]. The assessment of countries on this indicator is carried out by the World Economic Forum. The Global Innovation Index (INSEAD, WIPO) is a global innovation index published with the support of the World Intellectual Property Organization [8]. ICT Development Index (ITU) – an index of information and communication technologies development, which characterizes the achievements of countries in the development of information and communication technologies, is calculated and published by a special UN unit [9].

*Table 1 Global indices indicators of the digital economy development for Ukraine*

Indicator	2016	2017	2018	2019	2020
Global Innovation Index (INSEAD, WIPO)	56	50	43	47	40
ICT Development Index (ITU)	78	79	77	85	50
Global Competitiveness Index (WEF)	85	81	83	85	60

According to this rating, Ukraine has rapidly improved its position in two years and achieved expected result in 2020. At the moment, Ukraine is focused on the development of innovations, however, not using them as a tool to improve economic performance.





Improving business processes is a management tool aimed to increase efficiency and create competitive advantages of the entrepreneurship. The introduction of information and communication technologies, Big Data, business intelligence, business planning, which anticipates automation of business processes, is reflected in the growth of labour productivity, cost savings, operational flexibility of the business.

Klaus Schwab discovered the following benefits of digitalization:

- unprecedented growth of innovations, including their speed, volume and impact, which will provide significant improvements for enterprises to reduce costs, increase productivity and production efficiency;
- the growth of opportunities for the use of new technologies allows to involve various subjects of economic relations (developers, users, consumers and customers) and promotes their cooperation;
- artificial intelligence is becoming a reality – from mass robotics to biotechnology [10].

In general, the transition from simple digitization (third industrial revolution) to technology-based innovation (fourth industrial revolution) is forcing companies to reconsider aspects of doing business.

Statistical data analysis of the leading international organizations, which are engaged in systematization of analytical indicators of telecommunications branches development in different countries of the world and definition of the most actual risks of its functioning, testifies the existence of certain problems and tendencies of this branch. According to the Technology and Communications Industry Report [11], the top risks of the information and communication industry in recent years are: increased competition, loss of the company's brand reputation, inconsistency with innovative customer needs, loss of professional resources, cybercrime, temporary uneven economic cycles, loss of intellectual property, instability regulatory framework, imperfection of information technology and disruption of product supply chains. These risks were structured according to the degree of their impact (from 1 to 10 places) as a whole for the industry and separately for its two areas – technology and communications (Table 2).

The source of this information is the respondents survey results from different countries, who were asked to choose 10 most important risks for their own companies from the general list of 53 risks.

The most relevant risks were the growth of competition, loss of brand reputation and inconsistency with the customers' innovative needs. It should be noted that competition as an integral attribute of market relations activates the development of innovative potential of enterprises, stimulates their productivity and economic growth. In addition, the risk of increasing competition may lead to the closure of undercapitalized and financially unstable companies, due to the presence of competitors from foreign communication service providers, the rapid development of technologies, changes in tariff policies and more. With this in mind, most companies view competition as a priority risk of today, which generally ranks first in the industry. It should be noted that telecommunications enterprises in Ukraine are operating under the influence of the following negative factors: inconsistency of the existing regulatory framework with modern requirements, weak development of public-private partnership, insufficient receptivity of enterprises to innovation, lack of qualified staff, low level of innovation potential, inconsistency of existing information and telecommunication technologies with the telecommunication market needs, low level of demand for innovative products, slow introduction



of 3<sup>rd</sup> and 4<sup>th</sup> generation (3G, 4G) technologies of mobile radio communication, there is a need for modernization of fixed local telecommunication networks [3].

*Table 2 Technology and Communications Industry Top 10 Risks*

Place	<i>Technology and Communications Industry</i>	<i>Technology</i>	<i>Communications</i>
1	Risk of increased competition	Risk of non-compliance with customers' innovative needs	Risk of losing the company's brand reputation
2	Risk of losing the company's brand reputation	Risk of increased competition	Risk of legal framework instability
3	Risk of non-compliance with customers' innovative needs	Risk of losing the company's brand reputation	Risk of increased competition
4	Risk of professional human resources loss	Risk of economic cycles temporal unevenness	Cybercrime risk
5	Cybercrime risk	Risk of professional human resources loss	Risk of professional human resources loss
6	Risk of economic cycles temporal unevenness	Risk of intellectual property loss	Corporate responsibility risk
7	Risk of intellectual property loss	Cybercrime risk	Risk of mergers and acquisitions
8	Risk of legal framework instability	Risk of legal framework instability	Risk of economic cycles temporal unevenness
9	Risk of information technologies imperfection	Risk of legal framework instability	Risk of non-compliance with customers' innovative needs
10	Risk of product supply chains disruption	Risk of product supply chains disruption	Bankruptcy risk

From the point of view of qualitative properties, innovative development is represented by a complex process of creating and introducing innovations for the purpose of qualitative changes of management object and reception of economic, scientific and technical, social, ecological or any other kind of effect, which is connected with a necessary condition of survival. and development of enterprises in the long run [13]. It is quite logical to understand innovation as a determining factor when forming enterprise's competitive advantages through innovative development, which allows to increase the level of its competitiveness.

Most scientists interpret innovative development as "a way of economic growth based on constant and consistent innovations aimed to improve significantly the enterprises' activities, the use of new resource factors in the creation of innovative products and competitive advantages formation based on new technologies introduction" [12].



Unfortunately, the level of innovation activity of many Ukrainian enterprises, including telecommunications, is not sufficient for strong competition in the world market. Scientific and technical developments are rather slow to be applied by enterprises, due to the significant time and financial costs associated with approvals, obtaining permits and licenses.

One of the ways to resolve the existing contradictions is to reformat the areas of innovation and the principles of forming an effective mechanism for innovative development of enterprises. Most of domestic scientists pay attention to the study of organizational and economic mechanism of innovation and focus on the study of construction, formation, use of innovation, economic mechanism of innovation process management, innovation management, profitability growth mechanism, identifying problems for their implementation in various enterprises. [14, p. 446-450].

The scholar V. Cherepanova carried out a thorough analysis of the economic mechanism of innovative development essence and the process of its formation. The scientist considers the economic mechanism of innovative development as an integral part of the economic mechanism and its use through applying management methods in order to intensify the work of staff, accelerate the introduction of innovative technologies. Among the elements of the mechanism were identified: the management process, providing information, finance, materials, technology, planning and organization of activities, feasibility of attracting innovation. Among the mechanism subsystems an important role is played by: control over the development of the enterprise; staff incentives; availability of finances; information environment; forecasting innovative development. However, no attention is paid to aspects of the risks impact and uncertainties of economic mechanism functioning and further development of the enterprise [15, p. 21-23].

In turn, the scholars S. Tyvonchuk and J. Tyvonchuk proposed approaches to the mechanism formation for intensifying the innovative development of the enterprise, which are helping to overcome a technological gap and introduce innovations in production, organize innovative activities. It was presented the stages for improving the efficiency of innovation as prerequisites for improving innovation development: feasibility of attracting innovation; collection and processing of information about existing innovations; analysis of resource availability, influence determination of environmental factors, determination of sales markets; implementation of innovation strategy, use of innovations; control, evaluation of results.

Among the elements of the mechanism are defined: objects, subjects; governance; business structures; partnership; functions (planning, organization, motivation, control); methods (insurance, crediting, price adjustment, state control, tax pressure); factors contributing to innovative development; directions of mechanism use; legal framework; tools for mechanism implementing. The introduction of presented mechanism will promote the intensification of innovative activities, the manufacture of innovative products in accordance with the consumer's needs, the establishment of partnerships between enterprises. However, the authors leveled the issues of choosing innovation strategies, ways to implement them and determine the likely results of innovation development [16, p. 101-104].

Noteworthy is the approach of the scholar O. Kyryk as for formation of economic mechanism of innovation activity, which was considered as a set of methods, principles, tools that should be followed when implementing innovation, which can improve innovation development, introduce innovative technologies to meet consumer needs, strengthen competitive market positions [17, p. 75-76].



It should be noted that the difference between economic and organizational mechanism is that it is aimed at achieving goals by regulating financial, production, technological, innovative, marketing activities, enterprise development management and does not cover planning, organization, motivation, development of innovation strategies, definition of forms ownership, implementation of measures to improve the provision of the enterprise with resources, methods and ways of decision-making of innovative activities and their implementation [18, p. 230-231].

The principles on which the paradigm of innovative development of telecommunications enterprises is based are divided into traditional and specific. Traditional principles are necessary to regulate the development of innovation activities of telecommunications enterprises in accordance with the state innovation policy, existing legal framework, regulatory support for activities at the enterprise, existing mechanism for regulating activities. Traditional principles of innovative development of telecommunications enterprises include the following principles: adaptability, legal, resource, technological, development, risk, optimality, profitability, target market orientation, focus on innovation, complexity, balance and confidentiality.

Specific principles include: information support, protection, incentives, flexibility, development, control, qualification, perspective of innovation, expediency, reliability and alternative. Adherence to specific principles depends on the enterprises' industry specifics, peculiarities of its operation, organization and management of business processes, relationship between the subsystems of enterprises, market environment factors.

Innovation paradigm implementation of increasing the competitiveness of telecommunications enterprises includes: introduction of innovations and modern information and communication technologies; systematic processes of innovation implementation; continuity of innovative development; simplification of the procedure for making innovative decisions; formation of an effective system of financing innovations; adaptation of various innovations in accordance with business processes functioning in enterprises; creation of new business combinations and transformation of business chains on the basis of mastering and realization of the newest knowledge; implementation of managerial innovations, formation of a proactive strategy to meet consumer demand.

## CONCLUSIONS

Formation of innovative development paradigm of telecommunications enterprises involves the following components: regulatory and legal support of innovative ideas; state support and stimulation of innovative activity (protection and support of domestic companies, financial support of patenting of industrial designs, utility models, inventions abroad); giving priority to innovative factors to increase competitiveness to ensure positive financial performance of enterprises; information interaction and coherence of innovation development; intensification of employee participation and creativity of approaches ensuring the conditions of innovative activity of the enterprise. The level of innovation activity of domestic telecommunications enterprises is determined by a set of financial and economic, informational, managerial – organizational and social factors.

The experience of economically developed countries proves positive impact of digital technologies on economic growth. The use of digitalization will promote forming a set of competitive advantages of telecommunication companies, namely by increasing their level of transparency and ability to make optimal management decisions, which will optimize costs, create comfortable conditions for products and services consumers, increase competitiveness and



financial efficiency. Digitalization will also contribute to the creation of competitive advantages of enterprises simplifying the work with information, optimize costs, form a positive image of the enterprise, increase the level of enterprises' innovation.

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## LEGAL REGULATION OF THE STATE PERSONNEL POLICY IN THE FIELD OF HEALTH CARE IN UKRAINE

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### ABSTRACT

The purpose of the article is to study the features of regulatory and legal regulation of state personnel policy in the field of health care in Ukraine.

The article determines that the formation of the legal framework for the effective functioning and development of state personnel policy of the health care system is a priority for improving the efficiency of the medical sector. The article analyzes scientific developments on improving the staffing of the health care system in Ukraine, in particular: articles of the Constitution of Ukraine, provisions of the Labor Code, articles of the Law of Ukraine "On Employment", articles of the Law of Ukraine "On Collective Bargaining", articles Law of Ukraine "On labor protection", provisions of the Law of Ukraine "On vacations", articles of the Law of Ukraine "On remuneration", provisions of the Law of Ukraine "Fundamentals of legislation of Ukraine on health care", provisions of the Law of Ukraine "On improving accessibility and quality of health care" in the countryside. " It is determined that the main source of labor law and state regulation of labor relations, regardless of the industry, is the Code of Labor Laws. The main elements (features) of the employment contract are studied, namely: individual-personal feature, organizational feature, material feature, regulatory feature, subject feature. The principles of state policy in the field of labor protection are determined. An analysis of the orders of the Ministry of Health for 2020-early 2021 on personnel policy in the field of health care, which confirmed the interest of the direct entity in the form of the Ministry of Health of Ukraine in the formation of regulatory framework for personnel policy of the health care system of Ukraine.

**Key words:** health care system, normative-legal provision, laws, codes, personnel policy, state regulation.

### INTRODUCTION.

**Formulation of the problem.** Prospects for the development of health care in Ukraine largely depend on the state of the professional level and the quality of training of medical and pharmaceutical personnel as the main resource of health care. Personnel policy in the medical field defines the philosophy and principles implemented by management concerning



its staff. Personnel policy can be defined as a system of goals, principles and the resulting forms, methods and criteria for working with personnel, applicable to all categories of employees. The personnel policy of the medical institution substantiates the need to use in practice specific methods of recruitment, placement and use of personnel.

**Analysis of recent research and publications.** Scientific works on the problem of research are based on the classical sociological and managerial theories of the following well-known authors: M. Weber, E. Durkheim, E. Mayo, A. Maslow, T. Parsons, F. Taylor, A. Fayol, G. Ford, etc. Actually, general issues of personnel policy of the state are covered in the works: Rudenko O.M, Shturkhetyskyi S.V. Shershnova O.V. Filipova N.V., Kniaziev V., Panasiuk F., Skurativskyi V., Yakovenko O. etc.

**Presenting main material.** The formation of the legal framework for the effective functioning and development of the state personnel policy of the health care system should be considered a priority area for improving the efficiency of the medical sector. A resolution of the UN General Assembly in 1979 proclaimed the health of the population as the only and determining criterion for the expediency and effectiveness of all spheres of human life. Certain developments in improving the staffing of the health care system are reflected in the relevant legal documents, which should be considered by the hierarchy and sources of their formation.

Article 43 of the Constitution of Ukraine guarantees every citizen the right to work, including the opportunity to earn a living by work that can be freely chosen or freely agreed to. In addition, the Constitution guarantees the right to proper, safe and healthy working conditions, to a salary not lower than the minimum required by law.

Article 44 of the Constitution of Ukraine guarantees all workers the right to strike to protect their economic and social interests, and the procedure for exercising the right to strike is established by law, taking into account the need to ensure national security, health, rights and freedoms of others. The same article of the Constitution states the right of the impossibility of coercion to participate or non-participation in a strike and provides for the prohibition of a strike only based on law.

Article 45 of the Constitution of Ukraine guarantees every working citizen the right to rest, which is especially relevant in the field of health care. This right should be ensured through the provision of days of weekly rest, as well as through the provision of paid annual leave, the establishment of a reduced working day for certain occupations, as well as reduced working hours at night. In addition, the maximum working hours, the minimum duration of rest and paid annual leave, weekends and holidays, as well as other special conditions for ensuring this right are required by law.

The main source of labor law and state regulation of labor relations, regardless of industry, is the Code of Labor Laws (Labor Code). It substantiates the main provisions of labor relations, the peculiarities of concluding a collective agreement and employment contract, employment of dismissed workers, working hours and rest time, labor rationing, wages, features of labor discipline, individual labor disputes, supervision and control over labor legislation, etc. . The main task of this legal act is to provide social guarantees for all employees.

Legal regulation of labor relations allows the beginning implementation of legal norms in practice. The employer and the employee have the opportunity to exercise their rights and responsibilities in the forms of compliance, performance and use. The employee has the





opportunity to perform his duties, for which he receives a certain reward in the form of salary. The employer, in turn, fulfills its obligations to pay material remuneration for work and, accordingly, receives certain economic benefits in the form of labor.

Today's practice, including in the field of health care, is to sign an employment agreement (contract). According to Article 22 of the Labor Code, an employment contract should be understood as an agreement between an employee and an employer, ie a legal entity (owner of an enterprise, institution, organization, or authorized body) or an individual, according to which the employee is obliged to perform work per internal labor regulations. in turn to pay wages, provide decent working conditions provided by law, collective agreement or agreement of the parties.

The main elements (features) of the employment contract include the following:

1. Individual-personal feature - the essence of which is that despite the universality and comprehensiveness of the regulatory field, on the one hand, each employment contract is individually defined, ie concluded to regulate the personal labor relations of a particular employee and employer.
2. Organizational feature - is expressed in a clear understanding of the employee's orders of the employer through the relevant local acts, internal labor regulations, etc.
3. Material feature - is characterized by the obligation to pay for the amount of work performed with clear regulation by the state of the guaranteed level of minimum wage.
4. Regulatory feature - due to the impossibility of deteriorating working conditions for the employee based on permanent state regulation.
5. Subject feature - provides a clear delineation of labor functions of the employee with appropriate consolidation within certain limits of the specialty, qualification or position.

According to Art. 23 Labor Code employment contract may be concluded:

- for an indefinite period, ie indefinite;
- for a specified period, set by agreement of the parties (term);
- at the time of performance of a certain type of work (urgent).

In addition, the Law of Ukraine "On Employment" is devoted to state regulation of personnel policy, which outlines the definition of "state regulation of employment", which is proposed to understand the formation and implementation of state employment policy to create conditions for full and productive freely elected employment and social protection in the event of unemployment.

Article 5 of the Law of Ukraine "On Employment" stipulates that the state guarantees in the field of employment:

- free choice (change) of the profession and free choice of place of employment and type of activity;
- receiving remuneration for work (salary) per current legislation;
- professional orientation for self-determination and professional training per abilities and taking into account the needs of the labor market;
- free assistance in employment, selection of work of appropriate qualification and obtaining information about the situation on the labor market and prospects for its further development;
- social protection of workers in case of unemployment;
- protection against any manifestations and types of discrimination in the field of employment, unjustified refusal to hire and illegal dismissal;
- additional assistance in the employment of certain categories of citizens.



The Law of Ukraine "On Collective Bargaining Agreements" is designed to define the legal basis for the development, conclusion and implementation of collective agreements and agreements to facilitate the regulation of labor relations and socio-economic interests of employees and owners.

The Law of Ukraine "On labor protection" guarantees every worker proper, safe and healthy working conditions, prevention of accidents and occupational diseases.

State policy in the field of labor protection according to Article 4 of the Law of Ukraine "On labor protection" is based on the following basic principles:

- the priority of the life and health of employees, the responsibility of employers to create appropriate, safe and healthy working conditions;
- ensuring control over technical equipment and technologies, assistance in creating safe working conditions for employees;
- opportunities to solve the main tasks of labor protection, taking into account national, sectoral and regional programs and other areas of economic and social policy;
- appropriate social protection of employees, including full material and moral compensation in case of accidents and / or occupational diseases;
- ensuring equal requirements for the labor protection system regardless of the forms of ownership and features of the activities of the enterprise, institution or organization;
- taking into account the peculiarities of the state of health and psychological capabilities of employees in the process of work;
- active promotion of state intervention in the financing of institutions and measures for labor protection, which are not prohibited by law;
- proper informing of the population, organization of effective training, qualified professional training and appropriate training of workers on labor protection;
- mutual cooperation of state bodies, enterprises, institutions and organizations in solving health and safety problems;
- conducting consultations at the state and local levels for both employers and employees on labor protection;
- using the experience of foreign countries to improve conditions and increase security.

The Law of Ukraine "On Holidays" establishes state guarantees of conditions, duration and procedure for providing employees to restore their ability to work, improving their health, as well as raising children, meeting their own vital needs and interests and comprehensive development.

As for medical workers, they are entitled to both annual basic leave and additional leave for the special nature of the work performed. In addition, when establishing a non-standard working day, there is another reason to receive the leave.

The Law of Ukraine "On Remuneration of Labor" guarantees to all categories of citizens without exception, including in the field of health care, who are in employment, providing economic, legal and organizational principles of remuneration, regulation of remuneration to implement reproductive and protective functions salary. In addition, the structure of wages per Article 2 of the Law of Ukraine "On Remuneration of Labor" is the basic and additional wages, as well as other incentive and compensation payments.



The basic salary is paid to the employee for the amount of work performed under the established labor standards and can be set in the form of tariff rates (salaries) and piece rates for workers and salaries for employees.

Additional wages are paid for work above the established norms, for labor success and ingenuity, as well as for special working conditions. It may include surcharges, allowances, other guarantee and compensation payments, as well as bonuses related to the performance of certain special tasks and functions.

Other incentives and compensation payments are appropriate payments in the form of remuneration for successful performance of the year, payments under certain grants, bonuses under special systems and regulations, compensation and other material payments.

The State Labor Inspectorate (State Labor Inspectorate of Ukraine) plays a significant role in supervising and monitoring compliance with labor legislation on labor relations, wages and regulation of other legislation.

Thus, in case of violation of labor rights of medical workers, they have the opportunity to apply to the State Labor or its territorial bodies in any convenient way to ensure inspection visits and appropriate measures to eliminate identified violations and bring to justice the guilty officials [1].

The Law of Ukraine "Fundamentals of the Legislation of Ukraine on Health Care" was adopted in Ukraine on November 19, 1992. This legal act defines the legal, organizational, economic and social principles of health care in Ukraine and outlines that the regulation of public relations in the field of health care is the main purpose of ensuring the harmonious development of physical and spiritual strength, high efficiency and long-term active life of citizens with the appropriate elimination of factors that adversely affect the health of citizens, as well as the prevention and reduction of morbidity, disability and mortality, improving heredity, etc.

Article 12 of this law declares the sphere of health care as a priority area of state activity and defines the role of the state in the formation of health care policy in Ukraine and ensuring its implementation. Concerning personnel policy, this Law states that the workload of physicians is approved by the central executive body, which ensures the formation of state policy in the field of health care.

Article 75 of the Law of Ukraine "Fundamentals of the Legislation of Ukraine on Health Care" defines the basic principles of training, retraining and advanced training of medical, pharmaceutical and rehabilitation specialists. This law stipulates that such activities are carried out by the relevant institutions of professional higher and higher education, as well as through internships, medical residencies, clinical residencies, postgraduate studies and doctoral studies per the legislation on education. Relevant curricula and programs of training, retraining and advanced training of medical, pharmaceutical workers and rehabilitation specialists are agreed with the central executive body in the prescribed manner, which ensures the formation of state policy in the field of health care.

Article 77 of this Law guarantees the provision of professional rights and benefits of medical and pharmaceutical workers, namely:

- opportunity to engage in professional activities by the specialty and qualification;
- reduced working day and additional paid leave;
- the need for in-service training every five years in relevant institutions and establishments;
- receiving and using free of charge the information necessary for the performance of professional duties;



- compulsory insurance and the possibility of receiving social assistance in the event of health and life-threatening cases related to the performance of professional duties provided by applicable law;
- preferential pension and housing conditions, as well as the possibility of obtaining land on preferential terms;
- safe and proper working conditions;
- receiving a salary by current legislation and based on the Unified Tariff Grid in state medical institutions;
- benefits and priority in obtaining proper medical care and in providing medicines;
- creation of scientific communities in the field of health care, public organizations and professional associations;
- judicial protection of the interests, honor and dignity of medical professionals industry.

The Law of Ukraine “On Improving the Availability and Quality of Medical Care in Rural Areas”, adopted in 2017, defined the possibility of regulating relations related to ensuring the availability, efficiency and quality of medical care in rural areas.

Article 8 of this Law stipulates that the financing of measures to increase the availability of medical care in rural areas may be carried out at the expense of:

- funds from the State Budget of Ukraine;
- funds from local budgets;
- grants, charitable contributions and donations, gifts, other types of charity;
- funds of international organizations;
- other sources not prohibited by law.

Article 35 of this Law is the possibility of using the so-called "telemedicine", which is especially relevant for rural residents. This type of medical care provides the possibility of providing consulting, diagnostic services and even treatment employing remote communication, exchange of information via electronic media through the transmission of electronic messages and video conferencing.

The adoption in 2018 of the Law of Ukraine "On State Financial Guarantees of Medical Care" was the beginning of an effective procedure to radically change the functioning of the health care system of Ukraine. Fundamental changes in the mechanism of functioning of the medical industry as a whole have provided a wide range of opportunities for self-realization of physicians and the free choice of both the medical institution and the physician directly for patients. At the same time, the state began to finance not medical beds but provided medical services to patients.

The Law of Ukraine “On the State Budget (for the respective year)” is designed to define the amount of the minimum wage as a guarantee of ensuring the minimum wage in Ukraine. Thus, in 2021, the level of the minimum wage in the monthly amount from January 1 is 6,000 hryvnias, and from December 1 - 6,500 hryvnias; respectively in the hourly rate: from January 1 - 36.11 hryvnias, and from December 1 - 39.12 hryvnias.

The Ministry of Health of Ukraine, within its powers, based on and according to the Constitution of Ukraine and the laws of Ukraine, may adopt Orders of the Ministry of Health directly related to personnel policy in the field of health care. In addition, the normative and legal base consists of resolutions and orders of the Chief Sanitary Physician of Ukraine.



The analysis of the orders of the Ministry of Health for 2020-beginning of 2021 on the issues of personnel policy in the field of health care made it possible to identify the following legal documents on this issue, recently adopted:

- Order of the Ministry of Health of Ukraine dated 16.03.2021 № 483 "Some issues of organization of internships for interns based on internships in 2021";
- Order of the Ministry of Health of Ukraine dated 26.02.2021 № 366 "On approval of Amendments to the Handbook of qualification characteristics of employees' professions. Issue 78 "Health Care";
- Order of the Ministry of Health of Ukraine dated 15.08.2011 № 512 "On approval of Guidelines for forecasting the needs of health care institutions of Ukraine in medical personnel for the long term";
- Order of the Ministry of Health of Ukraine dated 14.01.2021 № 42 "On approval of Amendments to the Handbook of qualification characteristics of employees' professions. Issue 78 "Health Care";
- Order of the Ministry of Health of Ukraine dated 10.12.2020 № 2857 "On amendments to the Model table of material and technical equipment of health care facilities and individual entrepreneurs who provide primary care";
- Order of the Ministry of Health of Ukraine dated 16.11.2020 № 2624 "On approval of the Schedule of the unified state qualifying examination for applicants for higher education master's degree and test examinations of licensed integrated examinations ...";
- Order of the Ministry of Health of Ukraine dated 29.09.2020 № 2215 "On amendments to the List of positions of medical and other employees of health care facilities of communal ownership (except for doctors and/or primary care teams) ...";
- Order of the Ministry of Health of Ukraine dated 03.09.2020 № 2021 "On approval of the list of types of health care facilities and the list of positions of medical and other employees for whom surcharges to the salaries of medical workers are set";
- Order of the Ministry of Health of Ukraine dated 31.08.2020 №1992 "On approval of Amendments to the Handbook of qualification characteristics of employees' professions. Issue 78 "Health Care";
- Order of the Ministry of Health of Ukraine dated 26.08.2020 № 1966 "On Amendments to the Schedule of the Unified State Qualification Exam for Applicants for the Master's Degree of Higher Education and Test Exams of Licensed Integrated Exams ...";
- Order of the Ministry of Health of Ukraine dated 11.08.2020 № 1850 "On the state order for the training of specialists, scientific and pedagogical staff, advanced training of doctors and pharmacists in 2020";
- Order of the Ministry of Health of Ukraine dated 21.07.2020 № 1655 "Some issues of organization of internships for interns based on internships in 2020";
- Order of the Ministry of Health of Ukraine dated 22.05.2020 № 1240 "On approval of the composition of the Central Certification Commission under the Ministry of Health of Ukraine for the certification of pharmacists";
- Order of the Ministry of Health of Ukraine dated 05.05.2020 № 1041 "On the certification of students in the field of knowledge" 22 Health "in quarantine";
- Order of the Ministry of Health of Ukraine dated 2.04.2020 № 768 "On approval of the List of positions of medical and other workers directly involved in the elimination of the epidemic and



the implementation of measures to prevent the spread of acute respiratory disease COVID-19 ...";

- Order of the Ministry of Health of Ukraine dated 26.02.2020 № 554 "On licensing of medical practice";
- Order of the Ministry of Health of Ukraine dated 18.02.2020 № 384 "On approval of lists of test questions for knowledge of special legislation and answer options for the competition for vacant positions of specialists in reforms of categories" B "and" B "
- Order of the Ministry of Health of Ukraine dated 17.02.2020 № 372 "On announcing a competition to fill vacant positions of specialists in the reform of the Ministry of Health of Ukraine" [2].

The analysis demonstrates the interest of the direct entity in the form of the Ministry of Health of Ukraine in the formation of the legal framework for personnel policy of the health care system of Ukraine.

The concept of "confidentiality" is especially relevant for the healthcare sector. The right not to disclose confidential information is guaranteed by Article 286 "Right to the secrecy of health" of the Civil Code of Ukraine, which states the following:

- an individual has the right to secrecy about the state of his health, the fact of seeking medical care, diagnosis, as well as information obtained during his medical examination;
- it is forbidden to demand and submit information about diagnoses and methods of treatment of a person at the place of work or study;
- an individual is obliged to refrain from disseminating information that became known to him in connection with the performance of official duties or from other sources;
- an individual may be obliged to undergo a medical examination in cases established by law.

The professional responsibilities of health care workers are also enshrined in the job descriptions of the relevant medical institutions.

In 2012, the Strategy of the State Personnel Policy was developed for 2012-2020, among the main reasons for the development of which are:

- restraining the development and functioning of the staffing system in the state;
- lack of an effective system for monitoring the needs of society and the state in specialists with the appropriate educational and qualification level of training, imperfection of the mechanism of formation of the state order for the training of specialists;
- lack of a balanced management system for vocational guidance of young people, objective principles of their selection and training, slow pace of implementation of modern technologies of professional development;
- insufficient application of scientific approaches, research results in the formation and implementation of state personnel policy.

An important role in shaping the state personnel policy in the field of health care should be given to the Strategy for the Development of Medical Education in Ukraine. Its adoption was influenced by the adoption of reform laws that radically changed the model of financing health care and which initiated the transformation of the health care system in Ukraine as a whole.

According to the WHO, "despite many measures taken and documents adopted to improve the staffing of the health sector, no significant positive changes have been achieved. Today, there is a global crisis in the field of human health resources "[3].



In addition, WHO experts consider the problems associated with human resources of health, identify as one of the main obstacles to achieving the Millennium Development Goals [3]. The National Strategy for Health Care Reform in Ukraine for the period 2015-2020 highlights the following among long-term actions: "Approve laws on the quality management system of health services, taking into account EU regulations; develop many legislative acts on standards, rules and norms of the system of quality assurance of medical care and availability of medicines under EU regulations; to introduce licensing of doctors' activities and concluding agreements with them; to promote the autonomy of health care facilities under the new scheme and the conclusion of agreements with their heads; start larger-scale funding for health facilities; to continue the development of the system of continuing education in the field of health care "[4]. In addition, we should agree with the position of Avremenko TP, who noted that "none of the domestic legal documents relating to personnel policy in the field of health care in Ukraine, does contain a comprehensive strategic program to address staffing issues in this area, conceptual tasks and mechanisms for implementing personnel policy in the field of health care, although they partially reflect such important issues as improving state educational standards for medical training to improve the quality of training, quality assurance and management of health care, forecasting staffing following health needs health, taking into account its transformations, as well as the demographic situation in the country "[5].

## CONCLUSIONS

Summarizing the above, it should be noted that since independence, significant achievements of state regulation of personnel policy of the health care system are the creation of an extensive legal framework, the transition from a monopoly state approach to health care to the formation of a diverse medical field with the prospect of creating a competitive environment, services. In addition, the positive development of the modern health care system is the creation of equal conditions for the development of both public and private medical institutions.

However, the current realities of the economic crisis and the unsatisfactory financial situation of the majority of Ukrainian citizens hinder the development of the health care system and slow down the process of reforming the medical sector to the fullest. The formation of the regulatory framework of this issue also can not be considered complete.

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## MODERN TRENDS IN THE DEVELOPMENT OF THE INSURANCE SERVICES MARKET

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### ABSTRACT

The article considers the state of the insurance services market of Ukraine at the present stage in the conditions of the worldwide pandemic of COVID-19 and the introduction of the quarantine regime. The dynamics of changes in the number of operating insurance companies (non-life, life) in Ukraine over the past five years has been analyzed. The main indicators of the activity of insurance companies of Ukraine as a whole were investigated and the TOP-10 of insurance companies on gross premiums and payments were presented. The main problems impeding the development of the insurance services market are highlighted. The authors described and showed the main trends in the development of the insurance services market in quarantine conditions. It is determined that the decrease in the number of insurance companies is the result of the regulator's efforts to strengthen the market by eliminating players who do not meet the requirements of solvency and reliability.

**Keywords:** insurance market, insurance service, strategy, innovation, premium.

### INTRODUCTION.

**Formulation of the problem.** In the modern conditions of European integration, the development of the Ukrainian economy is associated with systemic transformational changes that take place both at the level of the economic system of the national economy and at the level of its subsystems, namely, individual industries, markets and enterprises. One of the main indicators of economic development of the economic system at the level of the national economy is the state of the insurance market. Studies of scientists show that with an increase in the standard of living and well-being of the population, the development of the insurance market becomes dynamic. Given the current trends in the spread of coronavirus, confirmation in many countries of the passage of the second and third wave of diseases among the population, it is now advisable to develop and introduce fundamentally new approaches to effective crisis management in the field of insurance services. In this regard, research and characterization of the main trends in the development of the insurance market, taking into account structural dynamics and identifying changes in the structure, are of particular importance.

**Analysis of recent research and publications.** A number of works by domestic scientists, namely: M. Alexandrova, V. Bazylevych, O. Baranovsky, V. Bigdash, L. Bogrinovtseva, M.



Mnykh, L. Primostka and others are devoted to the study of theoretical and practical principles of the functioning of the insurance services market. Foreign scientists also studied the features of the development of insurance, namely: D. Bland, V. Shakhov, A. Manes and others. Unfortunately, there are a number of debating issues, the trends in the development of the insurance services have remained insufficiently investigated.

**The purpose of the article** is to study and characterize the main trends in the development of the insurance services market of Ukraine.

**Presenting main material.** The conditions in which modern integration processes take place are constantly changing, which affects the systemic transformation in which all sectors of Ukraine's economy are developing. The insurance services market belongs to those sectors of the Ukrainian economy that are changing most dynamically. The market of insurance services is one of the most effective means of redistribution of funds, which were accumulated in the previous period in order to further invest in the development of the country's economy. In addition, it ranks second among other non-banking financial sectors in terms of capitalization.

One of the main factors in the development of the insurance market is the number of insurance companies operating in the market. According to statistical information published by the National Commission for State Regulation of Financial Services Markets, as of December 1, 2020, the total number of insurance companies in Ukraine was 215, including «life» companies – 20 units and «non-life» insurance companies – 195 units; as of December 31, 2019 – 233 companies, including «life» insurance companies – 23 units, «non-life» insurance companies – 210 units (Figure 1).

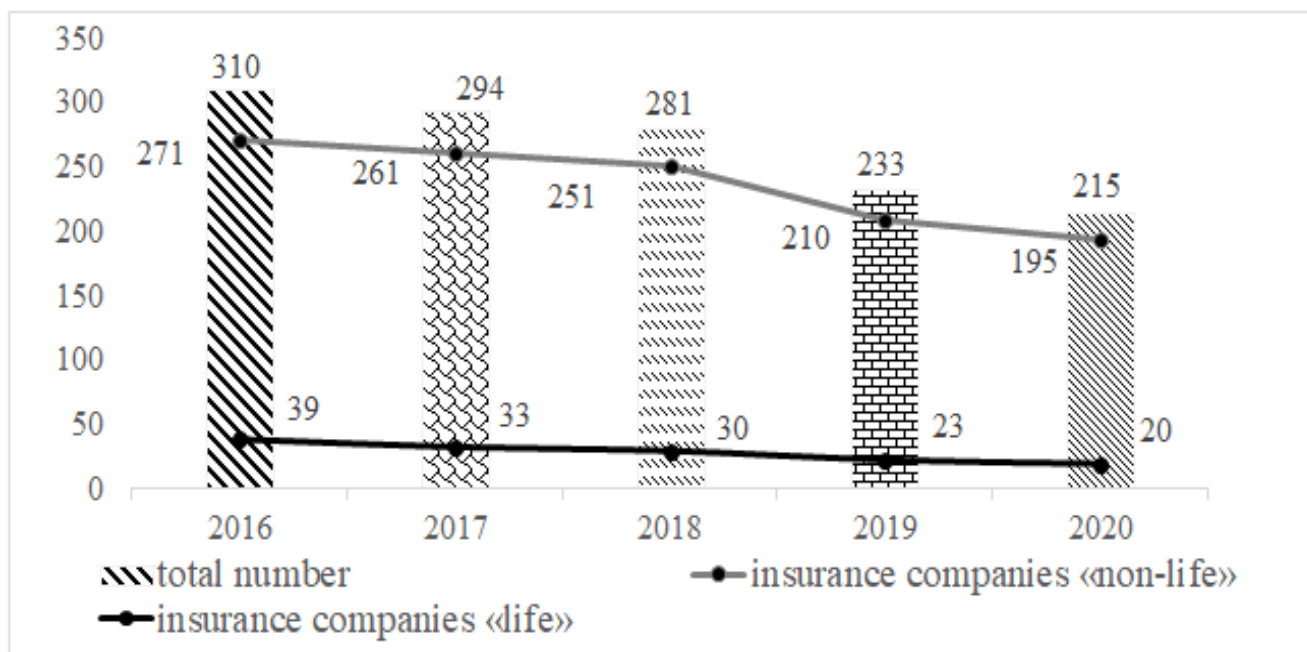


Figure 1. Number of insurance companies in Ukraine in 2017-2020

Source: Source: own development based on data [1,5].



The diagram in Figure 1 shows that compared to previous years, there is a tendency to reduce the number of insurance companies. It is necessary to take into account the fact that as a result of the pandemic that occurred in 2020, there was the introduction of long-term quarantine. This, in turn, has increased competition in the market for these services and, unfortunately, statistics can show a further decline in the number of companies. Therefore, as a result, the task is to improve the organization and increase the efficiency of existing insurance companies.

However, it should be noted that despite the decrease in the number of insurance companies, there was an increase in gross and net insurance premiums. Net insurance premiums – calculated as gross insurance premiums minus the share of insurance premiums paid to resident reinsurers (compensated by resident reinsurers). The structure of insurance premiums has remained relatively stable in recent years. The largest share is formed by car insurance (CASCO and Compulsory Civil Liability Insurance) – 36%. Premiums on life insurance, voluntary health insurance and accident insurance make up a total of 28%. Significant amounts of premiums were also collected for property insurance, fire risks, and financial risks [1].

As of today, payments amount to almost UAH 15 billion. During 2020, the level of insurance payments remained almost unchanged at 35% for risk insurance and 13% for life insurance. In non-life insurance, due to the coronavirus crisis, first of all, premiums for individuals decreased to UAH 40 billion, but later the indicators returned to the previous level. According to the results of 2020, insurers received record profits - UAH 2.2 billion, and return on assets amounted to 3.4%. According to this indicator, insurers are ahead of other non-bank financial companies (table 1).

*Table 1 TOP-10 of insurance companies of Ukraine on gross insurance premiums and payments according to the results of 2020*

<b>№</b>	<b>Insurance Company</b>	<b>Gross premiums (thousand UAH)</b>	<b>Insurance Company</b>	<b>Payments (thousand UAH)</b>
1.	ARX	2680022	UNIQUE	1226589
2.	UNIQUE	249571	ARX	1027707
3.	TAS SG	2026920	USG	913986
4.	USG	1913206	PZU UKRAINE	899419
5.	ARSENAL OF INSURANCE	1846062	TAS SG	887598
6.	INGO	1645452	INGO	768226
7.	PZU UKRAINE	1485572	ARSENAL OF INSURANCE	669945
8.	VUSO	1162346	LEADING	481035
9.	ALPHA INSURANCE	1150657	VUSO	391108
10.	ORANTA	958164	ORANTA	387118

*Source: own development based on data [4].*

According to the National Bank of Ukraine, 57 insurers did not fully comply with the requirement for solvency and capital adequacy. The main reason is the low quality of assets. A positive change since the beginning of the year is the reduction of the share of receivables in assets that cover the requirements set for the regulatory solvency reserves of the insurer. Instead, the share of cash and balances in the Motor Transport (Insurance) Bureau of Ukraine increased. Today, the greatest

risks are associated with a significant share in the assets of illiquid real estate; in addition, its value may be overestimated [3].

It will also be interesting to analyze which type of insurance services has the most contracts per year. Thus, during the study period, insurers provide the most services for insurance against accidents on transport – 26,418.2 (as of the end of 2020). This can be explained by the fact that this type of insurance is mandatory at the state level, the next in number is insurance against accidents – 8751.4, then – financial risks 1482.3, health and life.

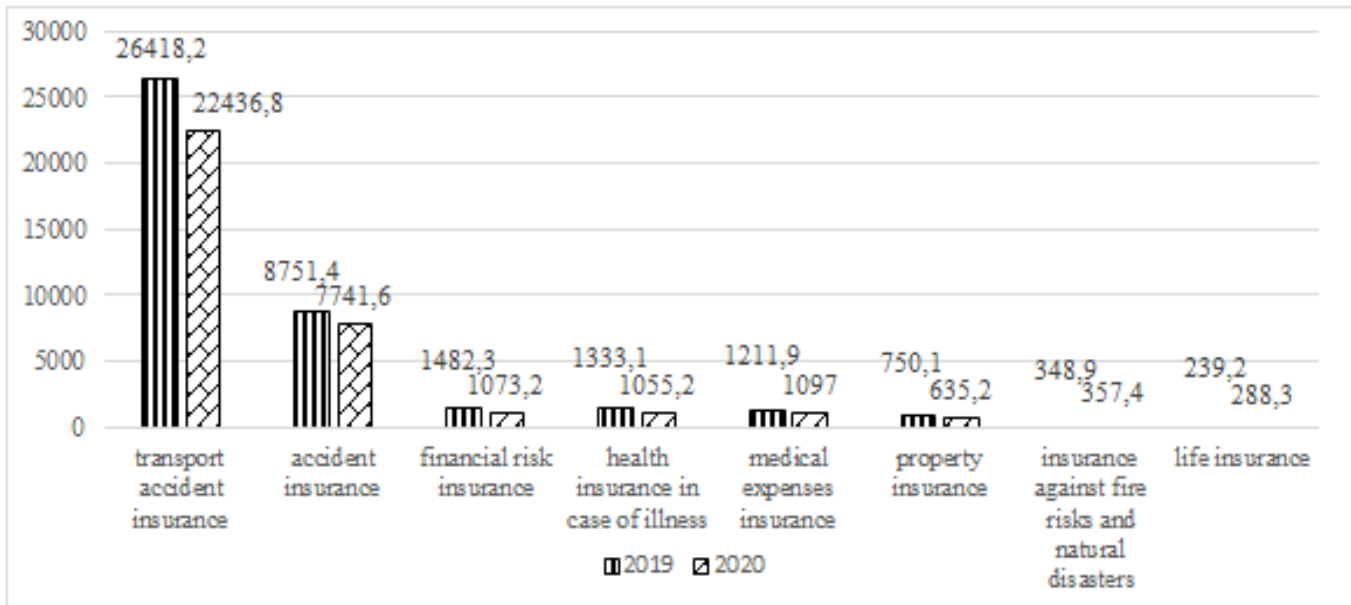


Figure 2. Number of concluded contracts by types of insurance in 2020

Source: own development based on data [1,12]

With regard to the development of international insurance services, «The insurance sector faces constraints, moderate economic growth, and still sufficient market collateral, creating challenging tariff conditions, – says Kurt Carl, chief economist at Swiss Re. – «However, premiums continue to grow in both developed and emerging markets along with economic activity. There is also an increase in insurance penetration, especially in markets in transition» [7].

Among large economies, the US economy is projected to grow at just over 2%, taking into account inflation (in real terms) annually over the next two years.

Growth in the Eurozone and the UK is projected to be about 1% and 1.5%, respectively, while growth in Japan should be less than 1%. Expected growth of China's economy will be approximately 6.5% [9].

Despite the fact that the insurance market is practically formed and functioning, it is characterized by the following problems:

- disproportion between the volume of insurance premiums and contributions;
- low competitiveness compared to foreign insurers [8];

- low capitalization of insurance companies;
- low level of insurance culture and civil liability of both heads of insurance companies and the population [4];
- strengthening the practice of mergers and acquisitions of structures, which, on the one hand, increases the capitalization of insurance companies, and on the other, increases the level of monopolization of the insurance market.

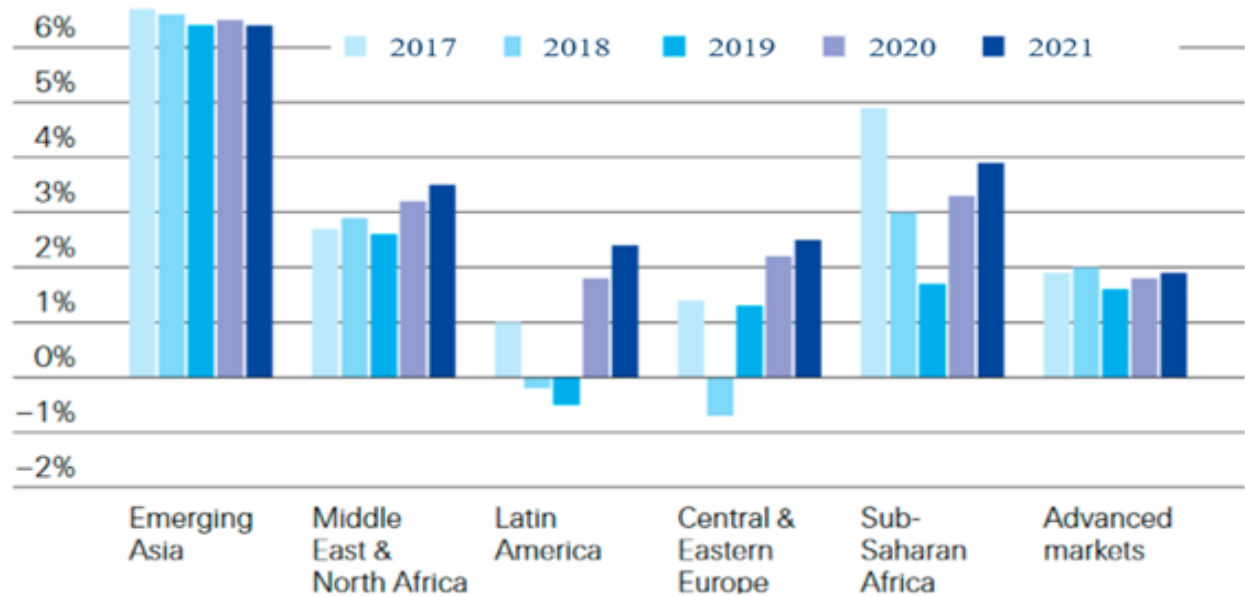


Figure 3. Forecast of the insurance industry in developed markets [9]

In the current conditions, the most relevant are innovations that are aimed at developing new distribution channels. To increase sales of the insurance product at the stage of its launch in the market, it is worth forming new methods of its sale. It is also necessary to introduce innovations related to the latest information technologies to ensure the high quality of the provision of insurance services. An example of such innovations is CRM customer support technology, which refers to a set of management methods integrated customer service processes [2,10].

One of these promising methods is to organize sales over the Internet. Since the Internet is developing at an active pace, insurance organizations should pay attention to the development and timely improvement of their electronic websites. It can be stated that the process of providing insurance services has changed - from gathering information, consulting and concluding a contract to receiving compensation. Currently, given the quarantine conditions, online insurance is becoming more common. This contributed to the active study and effective use of Internet technologies by citizens. To confirm this opinion, we tracked the popularity of queries in the search engine "Google" using tools like "Google Trends".

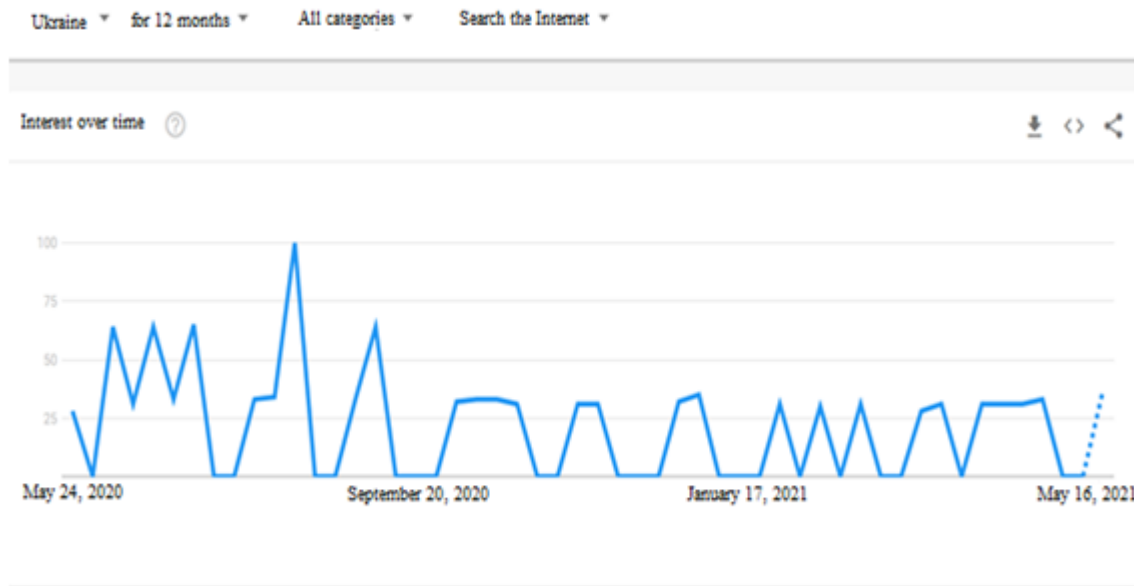


Figure 4. The popularity of the query «online insurance» in the Google search engine [3]

The next step is to improve the taxation system of the insurance industry, involve the insurance market in solving the problems of social insurance and encourage the population to health and pension insurance. An important aspect is to establish ways of cooperation with foreign insurance companies and strengthen business ties with them in the long run in order to learn foreign experience to improve the structure of the Ukrainian insurance market, which would meet international requirements [6,11].

Another important task is the need to create a single state strategy for the development of insurance markets in Ukraine, which would correspond to the real state of the national economy and have a positive impact on the development of the insurance sector. The key driving force in the development and implementation of the strategy should be the NBU, the National Commission on Securities and Stock Market, influential organizations of the insurance market of Ukraine and, in fact, the insurers themselves. The efficiency of the market functioning will depend on the interaction of state supervision bodies and subjects of this sector.

## CONCLUSIONS

Therefore, by describing the current state of the insurance market, it can be concluded that, undoubtedly, the pandemic had a significant impact on the activities of insurance companies; this impact can be easily traced to the dynamics and trends in main indicators of functioning. However, in the insurance market, along with the negative ones, there are also positive changes, in particular, the development and implementation of new financial technologies and programs has intensified, the transition to digitalization has accelerated, and therefore immersion in the digital age is rapid.

It is also worth noting that the decrease in the number of insurance companies is the result of the regulator's efforts to strengthen the market by eliminating players who do not meet the requirements of solvency and reliability. It is impossible to make an accurate forecast of the future state of the insurance services market in Ukraine and take into account all the risks, but it is



possible to anticipate some changes and, if they occur, to quickly develop and implement effective mechanisms.

Proper organization and adherence to these trends will help to overcome the crisis and ensure the successful and efficient functioning of the insurance industry and will allow to compete with dignity in the international arena.

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## HARMONIZATION OF MECHANISMS OF PROCUREMENT OF THE ELECTRONIC SYSTEM PROZORRO TO THE REQUIREMENTS AND RULES OF THE WORLD BANK

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### ABSTRACT

The article considers the mechanisms of harmonization of procurement of goods, works and services (except for the purchase of consultants services) through the electronic system ProZorro in accordance with the requirements and rules of the World Bank. The regulatory framework of the World Bank in part of procurement has been researched. The problems that arose during the harmonization of public e-procurement procedures with the rules and requirements of the World Bank are highlighted. Conclusions are made about the advantages and disadvantages of the electronic system, taking into account the rules of the World Bank. Accented the potential risks, threats and shortcomings of the ProZorro system.

**Keywords:** public procurement, the World Bank, ProZorro, procurement mechanisms, public procurement procedures.

### INTRODUCTION.

**Formulation of the problem.** International financial organizations, including the World Bank, allocate significant funds for the purchase of goods, services and works within the projects they finance in Ukraine. Some of these procurement are displayed on the portal prozorro.gov.ua in the “News” section, but through the ProZorro system to this date they have not been held. The World Bank allocates money to specific customers, such as central government, city or regional councils, therefore, the desire to choose the winners of tenders transparently and with maximum competition is quite understandable. Rational spending of public funds for public purposes is a strategic task for modern Ukraine and the global world.

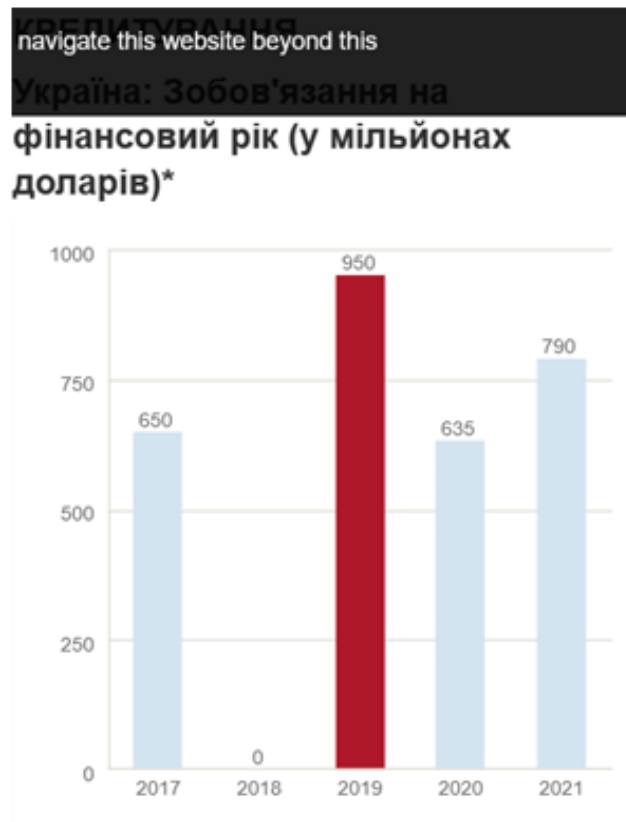
**Analysis of recent research and publications.** Among domestic scientists who have studied the role and place of international financial organizations, including the World Bank, should be noted, in particular: M. Savostyanenko, O. Dolinovska, K. Klymenko, T. Kozhukhova, V. Kolosova, V. Swedentsova, S. Sidenko, I. Shmelyova, N. Pirozhenko, O. Shatkovsky, S. Yaremenko and others. Foreign scientists consider the public procurement system through the prism of efficiency and reform of one or another mechanism: A. Bhattacharia, M. Van Gullebusch, K. Moak, J. Stiglitz, M. Park, H. Haras, M. Won and others.

However, unfortunately, many mechanisms remain out of the attention of scientists and need further study.

**The purpose of this article** is to study and harmonize best practices and mechanisms for procurement of goods and works (services) through the electronic system ProZorro in accordance with the requirements and rules of the World Bank in combination with Ukrainian legislation on public procurement.

**Presenting main material.** Ukraine joined the World Bank in 1992. In more than 28 years of cooperation, the Bank's commitments to the country have reached almost \$14 billion in approximately 70 projects and programs. The World Bank and the Ukrainian authorities are implementing the Partnership Concept with Ukraine for the 2017-2021 financial years, which aims to support the country in ensuring a sustainable economic recovery for the benefit of the entire population. The concept of partnership that is being implemented is focused on improving the efficiency of markets, creating the conditions necessary to ensure fiscal and financial stability, as well as improving the provision of services for the entire population of Ukraine [3].

The level of attraction of financial resources from the World Bank in the Ukrainian economy is shown in pic.1 [3].



\*Суми включають зобов'язання МБПП і МАП

The World Bank is one of the main strategic investors for many countries and remains a leader both in the development and implementation of standards the experience gained in the field of socio-economic development in the UN system [1, p.176].

In addition, the Bank is one of the largest international financial organizations in terms of both the number of members and the amount of assistance provided.

On April 6, 2018, in the ProZorro system announced the first tender for projects, which implemented at the expense of the World Bank. Now, procurement will be held openly and their





progress can be monitored from the moment of the tender announcement until the signing of the contract with the winner. In accordance with the requirements and rules of the World Bank, the procurement of goods, works, non-consulting and consulting services in the framework of projects financed by the World Bank is carried out in accordance with the following Guidelines for Held Procurement and Consulting, as well as the provisions of the Agreement of Loan / Credit/ Grant:

- 1) “Guidelines: procurement of goods, works and non-consulting services under IBRD loans and IDA credits and grants by World Bank borrowers”. Published in January 2011, last edition - July 2014. (Procurement Held Guidelines);
- 2) “Guidelines: selection and employment of consultants under IBRD loans and IDA credits and grants by World Bank Borrowers”. Published in January 2011, last edition - July 2014. (Guidelines for the work of consultants);
- 3) “On Preventing and Combating Fraud and Corruption in Projects. Financed by IBRD Loans and IDA Credits and Grants”. Published October 15, 2006. Last edition - January 2011 [4]

In accordance with the requirements of Article 6 (Ukraine’s international procurement obligations) of the Law of Ukraine “On Public Procurement” of December 25, 2015 No 922-VIII as amended) (hereinafter - the Law) the following procedure for harmonization of national legislation compared to international is established.

1. If an international agreement of Ukraine, the binding nature of which has been approved by the Verkhovna Rada of Ukraine, provides for a different procurement procedure than defined by this Law, the provisions of the international agreement of Ukraine shall apply, taking into account the principles of:

- fair competition among participants;
- utmost economy, efficiency and proportionality;
- openness and transparency at all stages of procurement;
- non-discrimination of participants and with equal treatment;
- objective and impartial determination of the winner of the procurement procedure / simplified procurement;
- prevention of corruption and abuse.

2. Procurement of goods, works and services through loans, credits, grants provided in accordance with international agreements of Ukraine by the International Bank for Reconstruction and Development, the International Finance Corporation, the Multilateral Investment Guarantee Agency, the International Development Association, the European Bank for Reconstruction and Development, the European Investment Bank , The Northern Investment Bank, as well as other international monetary and credit organizations, is carried out in accordance with the rules and procedures established by these organizations, taking into account the principles mentioned above, and in case of absence of such rules and procedures - in accordance with this Law.

3. Procurement of goods, works and services on the terms of co-financing within projects implemented through loans, credits, grants of organizations is carried out in accordance with the rules and procedures established by these organizations, and in case of absence of such rules and procedures - in accordance with this Law [14]

Important information on the effectiveness of the public procurement system is provided by the international ranking prepared by the World Bank working group. But despite the fact that the



methods of calculating international rankings and the use of their results are widely represented in the economic literature, the rating of the effectiveness of the public procurement system remains out of consideration.

Extremely relevant is the study of Ukraine's place in international rankings with an emphasis on the effectiveness of the public procurement system as an important and integral element of government regulation and business environment, identifying factors influencing changes in indicators, their critical assessment given the following considerations: firstly, it is necessary to understand the environment in which our country is deemed by international organizations, investors, creditors and other stakeholders to determine areas for improvement and their projected impact on the position of our country in order to increase its rating, including in the efficiency of public procurement; secondly, the study and analysis of the constituent elements of the international rating allows to improve the quality of preparatory work in public procurement in the field of innovation and the market of innovative products.

Given the globalization of the economy and the intensification of European integration processes in our country, an important component of assessing the effectiveness of public procurement should be a comparative analysis of procedures for their implementation with the relevant systems of other countries. Important information on the effectiveness of the public procurement system is provided by the international ranking prepared by the World Bank working group. A study of the effectiveness of the public procurement system was launched by the World Bank in 2013. Currently, three reports have been published: 2015 (covering 10 countries) [15]; 2016 (covering 77 countries) [16]; 2017 (covering 180 countries) [17].

Ukraine has been included in the study since 2016 and for two years in a row the World Bank has assessed Ukraine's public procurement system at a fairly high level. The latest research conducted in 2017 received the highest score on the indicator "opening of envelopes, evaluation and selection of the winner". High scores were obtained on the indicators "content and conditions of the contract", "needs assessment, placement of information on procurement, preparation of applications (proposals)". Average scores were obtained for the indicators "submission of applications (proposals)" and "ensuring the implementation of the contract".

The ProZorro e-procurement system has shown good performance (Fig. 2).

The analysis of international experts confirmed that the system meets the generally accepted requirements of development banks for e-procurement using electronic reverse auction mechanisms. As a result of the evaluation of the functionality of ProZorro, the World Bank provided a positive conclusion on its application by the methods of procurement "Free Trade Procurement" and "National Competitive Bidding" [9, 10]. Thus, the public procurement system of Ukraine, according to the World Bank, is ahead of even OECD member countries with high incomes, such as Iceland, Norway, Great Britain, Ireland, the Netherlands, Switzerland, Finland, Luxembourg, Sweden, Czech Republic, Portugal, Slovakia, Greece [9]. Not to mention low-income countries such as Lithuania, Latvia, Croatia, Serbia, Uzbekistan, San Marino, Armenia, Azerbaijan, Montenegro, Belarus and others.

The advantage of the new system of electronic public procurement is the shift in time of budget control procedures over the state expenditure policy. If previously clumsy, often corrupt state financial inspections did not have time and did not cope with the audit of public expenditures and enterprises, in the digital age the state control has shifted from the post-audit stage to the current control stage, while reducing its costs.



Fig.2 Analysis of the success of competitive procurement procedures for 2016-2021.  
 Source: generated by the author using [8]

The role and importance of civil society control (publicity in the press, public criticism, investigations by activists and the media, etc.) is growing, as a result of which budget tenders have been repeatedly canceled at the announcement stage.

Therefore, state and municipal finances were not spent on obscure or suspicious objects, their theft or misappropriation of funds was prevented precisely due to the transparency of the public procurement system. It is clear that the existing electronic platform ProZorro is not excellent, it needs daily analysis, improvement and elimination of shortcomings. There is also a problem of incompetence, lack of skills and experience in the implementation of the tender procedure on the Prozorro system by local public authorities: village councils and united territorial communities (UTC).

As of today, the main problems are as follows:

- Low bidders participation. According to the World Bank, procurement is successful if at least 3 participants take part in it. According to Fig. 2, we see that the average bid is 2.32, which complicates the process procurement at the expense of international donors, in particular the World Bank;
- Incomplete procedures for attracting international donors in accordance with the priorities set out in national, sectoral and regional documents;
- Non-compliance of international donor projects with strategic and program documents of the Government;
- Systematic delays in the process of approval of the procurement plan by the beneficiary;
- Incomplete mechanism for monitoring projects in which international donors are the participants, in particular, provision by project executors of an annual report on the project status (as for agreements with the EU);
- Outdated reporting formats for beneficiaries and recipients regarding monitoring results.



The undeveloped mechanism of information exchange between state bodies in the field of personnel planning, staff selection, personnel statistics, employment structure, and advanced training of civil servants remains a separate problematic issue. Budget planning for the implementation of the integrated mid-term fiscal function of forecasting capacity enhancement to assess tax expenditures and administer tax gaps needs to be strengthened.

Another issue is the provision of consulting services in the context of procurement and management of IBRD investment projects.

Grant projects of international financial organizations are characterized by such problems as low interest of the candidates for the positions of project consultants, early deadlines for submission of documents and selection of potential suppliers, as well as the following claims to extend such deadlines, including extension of software procurement at the request of potential participants.

Successful project implementation is also hampered by: insufficient experience of participants in cooperation with the World Bank; lack of goods, works and services that led to the bidding cancellation in 2018; multiple exposures of purchases; significant time spent on signing contracts for the purchase of goods, works and services for projects. In general, cooperation between the World Bank and Ukraine takes the following forms: technical consulting, financing the development of the country's regions and the private sector, the introduction of new mechanisms for providing support on strategic issues of economic development and investment management [2, p. 29].

M. Savostyanenko (2008) notes that there is inefficiency of investment projects due to violation of project implementation schedules, cancellation of loans. The unsatisfactory state of implementation of IBRD and EBRD projects up to 2008 in Ukraine was due to the following systemic problems: Inadequate level of justification for initiating and planning projects; Risky and disproportionate structure of the IBRD project portfolio, complex and time consuming procedures established by the international financial organizations for the entry into force of loan agreements and amendments thereto; partial liability of executors and beneficiaries in Ukraine for untimely and low-quality implementation of projects; Inappropriately established management mechanisms for such projects.

Numerous shortcomings at the preparatory stages and during the implementation of projects led to the loss of credit resources for their financing [11].

We would like to note that significant part of the problems has been eliminated, in particular, the procedures for financing and implementation of projects have been significantly simplified, the quality of projects implementation has been increased, particularly due to the introduction of e-procurement service ProZorro, as well as the management mechanism has been enhanced.

However, after the decentralization of power, new problems arise at the local public level primarily due to lack of qualified management and staff. The latter entailed such problems as long-lasting procedures, weak projects monitoring and implementation mechanism.

In general, studying the effectiveness of the World Bank loans in Ukraine, scientists identify a number of problems in public administration. Thus, O. Dolinavska claims that "Ukraine does not comply with its obligations under loans, fails co-financing requirements, delays the ratification period of credit agreements, and its public authorities provide low organizational support of loans, etc." [1].

According to O. Slozko, considering the problems with financing, the shortcomings include "non-transparency of work with funds of international financial organizations, slowness, and unprofessionalism" on the Ukrainian side [13, p. 70].

These problems are key, long-lasting, systemic, interconnected and can be traced back to the beginning of Ukraine's cooperation with international donors. The experts of the National Institute for Strategic Studies under the President of Ukraine point to the main problems of cooperation with the IBRD, such as "non-transparency of the project selection system... and the lack of a realistic assessment of project implementation efficiency (at the stage of feasibility study preparation, the assessment is made only in terms of the effectiveness of the use of IBRD funds, excluding assessment of a real socio-economic effect)" [13]. The latter causes the problems in selection of the most effective way to implement such projects.

Despite the significant amount of resources provided by the World Bank to financial support the projects implementation in Ukraine, there are problem issues with its development because the sample of funds is very low [12].

K. O. Rybalchenko, talking about underexpenditure which is common to most projects and slippage in schedules of realization, admits that "delays in project implementation and cancellation of the loans not only lead to financial losses of the national budget but result in the loss of its relevance". [10, p. 17]. Among the factors that may affect the delays in the projects implementation, L. Pershko, M. Myronenko include "limited technical capabilities of the parties; lack of adequate institutional framework needed to support projects; changes in the sense of involvement of government employees in projects due to their rotation; conflict of interests among individuals and groups related to the projects implementation" [9, p. 339]. Thus, the above-mentioned problems have a negative impact on the effectiveness of assistance from international donors and the World Bank, in particular, in the implementation of economic reforms in Ukraine.

## CONCLUSIONS

Since April 2018, through harmonizing the rules and requirements of the World Bank and Ukrainian legislation, the first procurements of goods and services were held using the electronic system ProZorro. Among the key problems there are following: non-compliance with obligations and requirements in the context of co-financing by Ukraine, delaying the ratification period of credit agreements; inconsistency of actions of government authorities in matters of organizational support of loans; slowness, unprofessionalism, lack of qualified personnel staff; lack of a system of medium-term forecasting and planning; incomplete development of resources of a significant part of projects and significant violation of implementation schedules, low turnout, complexity of procurement of consulting services (selection of personnel according to the rules of the World Bank) for the administration of procurement processes.

The important attention in further research should be focused on the harmonization of procurement of services in accordance with the requirements and rules of international donors, as well as the introduction of quality selection criteria for the procurement of goods.

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## STRATEGIC DIRECTIONS OF IMPROVING LAND RELATIONS IN UKRAINE

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### ABSTRACT

The article is dedicated to development features of the state policy on land relations in Ukraine. Promising directions for the development of the concept of formulating and implementing the state policy on land relations in Ukraine have been presented. It has been ascertained that the land reform implementation in Ukraine should not inhibit the economic development of the country but help build a new competitive model of business-government relations. Increasing investment attractiveness in this dimension should be provided not through increasing the market value of land as a type of enterprise asset, but through radical innovation and structural changes in the use of natural resources; not through the land market denationalization, but through the motivation of domestic entrepreneurs to thrive on socially responsible business. It is necessary not to sell the land resource base formed over millennia, but to move reasonably and gradually from the analysis of quantitative characteristics of enterprises to intensive changes in management, to measure the social responsibility of agraricultural business, to maintain land use ethics and the formation of environmental values, mechanisms and instruments of the state environmental policy. Four stages of development and implementation in public administration of the author's concept of complementary type have been suggested: 1) determining the dominants of the concept; 2) developing the mechanism of state regulation of the land relations development adequate to real processes with objectification of its elementary components; 3) developing a methodological scheme for implementing the mechanism of state regulation of land relations; 4) identification of the most important factors influencing the effectiveness of the state policy on the land relations development..

**Key words:** land relations, decentralization, mechanism, regulation, regulatory framework, investment attractiveness, land reform, land market, resources.

### INTRODUCTION

**Formulation of the problem.** In the modern world, the quality of state policy on land relations development in Ukraine has become a determining factor in ensuring national security. Enhanced market relations, the desire to build an open social-economic model in the country, rapid integration into global market relations necessitate studying the formation and implementation of state policy on land relations based on the generation of new knowledge, technology and its accelerated introduction into production. One of the main problems of modern land relations in Ukraine, which needs to be solved, is the lack of an effective concept of formation and implementation of state policy on land relations, which will counteract possible threats to economic activity, use existing potential and generally maintain the appropriate level of national security.



**Analysis of recent researches and published papers.** The issue of forming a mechanism for implementation of the state policy to regulate land relations under conditions of decentralization and land market establishment is presented in the works of such domestic scientists as O. Borodina, O. Mushak, L. Polishchuk, A. Tretiak, M. Fedorov, O. Chaplyhina, T. Shestakovska, M. Shchuryk and others. Despite the wide range of research areas dedicated to the peculiarities of the formation and implementation of state policy on land relations, the works of these scientists did not reflect the development of the concept of state policy on land relations and the necessary institutional support.

The purpose of the article is to substantiate the scientific and methodological approaches to the formation of the concept of state policy on the land relations development in Ukraine, as a direction to support the country's leadership in the international market.

**Presentation of the main research material.** It is necessary to admit that transformation processes currently take place in all fields of social life in Ukraine. An increasing need in ensuring the sustainable development of social life urgently demands both from the government and from Ukrainian society a new attitude to the issue of formation and implementation of the state policy on the land relations development in Ukraine. The situation in the agricultural sector remains difficult and needs immediate improvement. The need to form a state policy on the land relations development in Ukraine stems from the fact that the industry remains extensive, while the products manufactured have a low added value. The general pattern allows us to talk about stagnation, in particular of small and medium-sized manufacturers; anti-national character of innovation support, because the developments implemented by leading enterprises are exclusively foreign scientific products; situational dependence of decisions on the strategic course of the agricultural sector, which often changes in the exclusive focus on foreign market demand; and lack of a clear, state-supported course to find effective innovations produced by agricultural science.

Efficiency formations in the modern domestic agricultural sector in general are extremely broad, as there are many problems and positive aspects that require to be addressed. Organizational, functional, business, economic, research and, above all, management results "are involved" in this process. Apart from that, it is essential to state that during the years of independence in Ukraine, mainly, organizational, legal and resource-functional bases have been formed in the field of the state policy implementation on development of the agricultural sector and land relations in particular [1].

The content of the state policy on the land relations development should include a real set of goals, objectives, development priorities, programs that are developed and implemented by public authorities involving civil society institutions. Hence, the purpose of the state policy on land relations in Ukraine is to create optimal conditions for the development of the agricultural sector, based on public needs, economic interests of the state, ensuring food security, the need to adapt to changing internal factors and dynamic global economic processes. Thus, we can confirm that the main directions of the state policy on the land relations development in Ukraine are the following:

1. Scientific direction that presupposes development of both State programs for the land relations development and Regional programs for implementing a model of innovative development of the agricultural sector in Ukraine; development of a scientifically sound structure of agricultural production, based on consumer needs and state strategic goals; initiating the establishment of local innovative organizations focused on improving the quality of cooperation between science and production as a contractor and customer; increasing the level of research efficiency through a





system of social and economic motivators, the formation of a fair mechanism for research results' commercialization.

2. Economic direction that involves balancing of budget expenditures on science, education, innovation and production; developing measures to stimulate an increase in the share of innovation costs; change of the target focus of the tax system to stimulate business entities to carry out innovative activity; developing a transparent system of benefits and subsidies for active participants in land relations.

3. Intellectual direction that implies developing measures to motivate scientists into breakthrough research and preventing talented young people from immigration; sectoral balancing of scientists' training; developing a program for training specialists in innovation management in the agricultural sector.

4. Institutional direction that presupposes a comprehensive legislative support for the land relations development; establishment of regional innovative foundations to raise funds for land relations improvement; formation of integrated innovation structures; development of innovative entrepreneurship.

5. Informative and communicative direction involves establishing consulting centers, offices for the implementation of the model of land relations development at advisory services; integrating scientific-educational, production, management, public and information sectors complying with the principle of complementarity; designing software for the implementation of the blockchain information technology.

6. Insurance direction implies development of an insurance system in the agricultural sector, its scientific substantiation and availability to product manufacturers; creation of a system motivating insurance companies to insure entities of land relations; increasing the investment attractiveness of the agricultural sector of Ukraine in order to differentiate risks [2-3].

Given the definiteness of the dominants of the state policy on land relations, we believe that its formation and implementation should provide and be carried out according to the results of simultaneous use based on general and special principles of ensuring its effectiveness. Along with certain basic principles of formation and implementation of state policy on land relations, in our opinion, a rational and effective set of management methods plays a leading role in the implementation of an effectient public policy [4].

Having considered the views of leading scholars in the field of state policy on land relations, it has been proposed to classify management methods into direct and indirect by the form of influence. The methods of direct influence should include legal and administrative ones. The methods of indirect influence are financial and economic. It is financial and economic methods that occupy a leading place in the state policy on land relations development and are implemented using the instruments of budget, tax, customs, monetary, price and investment policy.

Therefore, in order to effectively form and implement state policy on the land relations development, we believe that general scientific methodologically important provisions that are justified within the modern theory of public policy and management should be used. In particular, the author considers it appropriate to use the tools of system-structural, resource-functional, program-target and situational theoretical approaches in the context of developing a complementary concept of state policy on land relations.

Along with the above, it should be noted that a systematic approach to the state policy on land relations is reflected in a comprehensive study of land relations, innovation potential and an appropriate part of the environment. That part of the environment determines not only the necessary



conditions for their use but also the optimal for the needs of Ukraine the number and structure of public authorities, which are entrusted with the function of managing the land relations development [5]. The system-structural approach used in the formation and implementation of state policy on the land relations development is to describe and explain the systems as well as to examine their elements and the relationships between them within a single whole. Certain social phenomena perform a certain function in maintaining and changing the social system. Its essence is to divide a complex object into constituent parts, to study the relationships between them and to determine their inherent specific functions (roles) aimed at meeting the relevant needs of the personnel management system, taking into account the integrity of the latter and its interaction with the environment [6]. Within the framework of the provisions provided for in the system-structural approach, the elements of the system support for the formation and implementation of the state policy on the land relations development have been identified.

In this regard, we confirm that by using the provisions of the resource-functional approach (namely: understanding the importance of the country's resources to ensure economic security in a changing internal and external environment) a certain level of state policy on land relations can be achieved, which will ensure national security and create environmentally friendly conditions for the organization of economic activity and society as a whole. Thus, according to the theoretical and methodological basis of formation and implementation of the state policy on the land relations development and the indicated and substantiated dominants, a conceptual scheme of the state policy on the land relations development in Ukraine of complementary type has been proposed.

The concept of state policy on the land relations development in Ukraine is proposed for use in public administration practice, as the presented developments can become a fundamental basis for drafting regulations in the context of implementing effective policy by executive authorities when they fulfill their full powers under the law. With this in mind, the latter can be used to implement the provisions of power decentralization in Ukraine [7].

In order to ensure balanced development, the priority areas should be the rational use of natural resources, in particular, the land resource potential of rural areas, by restoring its quality components. Scientific and methodological principles of the environmental program implemented by the state presuppose using the adapted approach to formation of the purpose of environmental activity and system means of its achievement. The main goal of environmental activity should be a system that is able to switch from the function of responding to events that have occurred, to the implementation of an effective and efficient control as well as the introduction of appropriate preventive measures [8]. As a result of research the conceptual model to regulate processes of formation and use of land resources potential in Ukraine has been developed.

Thus, the conceptual principles of formation and use of land resources are based on state support, consistency of legislation, state and regional programs when introducing "eco-technologies" of agricultural land use, taking into account the priority principles of approximation of legislation to international and European law in order to preserve, restore and protect the environment as well as to create preconditions to preserve quality features of land and resource potential in rural areas. The issue of creating favorable conditions for the development of the land market and effective mechanisms for practical implementation in view of the public benefit of all types of land resources potential, the importance of national wealth of Ukraine is relevant. At the local level, regulation is carried out through the transfer of land ownership, registration of property right, land use and land lease agreements, withdrawal or redemption of land, land fees, land cadastral



documentation, coordination of land management projects, approval of construction of various facilities (residential, industrial, public facilities), as well as the resolution of land disputes within the law.

The process of formation of the market of agricultural lands also remains the most acute and difficult. The priority measures to remedy the situation include establishment of a full-fledged institutional and legal framework for land market regulation, in the concept of which the real economic situation and the features of land as a multifunctional resource of nature should be taken into account. The main current legal norms regulating the formation of a multifaceted land system in Ukraine proved to be insufficiently socio-economically and environmentally sound.

In recent years, due to the adoption of new land legislation, land has become the object of market relations and subject to purchase and sale. Land payments (tax, rent, etc.) have been introduced. They reflect the economic essence of land as a commodity and real estate. This function of land has changed radically from state bans on land agreements to state incentives for land circulation. However, changing the strategic imperatives of land relations rationalization should ensure the supremacy of public interests over individual ones. Society should be able to change the "rules of the game" and substantially fulfill the rights of landowners and land users.

Society should remain the main consolidated "owner" of territorial land resources, delegating to specific landowners their administrative and other functions within a fairly narrow, open to change boundaries of land law. Hence, the whole system of market operations with land ownership should be relatively conditional, and therefore it is reasonable to let the owner possess and dispose not a specific material substance (land), but only a controlled right to use it.

Establishment of the system of the Ukrainian State Land Bank (state, regional, district and city offices, computer support, communications, and personnel) should be carried out in two stages. At the first stage the functions of the land bank should be transferred to several trustworthy commercial banks, focusing on the use of their infrastructure and personnel. At the second stage it is expedient to create a system of specialized Ukrainian State Land Bank involving other banks. The necessary radical transformations are connected not so much with the physical redistribution of land, but with the establishment, withdrawal and redistribution of its rent value, creation of economic and legal regulators of land-capital circulation and highly efficient territorial land management systems.

It should be noted that the population has become more adapted to today's economic conditions, has re-evaluated the role and importance of land in social production. It is worth mentioning that the results of marketing research reflect the growing priority of private ownership of agricultural land. As a result of land distribution into shares, peasants received land shares and have the opportunity to work independently. But most landowners do not have the ability, skills, physical strength to manage separately, some peasants, owners of land shares (shares), deprived of a set of necessary means for land cultivation. At the same time, there are people who are willing to take the risk of working independently on the land, but the size of their land is limited. Therefore, the lease of land under modern conditions is one of the effective ways of its use as a production means.

It has been already mentioned that a separate type of state regulation in the field of land relations involves economic methods. They are implemented by introduction of land fees by type of purpose, land tax payment, rent, which depend on the quality and location of land, and cadastral land assessment. In addition to the above economic methods of regulation, there we can include the introduction of benefits for land fees, development and operation of a mechanism for damage



determination and compensation to landowners and land users for deteriorating land quality by the type, rendering them unusable due to improper use or depletion, excessive anthropogenic impact. It is possible to reduce the level of hazards in rural areas through technological renewal, waste recycling and environmental protection. For enterprises of the agricultural sector, a significant factor of influence is the introduction of measures to green production. In order to understand the issue of ensuring the reduction of the impact on land resources, finding ways to improve their efficiency and measures to prevent depletion, it is necessary to analyze the world experience in implementing land reforms in foreign countries. Based on the experience of land reforms, it would be possible to adopt the experience of successful implementation and use of the positive economic result of the reform measures. However, the proposed land management systems do not allow ensuring the competitiveness of agriculture [9].

This phenomenon takes place due to the fact that with the concentration of land in a small part of the population there is extensive use of productive agricultural land by large landowners and restraint in the use of advanced technologies at small enterprises. Therefore, land reforms should be implemented flexibly and expeditiously, focusing on the peculiarities of the internal environment of the country, ensuring the balance of state regulation of land relations in coordination and interaction with the system of preserving the interests of the rural population in land use, in particular, securing the rights of both tenants and landlords.

Thus, achieving economically efficient, rational and socially-focused use of land potential is possible only through ecologically-oriented use of relevant land plots, establishment of a transparent land use management mechanism and securing landowners' and land users' rights. The mechanism should focus on setting limits on land privatization, simplifying the procedure of state land registration, reducing the tax burden, simplifying the relationship in the lease system in order to quickly put unused land into circulation [10]. At the level of local communities and regional government, it is necessary to introduce a sound methodology for planning the rational and productive use of land that is concentrated in rural areas.

## CONCLUSIONS

The expediency and formalized content of the author's concept of formation and implementation of the state policy on the land relations development of complementary type have been substantiated. It has been established that the objectives of the author's concept are as follows. Economic objectives include sustainable development; increasing the level of internal and external competitiveness of the agricultural sector; high technical and technological rating of the country; income growth. Social objectives presuppose improving the quality of life of the rural population; growth of the human capital development index; intellectualization of society; employment growth in rural areas; consumer protection. Ecological objectives include rational use, preservation and restoration of land natural resources; providing the population with ecologically safe food; raising ecological culture.

Increasing investment attractiveness in this dimension should be provided not through increasing the market value of land as a type of enterprise asset, but through radical innovation and structural changes in the use of natural resources; not through the land market denationalization, but through the motivation of domestic entrepreneurs to thrive on socially responsible business. It is necessary not to sell the land resource base formed over millennia, but to move reasonably and gradually from the analysis of quantitative characteristics of enterprises to intensive changes in management, to measure the social responsibility of agricultural business, to maintain land use



ethics and the formation of environmental values, mechanisms and instruments of the state environmental policy.

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## ECOLOGICAL AND ECONOMIC MANAGEMENT OF URBAN AREAS

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### ABSTRACT

The work is devoted to the basic principles and strategies of ecological and economic management of urban areas. The historical aspect of the development of modern ecological and economic management is considered and the paradigm of transition to the "green" economy approved at the international and national levels is outlined. It is noted that environmental and economic management, which is based on the principles and principles of the Pan-European Strategic Framework, will lead countries and urban areas to develop and implement their policies, strategies, and plans for greening the economy and achieving sustainable development. It is indicated that the management of urban areas directly depends on the environmental and economic information used by managers and methods of obtaining and consolidating it. It is emphasized that SMART management of urban areas can be seen as a future expanded role of information in the world. The types of data sources that use organic information platforms of urban areas are indicated. It is indicated that the current stage of development, to meet the expectations of society and improve the ways of effective work, significantly changes the role of new data sources such as SMART information. The use of smart data will first help in the information content of urban and sustainable cities, as well as the CSB by improving quality, detail; secondly, ensure the compliance of indicators without compromising their impartiality and methodological validity. Emphasis is placed on the need to establish City (territorial) centers of mobile information, whose activities will be aimed at promoting innovative methods of research and use, including SMART + information. In addition, the important place of geolocation data on pollutants of cities and communities in the environmental and economic management of urban areas. As a result of the study, it was concluded that the development of quality and reliable SMART information and information with geo-links is one of the main requirements for effective environmental and economic management, especially in urban areas.

**Key words:** ecological and economic management; urbanized areas; SMART information, geolocation data, urbanization processes.

### INTRODUCTION.

**Formulation of the problem.** Urbanization ecological and economic processes at the national and international level have become one of the main factors of socio-economic development of both individual cities and national economies. At present, Europe is the most urbanized part of the world and this figure is growing every year. Ukraine is no exception and also belongs to highly urbanized territories. In such a situation, economic growth and the quality of the environment, quality of life and safety of the population, etc. are endangered. This is why it is necessary to find new approaches to determining the factors associated with the impact of urbanization on the ecological and economic growth of the country, to understand the essence of the modern process of urbanization.



**Analysis of recent research and publications.** The problem of ecological and economic management of urban areas is given considerable attention by researchers. Among the foreign authors are the works of W. Shukla, D. Harvey, P. Knox and L. McCarthy and others. Regarding national scientists, domestic scientists studied the processes of urbanization in Ukraine: H. Onyshchuk, I. Posatskyi, K. Niemets, O. Semenov, L. Shablii, V. Salii, O. Shevchuk, V. Honchar, A. Buriachenko, D. Kuzmenko, I. Hukalo, and N. Omelchenko, E. Pertsyk and others. [3,5,6,14]. At the same time, the problem of ecological and economic management of urban areas remains underdeveloped and requires further scientific research.

**Presenting main material.** A scientifically sound way to further develop modern environmental and economic management of urban areas is to move to a new economic paradigm, which in essence contributes to the prosperity and well-being of the population, increasing access to renewable energy, food security and air quality, while mitigating the negative impact on the environment. environment and adaptation and mitigation to climate change.

Currently, the transition to a new environmental and economic paradigm, to a "green" economy, is shared by both regional scientists and managers, and top managers at the national and international levels [2,6,8].

Thus, taking into account the internationally approved Pan-European Strategic Framework for Green Economy and the launched Batumi Initiative on Green Economy, the European Economic Commission (hereinafter - EEC) in 2011 introduced a gradual transition to a green economy. As a result, the EEC Committee on Environmental Policy, together with the United Nations Environment Program (UNEP) and other relevant international organizations and stakeholders working on environmental and economic governance, has taken the initiative to develop proposals for a pan-European strategic framework for greening urban economies.

In general, the EEC Committee on Environmental Policy outlined the components of the above strategic framework in terms of incorporating practical examples, best practices and tools to be used to accelerate the transition to the environmental and economic management of cities, while promoting the bottom-up approach to environmental and economic processes. upwards, as well as the use of existing scientific products and the existing knowledge platform, green economy initiatives.

The strategic part of the draft European Common Strategic Framework for Greening the Economy has been agreed to fulfill the tasks set by the EEC. The purpose of the Strategic Framework defines the principles and strategies of environmental and economic management of both urban areas and regions in general in the process of transition in the period up to 2030 to a "green" economy. It was stressed that this transition, with adequate, timely and full support and incentives, will bring investment in urban areas in innovation for "green" technologies, products and services, promote the development of "green" technologies and encourage "green", environmentally conscious behavior citizens, to reduce total environmental risks and address existing environmental deficits, the creation and expansion of green jobs in the economy.

That is, environmental and economic management, which is based on the principles and principles of the Pan-European Strategic Framework, will lead countries and urban areas to develop and implement their policies, strategies and plans for greening the economy and achieving sustainable development [13,4,11,12,9,10,1].

It should be noted that the formation of principles and strategies of ecological and economic management of urban areas directly depends on the information used by managers and methods of obtaining and consolidating it.



Smart devices, electronic networks and the constant generation of information on all aspects of economic life are becoming an integral part of how our societies, cities and economies will function. Most, if not all, data in the third decade of the 21st century is expected to be "organic," a by-product of human activities, systems, and things, including billions of low-cost and affordable smart devices connected to the Internet, the IoT.

In addition, the Fourth Industrial Revolution (Industry 4.0) and Industrial IoT are transforming manufacturing operations, bringing smart technology to the forefront and automation to a higher level of intelligent systems integration.

The IoT has the potential to offer added value for the production of information on the development of urban areas.

SMART urban management can be seen as a future expanded role for information in a smart technology world. Smart technologies include automated interactive technologies in real-time, optimizing the physical operation of appliances and consumer devices. Then the information itself will be transformed into intelligent technology built into intelligent systems that will turn "data" into "information". It can be seen as a service provided by intelligent systems that include controlled and transparent data life cycles, ensuring the reliability and accuracy of the results, respecting the confidentiality of data subjects and protecting confidentiality [9].

Today in their work organic information platforms of urban areas use three main types of data sources:

- statistical surveys: a direct collection of primary data from individuals, households, business entities, as well as public facilities outside government structures exclusively for statistical purposes;
- administrative reports: secondary use of data collected primarily for administrative purposes on individuals or private commercial activities;
- information collected by specialized government agencies equipped with appropriate technical devices (eg remote reading from satellites), etc.;
- The development of the global statistical system involves the involvement and use of new sources of information such as big data and administrative sources, geospatial data and Trusted Smart Statistics data.

It should be noted that at the present stage of development, to meet the expectations of society and improve the ways of effective work, modern development significantly changes the role of new data sources such as SMART information. The use of smart data will first help in the information content of urban and sustainable cities, as well as the CSB by improving quality, detail; secondly, ensure the compliance of indicators without compromising their impartiality and methodological validity.

Reports of the Global Working Group (GWG) to the Statistical Commission (E / CN.3 / 2015/4, E / CN.3 / 2016/6, E / CN.3 / 2017/7, E / CN.3 / 2018/8 and E / CN.3 / 2019/27) provide additional preconditions for the work of these changes.

Given the widespread use of mobile phones in developed and developing countries, as well as in urban areas, as well as the need for detailed information for policy purposes, it is necessary to study the methodology for obtaining additional information using mobile phone data, especially mobile data telephones to facilitate the monitoring of orderly, safe, regular and responsible migration and mobility of people, and to control tourism as a driver of economic growth and jobs. The UN Statistical Commission in its activities is constantly investigating the use of new sources of information, except for Smart Data.





Smart information by definition differs from the traditional data sources currently used in that it requires the development of new metadata and their application. It raises issues regarding methodology development, quality assurance, technology, security, confidentiality and other regulatory issues. Thus, it is necessary to lay the foundation for the development of cooperation with business, research organizations and institutions, by establishing cooperation with new sources and technologies.

For this reason, the UN Statistical Commission has established the UN Global Working Group on Big Data (GWG) to develop and test the use of new data sources and new technologies. The goal of the GWG is to reduce barriers to entry, especially for developing countries, when using big data. Several working groups have been set up within the GWG to study the use of satellite data, mobile phone data, scanner data and social media data [10].

Mobile phones are used by a significant portion of the population in all parts of the planet, and thus mobile phone data is expected to fill niches of missing information worldwide.

In its 2018 Information Society Survey Report, ITU reports that the average mobile subscription rate is 107.0 per 100 inhabitants worldwide, and the average in Africa is lower (76.0). However, these data show how common the use of mobile phones is. ITU clarifies that the use of mobile phones in rural areas is generally lower than in urban areas (urbanized), and this should be taken into account in studies that use mobile phone data, but it is clear that the coverage of this data is global. Almost everyone in the world lives within reach of a mobile cellular signal.

Data from mobile operators can help determine where tourists and migrants come from, how long they stay and where they go. The detail of information that can potentially be obtained with the help of data from mobile operators is much higher than that that can be obtained with the help of traditional surveys (Fig. 1). The time delay from information collection to analysis can also be significantly reduced. The project on measuring human mobility (as part of the results of the work of the GRG working group on mobile phone data) aims to assess the mobility models developed by migrants, seasonal workers and tourists.

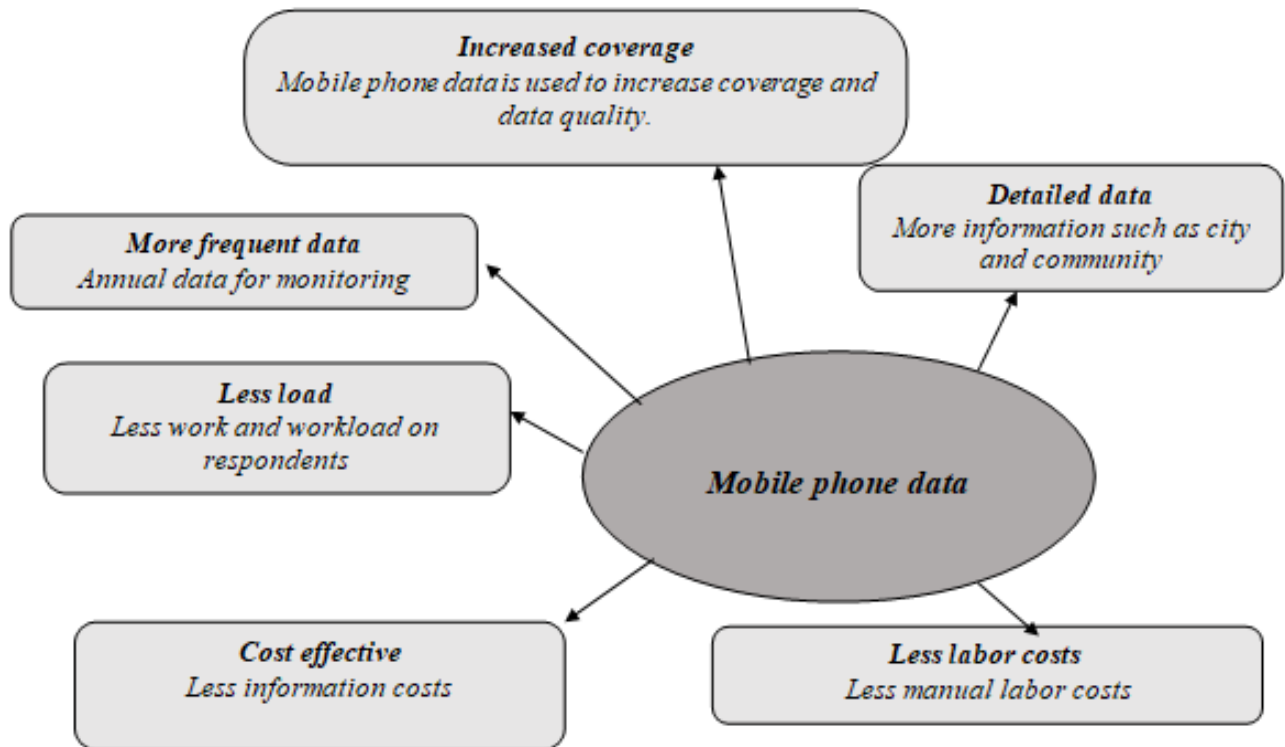
In the process of conducting administrative reform in Ukraine, one of the priority areas for further improvement of the level of information support is the disaggregation of data to the level of regions, cities and territorial communities. This is possible only after accepting new challenges and using new methods and sources of information production. This is especially true in urban areas and communities.

One of the priority areas for filling the information hunger should be the establishment of City (territorial) centers of mobile information, whose activities will be aimed at promoting innovative research methods and the use of smart information to improve social, economic and environmental living standards in urban cities and communities.

The main issues of the urban mobility system should be:

- Real-time analytics center using social network and GPS data to identify space-time activity clusters (functional use / length of stay ...), connection to the land use base and transport networks;
- Geolocalization of social media data - identification of phenomena about which there are insufficient reports, such as traffic accidents and research of the relationship between accidents and crime;
- Portable sensors connected to display models of mobility and behavior (movement indoors; social isolation; a way of traveling);
- Transport poverty - the relationship with labor markets and the changing nature of work - indicators of the availability of transit to small areas;

- Active travel - use of data sets, verification and information on infrastructure investments;
- Other areas of urban analytics in the framework of urban mobility.



*Fig.1. Benefits of using mobile information  
Source: [Created and built by the authors]*

Considering current issues in the development of official statistics, the use of new sources of information gives impetus to their understanding and further use, because there is more than one type of smart data, and each type has different requirements for datasets, application skills and new partnerships.

The feasibility and prospects of using SMART information in management decisions are actively discussed in developed countries as well as internationally.

Important in this regard was the Seminar "SMART Statistics: Policy Making in the Age of IoT" which was organized in 2019. Eurostat with the assistance of the Federal Statistical Office of Germany (DESTATIS), the Josef Stefan Institute (Slovenia) and SOGETI Luxembourg SA [1].

The seminar focused on the needs of the European Information System, which seeks to better meet the needs of users. He also demonstrated the possibility and necessity of using smart information for use in decision-making.

Obtaining information from Internet resources and its further integration into the production and management process is a very difficult task, and its implementation primarily requires:

- study of best practices in the use of smart technologies and smart systems for the needs of urban areas;



- study of practices of using information about citizens with the use of mobile devices and smart technologies;
- study the practices of using smart services (eg smart farming) for intellectual statistics;
- standards and methods of using IoT for management purposes;
- artificial intelligence;
- systems that maintain confidentiality;
- GDPR in the context of reasonable information

Naturally, the collection of information has certain limitations, including the lack of standard methodological concepts and classifications or certain data elements required by managers; mechanisms for accessing data and their transfer between agencies may not be effective enough.

Therefore, an important area of methodological work is to study such limitations and ensure the coherence and maximum possible integration of mobile and other sources of information.

As for the possibility of using Internet resources in the official plane of data, this issue, although actively discussed and researched, remains open today.

In general, in light of the prospects for the active use of SMART information, countries face numerous global perspectives and challenges, the main of which are:

- Use of technologies embedded in smart systems to obtain reliable intellectual information: the technological potential of intelligent devices / systems has evolved, increased and become more complex over the last fifty years. The latest generation intelligent systems combine technical "intelligence" and cognitive functions, providing interaction between the virtual and physical worlds, such as SMART watches that measure physical activity;
- How can data produced, transmitted and processed for a specific purpose or service be used to generate official information? (for example, data from sensors produced for smart agriculture, smart cities, smart traffic, etc.);
- To what extent and under what conditions the level of data "for a specific purpose" can be transformed for the dissemination of official data;
- The necessary conditions, prerequisites and standards that may be required to convert smart technology data into information;
- Mathematical and statistical methods and IT tools that will form a managerial conclusion, combining approaches based on design, modeling, or algorithms;
- How can official concepts be reclassified, adapted to data sources, data availability, and data processing to use a common denominator to ensure interstate harmonized and comparable official information?

According to the experience of the world's leading countries, the areas in which smart information can be used (concepts, research projects, combinations of data sources, etc.) are as follows:

- Use of scientific data of citizens with the help of intelligent technologies;
- Smart cities, smart environment, connected vehicles;
- Smart farming;
- Industry 4.0 - Industrial data space;
- Other areas

National quality assurance requirements, compliance with international standards, can usually be used as standards for "reliable information". In addition, the concept of SMART information is closely related to the validity and accuracy of the results, as well as the requirements for the protection of data subjects and privacy.



Another problem with the use of smart data in the management of urban areas is the study of a range of issues related to:

- How is it possible to ensure the principles of respect for the protection of information and confidentiality of entities in a rapidly spreading IoT world ?;
- What is needed in the future hyper-connected environment of smart devices and constantly evolving smart technologies to determine the quality of official information ?;
- How is it possible to incorporate issues such as project confidentiality, continuous security, verified data life cycles, secure multilateral calculations and other confidentiality methods into information production processes ?;
- What prerequisites will be able to offer reliable SMART information as a service to users ?;

Thus, the main problems of using SMART information in the environmental and economic management of urban areas are primarily the difficulty in ensuring the continued protection of information and confidentiality of information, as well as the increasing difficulty of adapting metadata to the conditions of working with SMART data.

In addition to the development of the introduction and use of SMART information in the environmental and economic management of urban areas, geolocation data on urban and community pollutants play an important role.

In Europe, the EU Emissions Trading Scheme provides information that, while not entirely geo-linked, identifies specific objects at the regional level. In addition, the UNECE Protocol on Pollutant Emission and Transfer Registers, PRTR provide publicly available geolocation data on industrial pollutants, including greenhouse gas emissions.

In addition, comparable systems exist in the United States, Canada, Mexico, Chile, Japan, and many other countries. Both biophysical and socio-economic information should be geo-linked to provide a link to climate information. The ability to link geo-links and data on the environmental and economic development of urban areas, such as national accounts, will increase the analytical value of information and, as a result, effective management decisions. This will allow us to study and analyze green jobs, green economy, low-carbon industries, fluctuations in costs and prices and sustainability of energy and resource use, population impact, industrial productivity and changes in tourist flows, the vulnerability of urban areas to climate change.

Relevant information to be geolocated includes:

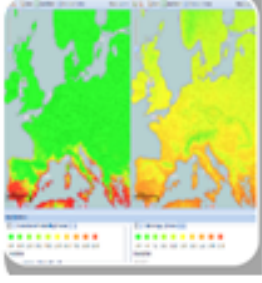
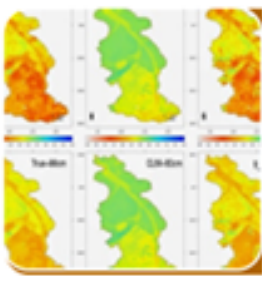
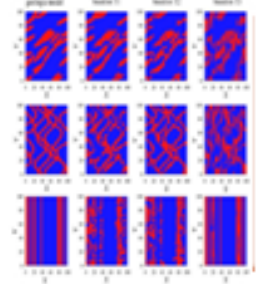
1) socio-economic data: climate change factors (production, consumption), economy (gross value added, production by industry, costs, prices), demography (density, health, employment, migration, urbanization), transport, infrastructure networks and tourism, taxation and subsidies, financial support, innovation and technology diffusion;

2) biophysical data: land resources (land use, vegetation, droughts, floods, soil quality), resource use (water consumption, energy use, energy sources), waste generation, agriculture (plant and animal cultivation), extreme weather events (type, intensity, scale) and environmental protection (Fig.2).

## CONCLUSION

Thus, in general, the authorities, businesses and the public do not have easy access to key information flows. The need to produce SMART information and information with geo-links is one of the main requirements of today and is reflected in international climate agreements, protocols and monitoring mechanisms. These aspects are increasingly focused on the analysis of the socio-economic consequences of environmental and economic management, as well as

climate change, and on the monitoring of the effectiveness of mitigation and adaptation measures, especially in urban areas.

	<p><b><i>Vulnerability and mobility</i></b></p> <ul style="list-style-type: none"> <li>• <i>comorbidities;</i></li> <li>• <i>adult population;</i></li> <li>• <i>overpopulation;</i></li> <li>• <i>population density;</i></li> <li>• <i>risk of intergenerational conflicts</i></li> </ul>
	<p><b><i>Multidimensional poverty index</i></b></p> <ul style="list-style-type: none"> <li>• <i>learning conditions;</i></li> <li>• <i>conditions for the development of children and youth;</i></li> <li>• <i>working conditions;</i></li> <li>• <i>health conditions;</i></li> <li>• <i>housing conditions and government services</i></li> </ul>
	<p><b><i>Census</i></b></p> <ul style="list-style-type: none"> <li>• <i>population;</i></li> <li>• <i>housing conditions and government services;</i></li> <li>• <i>socio-demographic indicators</i></li> </ul>

*Fig.2. Dissemination of geographical information*  
 Source: [Created and built by the authors]

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## POSITIVE PSYCHOLOGICAL PROBLEMS OF THE FORMATION OF NATIONAL IDENTITY AS AN URGENT PROBLEM IN MODERN PERIOD

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### ABSTRACT

The article examines the positive psychological issues of the formation of national self-awareness and thinking through instilling in the younger generation, the preservation of the historically established high national and moral values of each nation. One of the main psychological factors in the formation of national self-awareness among each young generation is the awareness of the psychological past of people, which means that knowledge of what moral and psychological qualities they possess and how their people are progressing, which is widely reflected in the article. Because it is impossible to direct future development without knowing the ethnogenesis and ethnopsychological past of the people. Margaret Mead notes that the past of the older generation is the future of the younger generation. First of all, the role of the ethnocultural environment of the family in the formation of national identity is great. The main national values are born in the family, formed and instilled in children by parents in the process of action and communication. In the national consciousness of the younger generation, the family is considered sacred and exalted, perceived as an example of a small state. In the life of every family lives its spirit, spirituality, reflecting the identity of the people, serving the formation of national identity, passed down from generation to generation. Folklore samples, works of classics, historical monuments are of particular importance in obtaining information on the history of the psychological development of the people and play a key role in the formation of national identity and national self-awareness of the younger generation.

The formation of national identity is the basis for the active generation and self-realization of the young generation, taking into account the acquisition of certain knowledge about the ethno psychological past of the people. The national consciousness of cognition of the psychological past of its people actively influences the further development of the young generation in terms of national self-development, national self-improvement. A young man who understands himself, feels his national identity with soul and blood, respects his people, is now in the spirit of national identity. But in the younger generation, national consciousness is not a connection with the past, but the preservation of the beauty of their people, propaganda and inspiration of the generation and the world, growing in accordance with the ideology of the time, and the elimination of people's shortcomings. The article emphasizes that the development of national self-awareness should not lead to national egoism, national individualism. Because where there is national egoism, there are outward features that arise exclusively from nationalist tendencies and are not characteristic of other nations and peoples, as well as for the nation itself, which leads to national conflicts between nations and peoples.

**Keywords:** young generation, personality, national self-awareness, people, development.



## INTRODUCTION

The relevance of research. In modern times, positive psychological issues of the formation of national identity are in the focus of attention as an urgent problem of both society and the science of psychology in connection with the rapid development of scientific and technological progress and the convergence of civilizations of the East and West. One of the main tasks of society is to influence the younger generation and develop in a positive spirit, preserving the historically established high national and moral values of each nation. One of the main psychological factors in the formation of the national identity of each young generation is the awareness of the psychological past of people and, consequently, the knowledge of what moral and psychological qualities they possess and how their people are progressing. Because it is impossible to direct future development without knowing the ethnogenesis and ethnopsychological past of the people. Margaret Mead notes that the past of the older generation is the future of the younger generation. Indeed, the older generation strives to form a national spirit and national identity, instilling ethnopsychological features that characterize it as an ethnos, in the process of actions and communication with the younger generation, which consists in the existence of the transfer of ethnopsychological characteristics from generation to generation. Because ethnopsychological features are one of the main psychological factors reflecting the existence of an ethnos, and one of the policies pursued to destroy an ethnos is the policy of ethnos, in which the main goal of an ethnos is to forget its identity. From this point of view, the positive psychological problems of the formation of national identity among the younger generation growing up in modern times are one of the main psychological factors that must be taken into account in the family, starting with the upbringing of children in preschool and secondary schools. First of all, the role of the ethnocultural environment of the family in the formation of national identity is great. The main national values are born and formed in the family and are instilled in children by parents in the process of action and communication [5, 311]. In the national thinking of the younger generation, the family is considered sacred and divine, perceived as an example of a small state. In the life of every family lives its spirit, spirituality, which reflects the identity of the people, is passed down from generation to generation and serves the formation of national identity. Folklore samples, works of classics, historical monuments are of particular importance in obtaining information on the history of the psychological development of the people and play a key role in the formation of national identity and national self-awareness of the younger generation. From this point of view, the epic Book of Dede Korkut is perceived as the main reference source in the formation of the national consciousness and thinking of Azerbaijani youth. If we pay attention to the saga, we will see that the national consciousness, raising the young generation in a positive spirit, such as justice and honesty, humanism, patriotism, kindness, mercy, mercy, courage and courage, courage, purity, honesty, commitment to national and spiritual values, respect for elders. Particular attention was paid to the formation of national identity. In modern times, in the formation of the national identity of the younger generation, as in the epic Book of Dede-Korkut, a healthy lifestyle, the philosophy of a correct lifestyle is promoted, the principle of adherence to national, spiritual and universal values is understood [6, 80]. At the same time, positive psychological issues of the formation of national identity in the younger generation, the formation of respect and respect for state attributes - the flag, anthem, coat of arms in terms of strengthening the statehood of thinking, feelings of attachment to the nation and the Motherland - are considered - one of the urgent psychological problems. It should be noted that the national and moral values instilled in the younger generation during the formation of national identity are





ethnopsychological factors that from time to time live in front of the people and distinguish them from other peoples, which is the basis of each ethnic group. Thanks to national self-awareness, nations, peoples and ethnic groups fully understand the features of historical development, socio-ethnic aspects. National identity acts as a part of public consciousness and reflects the inner character of each person, his attitude to people and society. Research shows that national identity and patriotism play an important role in the real progress of humanity. Root criteria include a deep knowledge of the history of their homeland and people, as well as attachment to their ancestry. Observations show that the patriotic education of children and youth is based on the formation of their citizenship. From this point of view, different ethno-national character, feelings and emotions, stereotypes and orientations, customs and traditions of each nation play a key role in the formation of the national identity of the younger generation. The development of national self-awareness plays a special role in the formation of a person as a person. National moral values, which are of particular importance in the development of national identity, are a common worldview, goals, moral norms and beliefs that most members of any social group or society consider necessary and necessary for preservation and survival. physical and spiritual existence of the ethnos. From this point of view, the protection of national values and their transfer to future generations are even more important today. National moral values mean national ideology, national history, national language, religion, national culture and art, national literature, national identity, family, national music, folklore. As you can see, the positive psychological problems of the development of the national self-awareness of the younger generation are closely related to the culture of the people. The formation of national identity presupposes knowledge belonging to the people and distinguishing them from other peoples, which are transmitted to the younger generation through parents, peers, relatives and neighbors, special institutions of socialization [7,120].

**Purpose of the study:** The formation of national identity is the basis for an active generation and self-realization of the younger generation, taking into account the acquisition of certain knowledge about the ethnopsychological past of the people. The national consciousness of cognition of the psychological past of its people actively influences the further development of the young generation in terms of national self-development, national self-improvement. A young man who understands himself, feels his national identity with soul and blood, respects his people, is now in the spirit of national identity. But the national consciousness of the younger generation is not a connection with the past, but the preservation of the beauty of their people, the propaganda and inspiration of the generation and the world, growing in accordance with the ideology of that time, and the elimination of the shortcomings inherent in people. The role of the media, especially television, in the formation of national consciousness and thinking is very great. Television promotes ethno-national psychological characteristics and moral values of the people, helps to develop national self-awareness and national thinking, as well as learn more about its past, history and destiny of the nation. In this regard, television is an excellent tool for the formation of national identity. Indifference to the national heritage will from time to time lead to the loss of achievements by people in the process of their historical development and the violation of heredity in social and cultural development. Thus, educational institutions also play a key role in preventing national neglect of the younger generation. Educational institutions are guarantors of a healthy future for the younger generation [1,162]. In this regard, the main task of the school as an educational institution is to educate the young generation that is smart, hardworking, physically healthy, moral, well aware of their rights and responsibilities, but also knowing their



psychological past. All subjects have their own capabilities in organizing positive psychological issues of work to educate the national self-awareness of the younger generation. However, the possibilities of the humanities are broader and are of particular importance. The principle of continuity plays a key role in fostering national self-awareness in the younger generation in the learning process. From this point of view, there should be unity in terms of the work of primary school teachers, subject teachers and class teachers, the head of a children's organization, and a single idea should be expected. Therefore, one of the main psychological problems of our time is to convey everything to the younger generation, which receives a lot of information, to teach them to draw conclusions from shortcomings and to form national consciousness. The upbringing of national self-awareness begins with the instilling of the national spirit, and in this process the role of the ethnocultural environment in the family is very important. At the same time, the process of forming national identity and thinking is purposefully, consistently and systematically carried out by qualified personnel in educational institutions [2,190]. Thus, in the context of globalization, it is necessary to seriously continue the education of national identity, starting with the family, and then in kindergarten and school, serving the national interests. The development of national self-awareness should not lead to national egoism, national individualism. Because where there is national egoism, there are external features that arise exclusively from nationalist tendencies and are not characteristic of other nations and peoples, as well as for the nation itself, which leads to national conflicts between nations and peoples [3, 155]. The minorities living in our country, like the Azerbaijanis, not only retained their national identity, but also equally enjoy all rights as an integral part of the Azerbaijani people. is a positive psychological problem. As a result, the ethnic minorities living in Azerbaijan have retained their independent languages and national-ethnic characteristics and continue to develop them. As you can see, the main goal of the process of historical maturity and evolution of each nation, along with the traditions of statehood, is determined by the rich national and spiritual heritage, pure and supreme values. These traditions and values are intertwined and are a vivid embodiment of the ideological and mental system, self-awareness and worldview of peoples. Considered one of the oldest nations in the world, Azerbaijanis have made an invaluable contribution to human civilization with their historically rich system of national, spiritual and moral values and have always maintained their identity with an unshakable commitment to lofty and pure ideals. The successful harmony of progressive traditions of the East and the values of the West in our spiritual culture also affects the formation of the national self-consciousness of the growing generation, uniting different worldviews and cultures in our nation. The need to fulfill a complex mission - to positively influence the development of society as a whole, to pass on its genetic memory, historical identity, national heritage and identity to future generations, while maintaining the historically formed high moral standards of people with clean and healthy intentions - places a great responsibility on psychology. The problem of formation of national self-consciousness, which is based on the formation of national self-consciousness, is one of the psychological factors that need to be considered in our time. Formation of national self-consciousness, national self-consciousness is a product of long-term historical development. Thus, all socio-political events - social shocks, motives of the national struggle - impose their impressions on the development of national consciousness. On the basis of national self-consciousness of the younger generation lie subjective beliefs of the nation or people to which they belong, in all spheres of public life. Thanks to the national self-consciousness of the growing generation in full measure understands the historical development, socio-ethnic aspects of the material and spiritual wealth of the people



to whom it belongs, and expresses its own attitude. must be in one face. It should be noted that national self-consciousness, national feelings affect the process of self-consciousness of the growing generation and contribute to the strengthening of their position in society. The components of national consciousness perform many qualities of people, such as national-spiritual image, identity, national character, emotional and mental factors. National psychology, the image of life, customs and traditions, national pride, manifested in the national consciousness in the form of concepts and categories, constitute the positive psychological basis for the formation of national self-consciousness.

**Conducting research:** At that time, when the process of integration is inevitable in our time, care and attention have grown to protect our national spiritual, moral and educational values and the formation of national self-awareness. Because this need, born of the contradictory course of globalization, has encompassed all spheres of society. Therefore, the older generation must protect national and moral values from the influence of others and systematically and purposefully inject them into the growing generation. On the one hand, reforms aimed at creating an environment that ensures the synthesis of national and human values, integration into world experience, create the conditions for reaching a level of social, cultural and economic development. On the other hand, the problems arising in this process, which serves social, cultural and economic progress, make it necessary to teach human history, world development experience, build a comprehensive education system and expand creative ties in the field of culture. Undoubtedly, in conditions when the integration process is inevitable, it is necessary to take care of the preservation of national-moral and ethical-educational values and their transfer to the younger generation. This need stems from the contradictory course of globalization, which covers all spheres of society - economy, politics and culture, the presence of its visible and invisible aspects. The issue of educating the young generation in the national spirit through the assimilation of the national and spiritual values of their people is of particular importance in our time. other national attributes have a strong positive psychological impact. Thanks to national identity and national identity, nations, peoples and ethnic groups fully understand the features of historical development, socio-ethnic aspects. Национальное сознание - это качество, присущее каждому гражданину, независимо от положения и положения. Вопрос нравственности важен и для роста молодежи в национальном духе. Не секрет, что без нравственности нет национального сознания. Today, a significant part of the population of Azerbaijan is young people. Every day their weight and role in society is growing. At present, the dynamics of youth is attracting more and more attention. In particular, on the example of modern information and communication technologies, this is even more pronounced. During such a period, the patriotic education of youth in Azerbaijan is one of the important tasks ahead. This is especially important for independent Azerbaijan for obvious reasons. On the other hand, young people in the future will have to bear the burden of the state as a leading force. The development of national self-awareness and patriotism of youth at a high level is a priority for the Azerbaijani state. According to President Ilham Aliyev, "We need a healthy nation, a healthy, new young generation. We need a young generation with knowledge, educated, well-educated, well-educated, who with their knowledge and education will contribute to the future development of Azerbaijan. " a generation is needed. "The formation of the national identity of each citizen determines the role that he plays in society, in the entire system of social relations, makes it a vivid expression of his moral qualities. The young generation, brought up on a national basis, realizes the existence of himself and his people, enters the world of great dreams and sacred deeds, such as the land, homeland,



people, nation. In this very complex process, his morals, beliefs and worldview are formed. In the formation of the national self-consciousness of the younger generation, national dignity is restored. Finally, he is aware of the fact that the fate of the nation and people, the Motherland, Motherland merges with his destiny, becomes an inexhaustible part of personal ideals and desires.

## CONCLUSIONS

Parents and teachers bear a huge responsibility for the development of national identity and national thinking, for the correct teaching of their culture, history and literature. National identity, national identity, national identity, national ideology and patriotic education are not different directions, but depend on each other as part of a single whole. One of them cannot be presented separately from the others. The essence of the policy pursued in Azerbaijan is to introduce these concepts of education as part of a single system in such a way that it can influence the formation of the personality of the young generation, its thoughts, morality, feelings and will. ... Because for a person who does not have a sense of ownership, it is impossible to have a national identity, for someone who does not have a sense of national identity, to have a national ideology, and a nation without a national ideology is to bring up patriotic children. As a result, the national self-awareness and national self-awareness formed among young people have a great influence on the upbringing of patriotic feelings in them. National consciousness is the ability of any person to combine the characteristics of a nation, a people. Thanks to national self-awareness, nations, peoples and ethnic groups fully understand the features of historical development, socio-ethnic aspects. National identity acts as a part of public consciousness and reflects the inner character of each person, his attitude to people and society. Research shows that national identity and patriotism play an important role in the real progress of humanity. Root criteria include a deep knowledge of the history of their homeland and people, as well as attachment to their ancestry. Observations show that the patriotic education of children and youth is based on the formation of their citizenship.

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