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CHAPTER 1

MODERN TRENDS IN PUBLIC ADMINISTRATION

PUBLIC MANAGEMENT OF THE SECONDARY EDUCATION SYSTEM IN UKRAINE AT THE LOCAL LEVEL: COMPETENCE FEATURES

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Abstract. *The management of the secondary education system in Ukraine is carried out at several levels. The purpose of the article is to analyze the implementation of public administration of the secondary education system at the local level in terms of competencies changed by decentralization processes. The following tasks have been set: to analyze the activities of public authorities at the local level, that is, the competence of education management authorities of district, city (district in cities), united territorial communities and analyze their functions; identify problematic issues of reforming the secondary education system at the local level. When processing the materials, the method of analysis for synthesis was used in working with regulatory documents. The generalization method was used in terms of grouping the problems of reforming the secondary education system of Ukraine at the local level. The comparison method was used to identify the consequences of decentralization reforms in accordance with the previous stages. The article analyzes the activities of public authorities at the local level, that is, the competence of education management authorities of district, city or district in cities, united territorial communities. The functional support of public authorities and public servants is considered from the point of view of the decentralization changes in their competences. A number of problematic issues of reforming secondary education in Ukraine that need to be addressed are identified.*

Keywords: *competence, secondary education system, public administration, territorial community.*

JEL Classification: A29, H41, H52, R10

Formulas: 0; **fig.:** 1; **tabl.:** 1; **bibl.:** 12

Introduction. The creation of schools, an increase in the powers of the leadership of educational institutions, a change in the forms of education, the transparency of school finance are like changes in the system of secondary education in Ukraine. They characterize the processes of decentralization today. Prior to the unification of the communities, education management in villages and towns was in the competence of education departments of regional state administrations. At the

same time, the competence of the executive authorities of village and settlement councils in the field of education was designated by minor functions, which often consisted exclusively of organizational measures. The education departments of local executive authorities were a strong link in the vertical of state power. Currently, the status of an autonomous person of public law grants local public authorities to have certain competencies in the management of various spheres of life of the territorial community, including in the field of education management. But there are also many problematic issues that require study and solution, among them: issues of the formation of institutionalization of subjects of management in the field of secondary education; determination of the powers of the united territorial communities, in particular for the management of educational institutions; duplication of the functions of public authorities (for example, the management department of the district state administration and the education management body of the united territorial community), determination and implementation of the status characteristics of the heads of the education management body of the united territorial community, a number of organizational, legal and financial issues.

Literature Review. The problem of the article should be considered more from the standpoint of legal and methodological support, therefore the sources used in the article are mainly of a legal nature. Among them are the legislation of Ukraine, by-laws, methodological developments and recommendations in the field of education in Ukraine. In particular, the Budget Code of Ukraine, the Law of Ukraine “On Education”, the Law of Ukraine “On General Secondary Education”, the Law of Ukraine “On Local Self-Government in Ukraine”, the Law of Ukraine “On the Voluntary Unification of Territorial Communities”.

Aims. The purpose of the article is to analyze the implementation of public administration of the secondary education system at the local level, in particular, in terms of competencies changed by decentralization processes. To this end, the following tasks have been set: to analyze the activities of public authorities at the local level, that is, the competence of education management authorities of district, city (district in cities), united territorial communities and analyze their functions; identify problematic issues of reforming the secondary education system at the local level.

Methods. When processing the materials, the method of analysis for synthesis was used in working with regulatory documents. The generalization method was used in terms of grouping the problems of reforming the secondary education system of Ukraine at the local level. The comparison method was used to identify the consequences of decentralization reforms in accordance with the previous stages.

Results. Management in the education system in the scheme of decentralization reforms is carried out in the plane of the vertical of power by such subjects as:

- Ministry of Education and Science of Ukraine;
- educational authorities of regional state administrations;

- education management authorities of district, city (district in cities), united territorial communities;
- educational institutions.

The final provisions of Article 6 of the Law of Ukraine "On the voluntary unification of territorial communities" [1] indicates that the primary subject of local self-government, the main carrier of its functions and powers is the territorial community of a village, town. The creation of a authorities for managing education of a united territorial society should be based on an analysis of its functions and competencies, which will make it possible to delimit its powers with other institutions in this area. The education management authorities of the united territorial community is a structural subdivision of the united territorial community, accountable, subordinate and subordinate to the chairman of the united territorial community, the education management authorities of the regional state administration, the Ministry of Education and Science of Ukraine and other central executive authorities. The educational management body of the united territorial community has the appropriate status, since it is a legal entity, has an independent balance sheet, treasury accounts and a seal.

The issue of establishing the competence of the education management authorities of the united territorial society and its head is determined exclusively by the statute on the education management authorities of the united territorial community. According to Part 4 of Art. 54 of the Law of Ukraine "On Local Self-Government in Ukraine" [2] provisions on departments, management and other executive authorities of the council are approved by the relevant council of the united territorial community. The regulation on the department, management of the executive committee of the council of the united territorial community contains the following sections: general provisions; tasks and powers of the department; organization of the department's work; the legal status of the head of the department, his rights and obligations; the rights and obligations of the employees of the department; financial and logistical support of the department's activities; responsibility of department officials

In the institutional aspect, the distribution of competencies can be considered in two possible ways. In the event of the liquidation of the education administration (department) of the district state administration, the functions of local executive authorities in the field of general education (in particular, those written out by Article 37 of the Law of Ukraine "On General Secondary Education" [3]) must be performed by the education management authorities created by the united territorial community. If there is an education administration (department) of the district state administration in terms of performing these functions, the educational administration authorities of the united territorial society are accountable to the administration (education department) of the district state administration. When creating a united territorial community of its own education management authorities, it is necessary to ensure a

clear distribution of functions between the education management authorities of the united territorial community and the district state administration [20-27]. In terms of performing the delegated functions, the education management authorities of the united territorial community is accountable to the education management authorities of the district state administration.

The Ministry of Education and Science of Ukraine has proposed guidelines for the development of regulations on the structural unit of education of the executive authorities of the united territorial community [4]. The concept of “direct” functions has appeared in the regulatory field, which can be interpreted as all functions, with the exception of certain functions such as financial services and material and technical services in the recommendations.

The Ministry of Education and Science of Ukraine has proposed guidelines for the development of regulations on the structural unit of education of the executive authorities of the united territorial community [4]. Thus, the concept of “direct” functions appeared in the regulatory field, which can be interpreted as all functions, with the exception of the functions defined in the recommendations as financial services and services for the material and technical maintenance of the premises of educational institutions, recommending committee of the united territorial community [16, 18, 19]. This issue also requires clarification in terms of determining the subject of the implementation of direct functions, which will exclude the possibility of duplication of functions with other institutions in the education system. For example, the subject of the competence of the education unit of the executive authorities of the united territorial community in the format of direct functions should be considered the processes of creating and maintaining educational institutions; certification of teaching staff. The Law of Ukraine "On Education" in Article 13 "Territorial availability of complete general secondary education" states that in order to ensure the territorial availability of complete general secondary education, local governments create and maintain a network of educational institutions and their branches [5]. Issues of attestation of teaching staff are resolved by creating attestation commissions of the II level in the formed educational management authorities of the united territorial community (departments, departments, sectors or executive committees of local self-government authorities, as provided for by the Model Regulations [6]).

Implementation of technical and service functions is relevant in the context of defining the competencies of a united territorial society in the field of education. These include business tasks, the development of local regulations, financial and accounting services. To resolve this issue, the most common two approaches are considered: the creation of utility services that require additional funding and the involvement of other resources, and the solution of this problem with the help of full-time specialists of educational institutions, for example, accountants, methodologists, etc. Regarding the founding of communal services, it is seen that their competencies

are expanding on issues of servicing other communal institutions that are located on the territory of the community, namely, cultural, sports, health care and other communal institutions.

Reforming the education system should not be accompanied by a decrease in the efficiency of the education system management, therefore, the issue of the quality of education is a priority. For this, the control function is decisive from the standpoint of ensuring the quality of education. Within the limits of its powers, the education management authorities of the united territorial community organizes the implementation of legislative acts in the field of education, monitors their implementation. Educational authorities monitor compliance with the State Education Standard and other legislative requirements on education. In this regard, agree, approved and monitored:

- the structure of the academic year (by quarters, semesters) and the duration of the academic week, classes and work schedule established by the general education institution within the time provided for by the working curriculum;

- compliance with the requirements for the content, level and volume of education;

- the formation of classes, the creation of classes with in-depth study of subjects, classes (groups) with evening (correspondence, distance) education, special and inclusive classes for teaching children with special educational needs, decisions on the creation of extended day groups, boarding schools with partial or full maintenance of students (pupils) at the expense of the owner;

- the distribution and volume of the teaching load of teachers, determined in accordance with the legislation by the head of the institution;

- appointment and dismissal from the position of the head and deputy heads of a private educational institution.

The letter from the Ministry of Education notes that when defining functions and their distribution, duplication of functions of other authorities and local self-government authorities should be avoided. The state will exercise control in two important areas [28-36]. The first direction is control over the implementation of the regulatory framework for the functioning of the education system in Ukraine. Such control will be manifested in the verification of acts of local self-government authorities in accordance with the requirements of the European Charter of Local Self-Government, domestic legislation. The second direction is to control the efficiency of spending funds that are directly transferred to local budgets through the provision of subventions, and others are recorded in the format of receipts from national taxes.

In accordance with Article 89 of the Budget Code of Ukraine [7], the united territorial communities are entrusted with the functions of carrying out expenditures in education, medicine, culture, sports, etc., for the implementation of which a network of budgetary institutions is required. Article 67 of the Budget Code of

Ukraine provides that the budgets of the united territorial communities, which are created according to the law and the long-term plan for the formation of community territories, until October 15 of the year preceding the planned one, are formed in accordance with this Code for the planned budget period, taking into account the following features:

- the revenues of these budgets are determined in accordance with Articles 64 and 69-1 of this Code;
- expenses and crediting of these budgets are determined in accordance with Articles 89 and 91 of this Code;
- the relationship between these budgets and the state budget is determined in accordance with Articles 97, 99, 100, 102, 103-2, 103-4 and 108 of this Code;
- local borrowings are made in accordance with Articles 16 and 74 of this Code.

To assess the effectiveness of spending funds, an important criterion was determined by experts such financial norms as: minimum and maximum levels of teachers' salaries or maximum levels of procurement. In matters of monitoring the quality of education, an important indicator is usually the result of external independent assessment. This issue requires study and analysis. After all, the results of external independent assessment ascertain the level of knowledge at a certain moment for a certain category of students, which excludes the current indicators of the quality of knowledge, tools of a proactive nature, the possibility of monitoring the quality of education at all stages of its implementation.

The State Service for the Quality of Education of Ukraine has been created [8]. Some experts point to the need to fix the main functions of this institution in the law on secondary education. According to experts, this service, like all special control authorities, should have a number of differences from general oversight authorities, which should later replace the prosecutor's office, which lost its functions of general oversight due to the constitutional amendments of 2016 [10]. The function of this institution should be not only control over the implementation of acts, but also over the very process of providing services, assessing the quality of the provision of educational services. They have the right to carry out inspections, both planned and at the request of authorities authorized to do so in accordance with the law. But the sanctions of such a authorities should be limited only by instructions to eliminate violations [15, 17]. Personnel decisions, decisions on limiting funding, imposition of administrative fines are taken by other authorities on the basis of the conclusions provided by the special control authorities. Thus, there is a delimitation and avoidance of a situation when the inspection authorities immediately carries out the functions of imposing sanctions.

Discussion. Reforming secondary education in the context of decentralization has highlighted a number of problematic issues. Here are some of them:

- the legislation in the field of education does not spell out the powers of the united territorial communities to manage educational institutions;

- lack of the necessary experience in managing a network of educational institutions at the level of village and settlement councils. After all, this was the responsibility of the education departments of the district state administrations;

- issues of double subordination, because local education authorities in the exercise of their powers are subordinate both directly to local self-government authorities and to the relevant state education authorities. This issue requires a clear delineation at the legislative level. In the normative legal field, only the problem of the possibility of duplication of functions was voiced and it was recommended to avoid duplication of functions of other authorities and local self-government;

- bias of local self-government authorities on the optimization of educational institutions is possible, because one of the competences of local self-government authorities is to make decisions on the creation, reorganization, liquidation of educational institutions and institutions;

- a number of organizational and technical issues of creating an appropriate management structure for the education system of the united territorial community, staffing it with personnel of appropriate competence, establishing document flow; issues of inventory of accepted communal property; issues of personnel records of teachers and school workers; solution of issues of methodological support and certification, preparation of statistical reports; financial and accounting support for schools;

- institutional uncertainty. In accordance with the available number of schools, preschool and out-of-school institutions, the education management system of the united territorial community can have different structural forms and different names (administrations, departments, sectors, etc.), different staff, which will affect the quality of education, resource allocation; the level of competence of the involved specialists.

Conclusions. To determine the competences of local authorities in the field of education, the decisive issue is the formation and definition of the subject of competences, as a forming criterion of methodologies and functions of public authorities in the provision of educational services. It is advisable in the scientific aspect to consider the issue of establishing and implementing subject competence in the secondary education system in Ukraine. Consequently, in terms of defining the competences of local governments in the field of secondary education, it is possible to generalize the territorial definition, functional and institutional, which requires the study of scientists and practitioners in the field of public administration and administration.

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DEVELOPMENT OF POSTGRADUATE EDUCATION OF DOCTORS IN THE CONTEXT OF THE HEALTH CARE SYSTEM REFORMING IN UKRAINE

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Abstract. *The reform of the financing of the healthcare system, launched in 2017, which led to a change in the number and functional responsibilities of medical staff, is analysed in the article. The purpose of the article is to systematize and analyse the regulatory framework, according to which the regulation of a comprehensive system of postgraduate education of doctors at the present stage and determines the prospects for its development. The method of studying the problems of changes in the health care system in the field of postgraduate education of doctors in Ukraine is determined: methods of theoretical analysis (studying the content of health care system reform and decision making in unpredictable results), analogies, study of current regulations, as well as those coming into force in January 2022 from open official sources of information (we will rely on official data of government agencies and international organizations), statistical analysis, situational modelling (to predict change). An analysis of current regulations on the development of postgraduate education of doctors in Ukraine was conducted, which made it possible to identify problem areas in this area. It is substantiated that due to the lack of an effective methodology for assessing the training needs of health professionals, higher education institutions, taking advantage of high market demand, seek to maximize the number of contract students without considering the level of training and needs of the state. Accordingly, any long-term forecasting will need to be adjusted. Changes in the legislation concerning internships and secondary medical (pharmacy) specialties have undergone significant changes. Reducing the duration of practical training can negatively affect the quality of training of narrow specialists. Complicating the process of admission to the secondary medical (pharmacy) specialization will lead to a decrease in those wishing to obtain it and therefore reduce the number of narrow specialists. As a result, all this may lead to a deterioration in the quality of medical services in Ukraine.*

Keywords: *health care; strategy of medical education development; state policy in the field of health care; medical specialization; pharmacy; continuous professional training of doctors.*

JEL Classification: A23, I20, I21

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Introduction. The proclamation of Ukraine's course for European integration has raised the issue of changing approaches to medical education in general and improving the quality of training of future doctors in particular.

The main objective function and at the same time the criterion of the health care system at any stage of its development is the quality of medical care. Quality assurance in health care is seen in most countries as a cornerstone of national health policy. The quality of professional functions directly affects the quality of life and health of people who are recognized as the highest social values in Ukraine and around the world. That is why in many countries, health professions have the status of regulated, and all stages of vocational training are mandatory and controlled by the state.

The national health care system is currently looking for ways out of the crisis, which is due to various factors. On the one hand, there is a decrease in the prestige of the medical profession, resulting in insufficient motivation of graduates of higher

education to work in the specialty, threatening the medical industry external migration of doctors and other health workers (job search abroad), and changing occupations outside the medical field.

On the other hand, innovative technologies and evidence-based medicine are rapidly developing, new methods of treatment and diagnosis of diseases, the latest information and modern telemedicine technologies are being introduced into the practice of health care institutions. This allows you to develop and work in a single professional world or European space but requires intensified measures to reform the health education system. Therefore, the formation of a new model of education, close to world and European standards, will strengthen the competitiveness of domestic higher medical education, optimize conditions for international mobility and empowerment of Ukrainian medical professionals in domestic and international labour markets, strengthen motivation of professionals to stay in Ukraine and provide medical services.

Literature Review. The article uses literature of a normative nature and some research in the field of public administration. We used the regulatory legal acts of the Ministry of Health of Ukraine, the Cabinet of Ministers of Ukraine, namely Resolution of the Cabinet of Ministers of Ukraine, Order of the Ministry of Health of Ukraine, which regulate management in the field of the health care system and relate to the subject of the study. And also used the research of Ukrainian scientists in the theory and practice of the competence approach to management and reforming the system of state administration [2-5].

Aims. The purpose of the article is to systematize and analyse the regulatory framework, according to which the regulation of a comprehensive system of postgraduate education of doctors at the present stage and determines the prospects for its development.

Methods. The method of studying the problems of changes in the health care system in the field of postgraduate education of doctors in Ukraine is determined: methods of theoretical analysis (studying the content of health care system reform and decision making in unpredictable results), analogies, study of current regulations, as well as those coming into force in January 2022 from open official sources of information (we will rely on official data of government agencies and international organizations), statistical analysis, situational modelling (to predict change).

Results. Ukraine has a well-developed network of institutions of higher medical education of various levels of accreditation, which trains specialists for the needs of domestic health care, as well as specialists for other countries. There are 14 public and 5 private medical universities in Ukraine. Also, three institutions of postgraduate education are subordinated to the Ministry of Health. More than 150,000 Ukrainian citizens study medical specialties in the Ukrainian higher education system, most of whom study at universities under the Ministry of Health of Ukraine) [8].

However, taking into account international experience, it can be noted that the number of graduates of medical specialties remains relatively high. For example, the number of graduates in Ukraine in 2015 was much higher than in the United States

and Canada. Thus, in Ukraine there are 230 graduates per 1 million population, in Canada - 122, and in the United States - 58.

Such high quantitative indicators of training of future doctors not only do not correlate with the quality of medical care, but also raise concerns about the need to train such a large number of specialists in relevant specialties. As of today, there is no effective system for forecasting the need for medical staff, and the existing registers of medical workers do not reflect the real picture. The Ministry of Health informs about the low level of preparation of students, which is confirmed by the results of the license exams "Step". With a passing score of 60.5% (Step 2) and 70.5% (Step 3), about 10% of medical students each year cannot overcome the passing barrier [1].

The results of the comparative study showed that it is necessary to increase the requirements for the content and quality of training of interns at all stages of the internship, which requires reform of the internship: approval of the new Regulations on internships, and computer programs for attestation of interns in accordance with modern treatment protocols and diagnostic standards [7]. To build a quality system of medical education in Ukraine, in order to ensure the health of health professionals with a high level of training, the Government of Ukraine has developed and adopted a Strategy for the development of medical education in Ukraine, which is designed for 10 years [10]. As a result of the implementation of the strategy for the development of medical education, approaches to the formation of the system of postgraduate education and its content must change qualitatively. The practical implementation of the Strategy began with significant changes in the regulatory and legal support of postgraduate education at all stages of its receipt.

At the first stage, legislative changes took place before the internship (primary medical specialization). Internship is one of the stages of training a doctor, which is mandatory for the title of "specialist doctor" or "pharmacist specialist" and further employment as a specialist doctor (pharmacist specialist) in the specialty. Internship is a form of postgraduate training of graduates in medical and pharmacy specialties, the main task of which is to increase the level of practical and theoretical training of doctors (pharmacists) -interns, their professional readiness for independent activity in the specialty.

After completing the sixth year of medical school and successfully passing the Unified State Qualification Exam, a medical student must undergo practical training in a health care institution. If until now the internship was regulated by two orders of the Ministry of Health of Ukraine [13], [14], then from January 1, 2022, these regulations expire and a new order of the Ministry of Health of Ukraine from 22.06.2021 № 1254 [15].

The internship program forms a single set of educational and practical components, planned and organized by higher education institutions and internship bases of doctors (pharmacists) -interns to ensure the acquisition by doctors (pharmacists) -interns of competencies required to qualify as a specialist or pharmacist-specialist which is based on academic integrity, medical and pharmaceutical ethics and deontology, evidence-based medicine.

The new model will provide for the introduction of a fair distribution of internships and standardization of its content provides:

- reducing the number of medical specialties in the internship;
- change of requirements to bases of passing of internship;
- change of the internship financing system;
- creation of a national ranking of students according to objective independent evaluation criteria based, in particular, on the academic performance of students;
- creation of a national register of internships with places of internship by specialties and bases of passing;
- development of software for objective and transparent distribution of internship places on the basis of rating;
- development of mechanisms for the introduction of academic mobility of interns;
- development of mechanisms for evaluating the effectiveness of internships.

According to the new requirements, the number of basic specialties in the internship decreased by 9 positions. Thus, such specialties as general hygiene, clinical oncology, neurosurgery, pulmonology and tuberculosis, forensic examination, urology, neonatology, sports medicine and paediatric otolaryngology are classified as secondary specialization. It is also necessary to note some differences in paediatric anaesthesiology: it is not included in the list of basic specializations but is in the list of those specialties based on which the secondary specialization takes place.

Thus, the list of secondary medical (pharmacy) specialties has changed, as well as the procedure for admission to them and the terms of training. For example, training in the internship in "Neurosurgery" under the new legislation is not carried out, instead there is a secondary medical specialization "Neurosurgery", which lasts 9 months and admission to which is possible only in the primary specialty (internship) "Surgery", training in which it lasts 3 years. That is, in today's reality to become a neurosurgeon, it takes 3 years and 9 months, of which 3 years - general surgery and 9 months of neurosurgery, in contrast to the previous legislation - 3 years of neurosurgery. This means that the period of practice in a narrow specialty is reduced from 3 years to 9 months.

Currently, there is a significant difference between the number of years of training for doctors in Ukraine and in the world. For example, in the United States, the training of obstetricians and gynaecologists lasts 12 years, while in Ukraine - 9. This is an irrelevant experience and makes it impossible to compete with Ukrainian specialists at the global level.

Now students of various specialties undergo internships from one to three years. The internship program consists of two parts: educational, which is conducted in a higher education institution that trains doctors (pharmacists) -interns lasting three months for one year of study, and practical, which is conducted based on internships for doctors (pharmacists) -interns.

Secondary medical specialization - acquisition by a doctor of a specialty not provided for internship training, is carried out in accordance with the Regulations on postgraduate training of doctors (pharmacists), approved by the Ministry of Health of Ukraine [12], and provides certification to determine knowledge and practical skills the title of specialist in the relevant specialty.

Enrolment in the internship is based on the results of rating distribution - a system of electronic distribution of graduates of higher education institutions in the internship, which collects and analyses data on the success of graduates and provides automated rating distribution [18-22]. The order of rating distribution is carried out based on the competitive score received by the graduate. Rating distribution is mandatory for admission to the internship at the expense of the state budget and is conducted for graduates:

- who studied at a higher education institution by state order
- who studied in a higher education institution at the expense of individuals (legal entities).

The ranking lists are published in full on the official website of the higher education institution. According to the results of the rating distribution, the higher education institution issues a referral to the graduate to undergo an internship training program.

In the second stage, a residency will be introduced for doctors who want to gain deeper knowledge in the medical field. The introduction of medical residency is planned to be carried out by:

- conducting a study of the optimal model of medical residency;
- regulatory regulation (determination of the list of specialties, duration of training);
- determination of requirements for medical residency;
- introduction of a new medical residency, which will be held at the place of employment of the resident;
- mutual recognition of medical residency with EU member states.

At the third stage, the outdated system of professional development in accordance with the Resolution of the Cabinet of Ministers of Ukraine [11] is transformed into a system of continuous professional development of doctors.

Ensuring continuous professional development, based on best international practices, is expected to be done by:

- definition of requirements to providers of continuous professional development;
- granting medical workers, the right to independently choose the place of training;
- changes in the model of financing continuous professional development (introduction of a model according to which the state will allocate funds for training of each doctor).

Continuing professional development of health professionals is a continuous process of training and improving the professional competencies of professionals after obtaining higher education in health care and postgraduate education in internships [23-30]. This will allow the professional to maintain or improve the standards of professional activity in accordance with the needs of health care and will continue throughout the period of professional activity.

Discussion. The new system of continuous professional development will ensure proper quality control of certification of specialists in the field of knowledge "Health" and improve the quality of medical care for Ukrainians [6]. The doctor must study every year. He decides personally where to do it and what skills to improve. According to the new model, there should be a demonopolization of education: now

the choice of place or organization goes to the doctor. Recognized: education received abroad, participation in professional seminars and conferences, online courses, workshops and more.

In the future, it is planned that the Ukrainian medical student will have as many years of training as their colleagues abroad [12].

Conclusions. Analysis of the legal mechanism of postgraduate education of doctors made it possible to identify problem areas in this area. The reform of the financing of the health care system, launched in 2017, leads to a change in the number and functional responsibilities of medical staff. Accordingly, any long-term forecasting will need to be adjusted.

Due to the lack of an effective methodology for assessing the training needs of health workers, higher education institutions, taking advantage of high market demand, seek to maximize the number of contract students without taking into account the level of training of entrants and the needs of the state.

The level of communication between higher education institutions (faculties), health care institutions and executive bodies is low. Institutions of higher education (faculties) do not participate in the process of making managerial decisions regarding the development of medical education.

Changes in the legislation concerning internships and secondary medical (pharmacy) specialties have undergone significant changes. Reducing the duration of practical training can negatively affect the quality of training of narrow specialists. Complicating the process of admission to the secondary medical (pharmacy) specialization will lead to a decrease in those wishing to obtain it and as a consequence reduce the number of narrow specialists. As a result, all this will lead to a deterioration in the quality of medical services in Ukraine.

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STATE STRATEGY OF MOTHERS AND CHILDREN HEALTHCARE IN UKRAINE AS A MECHANISM FOR ACHIEVING SUSTAINABLE DEVELOPMENT GOALS

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Abstract. *The analysis of the state strategy on reproductive health of the population in Ukraine is conducted. The purpose of the study is to analyze the state strategy for improving reproductive health of population in Ukraine, especially the protection of mothers and children, as an important component of overall health, which significantly affects the demographic situation and ensuring the socio-economic development of the country. The study has a descriptive design that set out a framework for a systematic search of literature. Four main tasks were defined for conducting a thorough analysis: to form a clear vision of the state strategy for maternal and child health in Ukraine; to analyse normative-legal acts that allow to implement the state policy in the field of reproductive health; to analyse the state of development of the reproductive health system and identify possible ways to solve problems. The mothers and children healthcare is regarded as an important component of general health, which significantly affects the demographic situation and ensuring the socio-economic development of the country. Despite the implementation of many international technical assistance programs and projects operating in Ukraine, the situation in the field of reproductive health has not been significantly improved yet. In the absence of a new State Program and Action Plan in the field of reproductive and sexual health Ukraine's previous achievements in this area may be lost and Ukraine may be threatened with non-fulfilment of its international obligations in this area.*

Keywords: *mothers and children healthcare, state strategy, sustainable development goals, COVID-19, reproductive health of population.*

JEL Classification: H51, I11

Formulas:0; **fig.3;** **tabl. 0;** **bibl. 30**

Introduction. The main driving force of the country's sustainable development is its population. Therefore, many long-term social prospects are based on demographic processes. Demographic hardship in Ukraine increases the importance of reproductive health to ensure the reproduction of the population, as it is an integral part of the health of the nation as a whole and is of strategic importance for sustainable development of society.

In line with the United Nations Millennium Development Goals, which have been changed by the Sustainable Development Goals, and the World Health Organization strategy, one of the priorities in the field of reproductive health for the European region is safe motherhood and reducing infant mortality [14], [16].

However, the state of reproductive health in Ukraine is of particular concern. Children's health is directly related to women's health, which has a steady tendency to deteriorate, as evidenced by the increase over the past ten years in the incidence of anemia in pregnant women, diseases of the genitourinary system and circulatory system. The number of infertile marriages and newborns with congenital pathology is increasing.

The current capacity of the health service alone cannot provide a quality level of care for pregnant women and women in labor at this stage. Therefore, the goals of sustainable development can be achieved through government regulation aimed at addressing organizational and personnel issues in the medical field [11]. It is especially important to find ways to solve this problem at the regional level, taking into account the territorial characteristics of demographic processes, infrastructure of the health care system, etc.

Literature review. The study of the development of the reproductive health system in Ukraine is mostly conducted by Ukrainian scientists who work in two key areas: the formation of state reproductive health policy and its implementation in the context of health care reform; ensuring the quality, efficiency and timeliness of medical services at the level of the medical institution. An analysis of a large body of research suggests that managerial approaches to both maternal and child health policymaking and governance at the health care institution level need to change. Regulations in this direction need to be significantly improved.

Recognizing the strategic importance of reproductive health for the sustainable development of society, Ukraine approved the Action Program of the International Conference on Population and Development (Cairo, 1994) [7], the United Nations Millennium Development Goals (2000-2015), the Sustainable Development Plan and Goals (2016-2030). These strategic documents became the basis of the state policy in the field of preserving and maintaining the reproductive health of the population. Since 1995, national programs (Family Planning 1995-2000 and Reproductive Health 2001-2005) and the state program Reproductive Health have become political and strategic tools for the implementation of international documents on solving the problems of reproductive health of the population of Ukraine [13]. Health of the Nation until 2015”, based on the WHO Regional Strategy for Sexual and Reproductive Health (2001) [15].

Aims. The purpose of the study is to analyze the state strategy for improving reproductive health of population in Ukraine, especially the protection of mothers and children, as an important component of overall health, which significantly affects the demographic situation and ensuring the socio-economic development of the country.

Methods. The study has a descriptive design that set out a framework for a systematic search of literature. Four main tasks were defined for conducting a thorough analysis: to form a clear vision of the state strategy for maternal and child health in Ukraine; to analyse normative-legal acts that allow to implement the state policy in the field of reproductive health; to analyse the state of development of the reproductive health system and identify possible ways to solve problems [3-5].

Results. The results of the analysis of population changes over the last 10-15 years show that Ukraine is in a state of deep demographic crisis due to depopulation, increasing the share of the elderly and reducing life expectancy. This has a negative impact on the development of productive forces, the level of welfare of people and the economic situation in the country and, accordingly, raises the issue of reproduction of a healthy population and stimulating the birth rate.

In Ukraine, after a long period of increasing fertility (2002 - 2012), since 2013 there has been a decrease. It became especially noticeable in 2020 (Fig.1), when the number of births decreased compared to 2012 by more than 220 thousand people (or 43.6%). The number of births is declining every year, in recent years by 10-30 thousand.

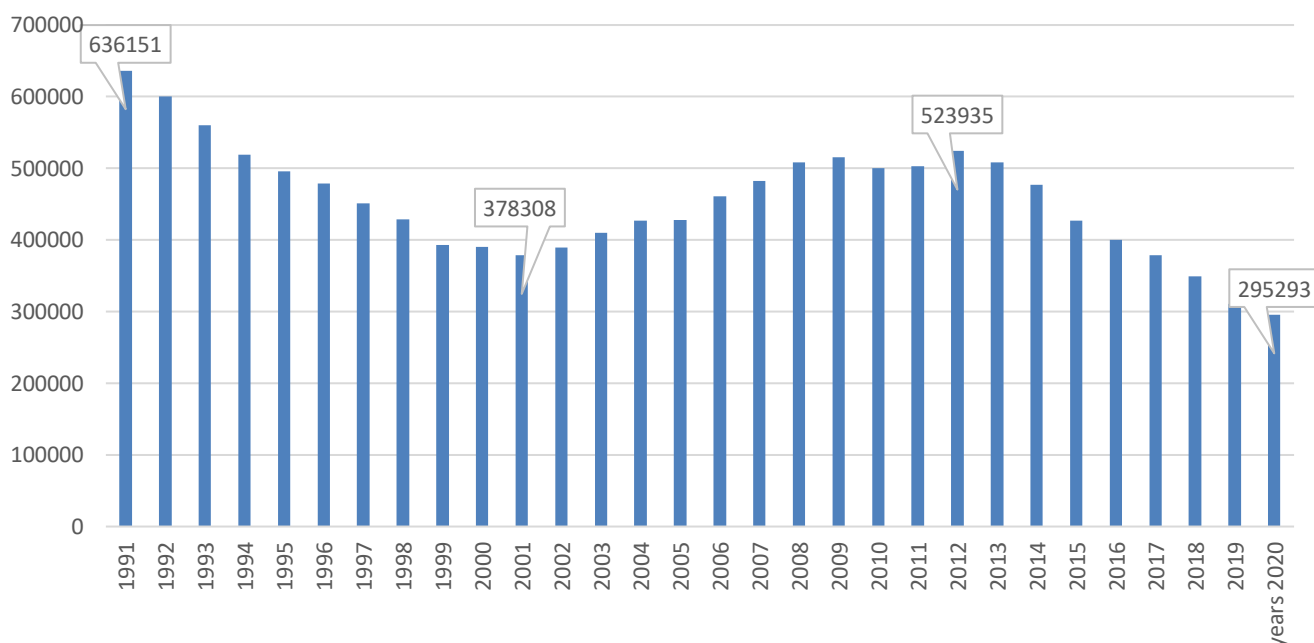


Figure 1. Birth rates in Ukraine for the last thirty years

Source: Ministry of Health of Ukraine [6], [8].

Socio-economic situation caused by crisis and military-political instability also have a negative impact on the current reproductive activity of the population and the health of newborns. Thus, in addition to a significant reduction in the frequency of childbirth, the infant mortality rate remains high. In such conditions, the value of each birth increases, and the preservation of the reproductive health of potential mothers and fathers becomes a national priority for the reproduction of Ukraine's human potential.

Despite the implementation of many international technical assistance programs and projects operating in Ukraine, the situation in the field of reproductive health has not been significantly improved. The level of maternal mortality in Ukraine, as an indicator of socio-economic development of the state, is much higher than the average of the European Union, which requires priority attention to the protection of motherhood and childhood.

Despite the reduction in the epidemic process of HIV infection, the problem of HIV infection has a negative impact on the reproductive health of the population. Risks of HIV spread have increased in the current humanitarian crisis and hostilities in eastern Ukraine. Increasing morbidity in difficult socio-economic and sanitary conditions (especially among internally displaced persons, residents of temporarily occupied territories, conflict zones), likely increase in the prevalence of bad habits,

risky sexual behavior and gender-based violence in military violence attention and operational decisions of the state.

One of the important indicators of the state of reproductive health is infertility. About 15% of married couples in Ukraine suffer from infertility, which can be attributed to direct reproductive losses. The level of infertility can be significantly reduced through measures to prevent sexually transmitted infections, postpartum infections, non-use of dangerous methods of abortion. In case of infertility, it is necessary to provide quality counseling, diagnosis and appropriate treatment [10].

The trend of increasing the age of women during marriage and the birth of their first child, the so-called "aging of motherhood", poses new challenges for maintaining the reproductive health of potential mothers and fathers, places higher demands on the health care system benefits for this category of women.

Problems that have arisen in the field of reproductive health of the population of Ukraine are due to many factors: unsatisfactory social status of citizens and insufficient attention to the role of the family; mortality of men of working age, which significantly exceeds the mortality of women; high maternal and infant mortality rates due to lack of public awareness of healthy lifestyles; insufficient level of modern high-tech equipment of health care facilities and training of specialists, which leads to a decrease in the quality of medical care; unsatisfactory state of health of pregnant women, which leads to an increase in complications during childbirth and the emergence of diseases in newborns; high level of abortion; common oncogynecological pathology of the reproductive organs, which is one of the leading causes of death and leads to the loss of a significant number of young women who have not realized their reproductive function [12].

Common factors that continue to negatively affect the reproductive and sexual health of the population of Ukraine and the deterioration of birth rates are: crisis socio-economic situation, falling living standards, increasing stress, lack of social and legal protection in the workplace, lack of proper control over observance of rules and norms of labor protection and safety, deterioration of food quality, growth of general morbidity of the population [9].

This state of affairs necessitates the further implementation of a set of measures aimed at improving the reproductive health of the population.

Ukraine, as a member state of the United Nations, in 2015 approved the Sustainable Development Plan for 2016 - 2030 and related Sustainable Development Goals. Ukraine has reaffirmed its commitment.

Objective 3 - "Ensuring a healthy lifestyle and promoting well-being for all at all ages", in particular:

- Objective 3.1 - to reduce the global maternal mortality rate;
- Objective 3.2 - to end preventable mortality in infants and children under 5 years of age, reduce neonatal mortality
 - Task 3.7 - ensure universal access to sexual and reproductive health services, including family planning, information and education, and the integration of reproductive health into national strategies and programs, and Objective 5,

○ Task 5.6 - ensure full respect for sexual and reproductive rights, in accordance with the Program of Action of the International Conference on Population and Development and the Beijing Platform for Action, as well as the documents containing the results of subsequent review conferences.

In accordance with the Resolution adopted by the General Assembly on 25 September 2015, the 2030 Agenda for Sustainable Development has been set [1]. This plan will be implemented by all countries and all stakeholders, acting based on cooperation and partnership. The seventeen Sustainable Development Goals and the 169 challenges we proclaim today demonstrate the scale and ambition of this new global Agenda. They focus on the development of the Millennium Development Goals and the completion of tasks that have failed. They aim to realize human rights for all, achieve gender equality and empower all women and girls. They are comprehensive and indivisible and balance the three dimensions of sustainable development: economic, social and environmental.

Strategies and approaches to strengthen the policies of European countries in this area are also set out in the WHO European Action Plan for Strengthening Sexual, Reproductive Health and Rights for 2017-2021.

Although there are currently no accurate data on the effects of COVID-19 on pregnancy and women's reproductive health, foreign surveys and studies have shown that the COVID-19 pandemic is a period of heightened alert among both professionals and the general public [2].

Increasing the risk of maternal and child morbidity, as well as mortality, mental disorders, and disruptions in sexual and reproductive health services are the few problems that any woman in the world can face today. In Ukraine, 5.9% of the total number of cases are children under 17 years of age and 0.1% - pregnant women (Figures 2-3).

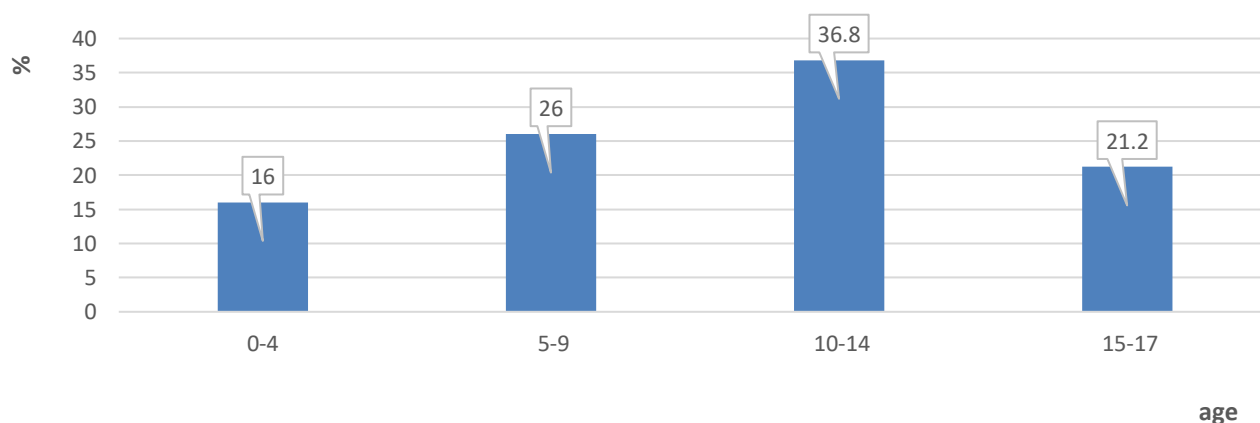


Figure 2. Age groups of children infected with COVID-19 under 17 years of age

Source: Ministry of Health of Ukraine [6].

At present, Ukraine does not have a comprehensive state program at the national level, which defines the directions and tasks of solving problems in the field of reproductive health. Therefore, there are three possible solutions to the problem.

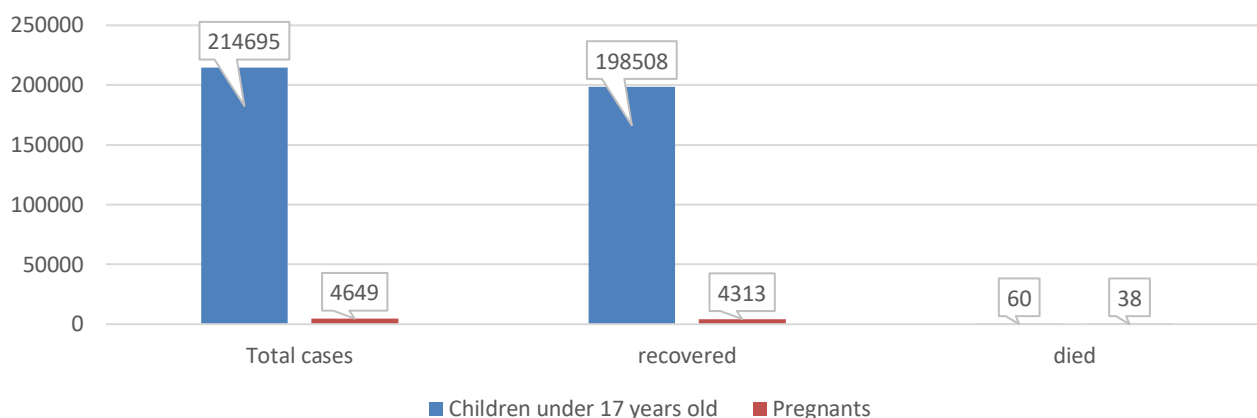


Figure 3. Information on children under 17 and pregnant women with COVID-19 in Ukraine as of December 19, 2021

Source: Ministry of Health of Ukraine [6].

The first option is the lack of a strategy and a state program for the preservation of reproductive and sexual health. This threatens the sustainability of the results of the previous program and does not respond to the new challenges posed by the deep socio-economic and humanitarian crisis [17-19]. The result of such an approach will be the deterioration of the health of citizens, further reproductive losses and the consolidation of persistent negative trends in the medical and demographic situation in the country. In the long run, this will require a significant increase in health care expenditures without a significant improvement in the reproductive and sexual health of the population, maternal and infant morbidity and mortality rates.

The second option is to continue financing certain areas and items of expenditures provided for in the previous program, mostly aimed at overcoming critical conditions and complications in the process of providing specialized medical care. Not taking into account the peculiarities of the situation in the country, modern global approaches to improving reproductive health and sex education, lack of a systematic cross-sectoral approach to strengthen the preventive component and screening programs, insufficient integration of reproductive and sexual health services in primary care. health care will have negative consequences [20-22]. This will lead to an increase in morbidity, late detection of complications, which will require significant financial resources to provide highly specialized medical care and further medical and social support of the child and possibly the mother throughout life.

The third option is the adoption of a new State Program on Reproductive and Sexual Health with secured funding. This approach demonstrates the consistency of the state's efforts to fulfill its interstate commitments [23-30]. Measures with proven effectiveness are aimed at prevention, increase the motivation of the population, especially adolescents and young people to a healthy lifestyle, safe sexual behavior and reproductive health. This will reduce the need for medical care. Strengthening the system of early diagnosis and treatment of diseases, control over the course and prevention of complications, especially during pregnancy and childbirth will help reduce the incidence of critical conditions, primary disability, maternal and infant

mortality. This approach will ensure the rational use of industry resources, improve the quality and efficiency of health care.

The third, optimal option will be to overcome inequalities in access to information and quality services in the field of reproductive and sexual health at all stages of life and will ensure the right of everyone to have the highest attainable standard of health. The program should ensure the continuity of care and the principle of covering all stages of human life, taking into account gender aspects. Creating mechanisms for strategic management, sustainable intersectoral cooperation, strengthening accountability and involving the public and international organizations will ensure the effectiveness and efficiency of the Program.

Conclusions. The best way to solve the problems of reproductive and sexual health is to develop and implement the National Program "Reproductive and Sexual Health of the Nation until 2021", taking into account the achievements of the National Program "Reproductive Health of the Nation" until 2015.

In the absence of a new State Program and Action Plan in the field of reproductive and sexual health, Ukraine's previous achievements in this area may be lost and Ukraine may be threatened with non-fulfillment of its international obligations in this area.

To solve the problem some activities are needed:

- developing and implementing measures aimed at the formation of reproductive and sexual health of the population through the promotion of healthy lifestyles, responsible parenting, culture of relationships and family values, starting a family, planning the birth of a healthy child.

- reviewing and improving the regulatory framework for reproductive and sexual health to ensure compliance with the internationally recognized best evidence base.

- developing strategies and mechanisms for organizing population screening programs for the prevention and early diagnosis of cancer of the reproductive organs in women and men.

- providing effective mechanisms for program management, monitoring and evaluation of results.

Improving health indicators, which is a prerequisite for positive dynamics of demographic processes and sustainable development, requires strong intersectoral cooperation of all government agencies and institutions, cooperation of public and international organizations and the private sector involved in public policy in sexual and reproductive health.

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PECULIARITIES OF DECENTRALIZATION OF PUBLIC GOVERNANCE IN THE CONDITIONS OF DEMOCRATIC TRANSFORMATION IN UKRAINE

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Abstract. Theoretical aspects of decentralization as foundation of establishment of democratic model of governance are analyzed in the article. The aim of the article is a comprehensive scientific analysis of the nature of decentralization of power as a mechanism for limiting state power in the context of democratic transformation to provide practical recommendations for further decentralization reform in Ukraine. To this end, the following tasks are set: to highlight the features of the reform of decentralization of public power in a democratic transformation; to offer practical recommendations on the optimization of executive bodies and the expansion of local self-government bodies power in the process of carrying out the constitutional reform in Ukraine. The theoretical basis of the paper are the scientific works of foreign and domestic experts in the field of theory of state and law, constitutional law, administrative law. Such general scientific methods as: logical method, forecasting method, historical method and others are used in the research. The analysis of the category "decentralization of power" was also carried out using a logical method, which revealed the objective patterns of development of this phenomenon in legal science and state-building practice, as well as to determine the characteristics of decentralization of public power. The comparative legal method helped to find the ways to improve the current legislation on the decentralization of public power in the unitary state. In turn, using the method of legal modeling, conclusions are proposed and substantiated aimed at improving the current legislation on the decentralization of public power, as the basis for the formation of civil society. Importance of implementation of the reform of power decentralization for the development of Ukraine as a democratic constitutional state is proved. The legislative framework for the implementation of the reform of decentralization of power is analyzed. The author investigates the problems of decentralization in Ukraine, determines the advantages of decentralized management and possible risks. A conclusion demonstrates that implementation of processes of decentralization will facilitate democracy strengthening and increase its stability.

Keywords: decentralization of power, state, democracy, democratic governance, civic society, local self-government.

JEL Classification: H11, H73, R59

Formulas: 0; **fig.:** 0; **tabl.:** 0; **bibl.:** 32

Introduction. At the current stage of Ukraine's development as a democratic state governed by the rule of law, an important role is played by the introduction of decentralization reform, which includes establishing democratic governance, transferring power to territorial bodies, ensuring broad participation of citizens in

governance. The problem of decentralization is quite relevant today and is widely discussed by academia, experts and the public. The development of public relations, the formation of civil society necessitate a revision of the traditions of domestic statehood and the introduction of the practice of decentralization of power in Ukraine, based on the analysis of national features of the legal system and the world experience in this sphere. Decentralization of power is undoubtedly one of the most effective ways to update the system of public administration, which leads to a significant increase in its efficiency and becomes the basis for further development of democratic processes in the state..

Literature review. V. Averyanov, V. Bakumenko, O. Borislavska, M. Bratkovsky, I. Hrytsyak, V. Groysman, B. Danylyshyn, A. Lelechenko, V. Mamonova, O. Skrypniuk, I. Tsurkanova and others pay attention to the study of theoretical and practical issues of decentralization of power, development of local self-government. However, despite a number of scientific investigations, this issue remains quite relevant and needs further research. Also, the problem of the article should be considered more deeply from the standpoint of legal and methodological support, so the sources used in the article are mostly legal in nature. Among them are the legislation of Ukraine, bylaws, methodological developments and recommendations for decentralization in Ukraine. In particular, the Budget Code of Ukraine, the Law of Ukraine "On Local Self-Government in Ukraine", the Law of Ukraine "On Education". Voluntary association of territorial communities" [1; 2].

Aims. The aim of the article is a comprehensive scientific analysis of the nature of decentralization of power as a mechanism for limiting state power in the context of democratic transformation to provide practical recommendations for further decentralization reform in Ukraine. To this end, the following tasks are set: to highlight the features of the reform of decentralization of public power in a democratic transformation; to offer practical recommendations on the optimization of executive bodies and the expansion of local self-government bodies power in the process of carrying out the constitutional reform in Ukraine.

Methods. The theoretical basis of the paper are the scientific works of foreign and domestic experts in the field of theory of state and law, constitutional law, administrative law. Such general scientific methods as: logical method, forecasting method, historical method and others are used in the research. The analysis of the category "decentralization of power" was also carried out using a logical method, which revealed the objective patterns of development of this phenomenon in legal science and state-building practice, as well as to determine the characteristics of decentralization of public power. The comparative legal method helped to find the ways to improve the current legislation on the decentralization of public power in the unitary state. In turn, using the method of legal modeling, conclusions are proposed and substantiated aimed at improving the current legislation on the decentralization of public power, as the basis for the formation of civil society.

Results. Decentralization of public power is an integral part of legal and political reality of today, the key to effective democracy and the basis for the rule of law. At the same time, the harmonious development of this phenomenon in accordance with the needs and requirements of the time directly depends on a deep and comprehensive study of its genesis. The history of American and European legal thought contains two different models of decentralization of power that need to be understood in the context of modern state-building practice. In addition, decentralization requires a thorough analysis as one of the principles of democratic governance in the process of forming the constitutional state. Development of the idea of decentralization in Ukrainian political and legal thought and state-building practice cannot be overlooked either.

It is necessary to pay special attention to the views on the issues of decentralization of the well-known Ukrainian lawyer, the researcher of local self-government Yu. Paneiko. He is a strong supporter of the state theory of local self-government and shares the opinion that local authorities are essentially state bodies, as these bodies are called to life by law. From his point of view, "self-government is based on the requirements of the law with a decentralized state administration, performed by local authorities, which are not hierarchically subject to other bodies and are independent within the law and the general legal order" [3, p. 15].

Although the term "decentralization of power" was not used at that time, but the first systematic conclusions and scientific and practical recommendations of scientists of this historical period became the basis for further doctrinal studies of public power decentralization. In fact, territorial decentralization in its modern sense has its origins in this period and its essence is to create local governments that govern in individual territorial units independently, addressing community issues on the ground [4, p. 197].

Based on the semantics of the term "decentralization" we can understand it as a specific process or set of processes that affect public relations.

According to A. Kovalenko, the essence of decentralization is reduced to political and legal elements of the relationship between community and state, which form a special legal regime and it gives local authorities independence and hierarchical independence from public administration and self-government [5].

Sharing the above opinions, we add that at the same time decentralization is an important legal mechanism for limiting public power. An effective system of decentralization of power is a prerequisite for the formation of the rule of law, as it prevents the central government from taking a dominant position in areas indistinctive to them. In addition, the decentralization of public power is the basis for the implementation of other levers of public power restriction, including human and civil rights and freedoms, the rule of law and the Constitution, mutual control as a manifestation of checks and balances and many others.

At present Ukraine is in a state of active reform of public administration system on the basis of decentralization. At the same time, the process of limiting the powers of local executive bodies, increasing the powers of local governments should be based on systematic and balanced changes to regulations in this area.

Reform of executive bodies should be carried out under certain legal conditions:

- establishment of a single administrative-territorial system of government;
- creation of a unified system of local governmental bodies at the regional and local levels;
- transformation (rather than preservation) of central public administration bodies at the public level;
- creation of a separate institute of state supervisors;
- coordination of decisions by territorial representations of central executive bodies with local self-governments, etc. [6].

Thus, the formation of decentralization of public administration in Ukraine should be carried out through gradual and logical reform of the executive branch, which should result in the transfer of powers from the executive to local governments.

The fourth stage (2014 - present) is a period of active implementation of public decentralization reforms. This period has the following characteristics:

- 1) implementation of the conceptual principles of reforming local self-government and territorial organization of power in Ukraine;
- 2) development of a mechanism for the creation, operation, financing and cooperation of territorial communities;
- 3) development of regional strategies and policy;
- 4) improvement of the administrative-territorial structure;
- 5) expansion of the field of administrative services;
- 6) further development and balancing of the current legislation on the implementation of reforms in the administrative, political, social, economic spheres, etc. ;
- 7) formation of a priority task, which is the formation of civil society.

One of the first legislative acts on decentralization reforms in Ukraine at this stage is the Law of Ukraine "On Cooperation of Territorial Communities" dated on June 17, 2014 № 1508-18. It should also include the Law of Ukraine "On Optimization of the System of Central Executive Bodies" № 442 on July 10, 2014, which contains the approved scheme of delegation of powers between central executive bodies.

Instead, V. Kravchenko and S. Davydovych emphasized in their research that local self-government should be considered as the basis of the constitutional order, which is one of the most important principles of organization and functioning of power in society and a necessary attribute of any democratic system [7]. Although the institution of local self-government plays an important role in the process of public

power decentralization. It is not advisable to consider it apart from the issue of territorial organization of power in Ukraine.

On this basis, it is appropriate to draw an intermediate conclusion that the development of local government in the context of decentralization reforms should be studied in inseparable connection with the feasibility of introducing territorial organization of government, which in essence is a reasonable territorial basis for local governments and executive authorities able to ensure the availability and quality of administrative and social services provided by these bodies. The conceptual foundations of local self-government and territorial organization of power in Ukraine were approved by the order of the Cabinet of Ministers of Ukraine № 333-r on April 1, 2014 [8].

The need to adopt conceptual frameworks was due to a number of negative factors, namely:

- the development of local self-government stopped at the level of territorial communities after the adoption of the Constitution of Ukraine and relevant regulations on local self-government, as the material and financial base of territorial communities could not adequately ensure all the powers of local self-governments;

- the need of a constantly evolving society is growing, and accordingly the existing system of local self-government needs to be improved;

- the failure of local self-governments to provide functional support for a favorable living environment necessary for comprehensive human development, self-realization, protection of human rights, provision of quality and accessible administrative and social services through sustainable community development;

- the system of territorial organization of power does not correspond to the development of society and requires an increased efficiency of social development management in the relevant territory;

- the presence of shortcomings in the administrative-territorial structure, which led to the defects in the territorial organization of power. Such defects of the territorial organization of power are: the lack of an integral territory of the administrative-territorial unit of the basic level; stay of the territorial community of the village, settlement, city as a part of other territorial community or on the territory of another administrative-territorial unit, territorial community of the district in the city;

- conflict of relations between public authorities on the ground, namely between local governments and local executive bodies, etc.

The analysis of special literature provides us with the grounds for concluding that the reform of local self-government on the basis of decentralization in Ukraine requires the creation of its integrated system, improving the legal support of local self-government. Peculiarities of local self-government reforming and territorial organization of power on the basis of decentralization are the development of a comprehensive approach to substantive legislation; phasing and coherence of

legislative activity, which requires, first of all, the formation of strategic foundations for the development of local self-governments in terms of reforming the territorial organization of power. The above-mentioned facts indicate that in the process of local self-government reforming and territorial organization of power are two separate types of decentralization synergistically intertwined: managerial and administrative ones.

At the same time, only their comprehensive consideration will provide us with the grounds for effective and proper implementation of reforms in the field of local self-government and territorial organization of power, eliminate a number of risks and problems in the decentralization of public power in Ukraine.

At the same time, the practical process of implementing decentralization reforms in this direction has revealed problematic issues that need to be regulated. For example, the adopted Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine Concerning Voluntary Accession of Territorial Communities" introduced the procedure for voluntary accession to an already established association of territorial communities; clarified the requirements for the recognition of the united territorial community as capable. Due to the adoption of the Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine on Peculiarities of Voluntary Association of Territorial Communities Located in Adjacent Areas" a mechanism was introduced to create united territorial communities, which may include territorial communities of neighboring administrative districts and provided an opportunity to create a united territorial community, the center of which is a city of regional importance, as well as determined the procedure for calling the first local elections in such communities. The Law of Ukraine "On Amendments to Certain Laws of Ukraine on the Status of Elders of Villages, Settlements" improved the functioning of the institute of elders in united territorial communities, as well as clarified the legal status of elders, defined its powers and forms of accountability and responsibility to the community united territorial community.

Therefore, in order to improve the legal support of decentralization reform in the field of local self-governments, it is advisable to prepare the Law of Ukraine "On Local Self-Government in Ukraine" improving the legal support for the functioning of effective local self-governments and territorial organization of power on the basis of decentralization.

The peculiarity of reforming the territorial organization of power in Ukraine on the basis of decentralization is the need to increase the efficiency of local governments, which, in turn, will ensure proper resolution of local issues and create positive conditions for socio-economic development. Reforms in the field of territorial organization of power will strengthen the position of local self-governments at both the regional and district levels, as well as make changes in the functional load and organizational structure of local executive bodies.

The above gives grounds to formulate the conclusion that the processes of local self-government reforming and territorial organization of power on the basis of decentralization in Ukraine should be systemic in nature and include the following stages:

- legal and state support for voluntary association of small territorial communities;
- consolidation of self-governing administrative-territorial units;
- compact territorial location of settlements;
- introduction of economic zoning [9];
- proper ensuring of the exercise by local governments of their own and delegated powers;
- prevention of duplication of powers, functions and tasks of local governments at different levels, as well as local executive bodies;
- establishment of mechanisms of state control over the legality of decision-making of local governments and the quality of public services;
- maximum involvement of the population in managerial decision-making, promoting the development of forms of democracy on the ground;
- redistribution of power in favor of local self-government, expanding their independence and increasing the responsibility;
- search for territorial and institutional boundaries of the organization of power;
- providing financial support to businesses of all forms of ownership (registered in a particular region) in order to implement investment, innovation, infrastructure and other projects of strategic importance to increase the competitiveness of a region;
- increase funding for education, health and social protection;
- reduction of the tax burden on the population of a region;
- expanding the functions of local tax payments;
- introduction of budget investment in social projects, etc.

Discussion. Thus, the development of the institution of local self-government in the context of decentralization is closely related to the optimization of territorial organization of power, which is a reasonable territorial basis for local governments and executive bodies, able to ensure accessibility and quality of administrative and social services.

A feature of the development of local self-government in the context of decentralization processes is the dualistic (state-community) concept, according to which local self-government is independent in matters of local economic affairs and is a part of public authority. Peculiarities of local self-government reforming and territorial organization of power on the basis of decentralization are the development of a comprehensive approach to substantive legislation; phasing and coherence of legislative activity, which requires, first of all, the formation of strategic foundations for the development of local self-governments in terms of reforming the territorial organization of power. At the same time, the practice of decentralization and the

formation of capable territorial communities revealed a number of gaps and conflicts in the current legislation of Ukraine on the conceptual synergy enshrined in the Constitution of Ukraine principles of administrative and territorial organization and local self-government in Ukraine.

Therefore, in the draft laws on the development of the system of local self-government, administrative-territorial structure, it is necessary to take into account the above peculiarities. Also, a preliminary international examination of the submitted bills will be expedient. This will allow the unifying of Ukrainian legislation with the European standards for the development of local self-government and the establishment of decentralization of power.

Conclusions. Law-making practice requires harmonization at the practical level of instruments of administrative, budgetary and economic decentralization. Currently, the issue of decentralization of powers of public authorities of both regional and local levels (local state administrations) is reduced to the scope of registration activities and regulatory functions for real estate transactions. Instead, decentralization in medical, educational, social, innovative and other spheres of public life requires deepening. In this way, the state will the appropriate conditions for strengthening the responsibility of local governments to address territorial development issues while giving them a level of opportunities, the implementation of which will localize any problems and issues of socio-economic development of the community.

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STRUCTURAL-FUNCTIONAL MECHANISM OF ORGANIZATION OF ELIMINATION OF CONSEQUENCES OF EMERGENCY CONDITIONS OF MEDICAL AND BIOLOGICAL CHARACTER

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Abstract. *The article is devoted to the substantiation of the structural and functional mechanism of the organization of liquidation of consequences of emergencies of medical and biological character. Problematic issues of public administration in emergencies of medical and biological nature, are manifested by analyzing the structure of civil defense of Ukraine and the current regulatory framework governing its activities, as well as the state of government and civil defense forces, which affects their functioning and interaction emergency response time. Civil protection is a function of the state aimed at protecting the population, territories, environment and property from emergencies by preventing such situations, eliminating their consequences and providing assistance to victims in peacetime and in special periods. The developed structural and functional scheme showed that the organizational structure of the system is built on a functional approach, based on the specification of the activities of each structural element at four territorial levels. The functional subsystem at each territorial level has an appropriate organizational model of interaction between government agencies and civil defense forces. Moreover, organizational interaction is coordinated by the internal subsystem - the coordinating bodies, information interaction - the external subsystem of notification, information, monitoring. The study of the current model of organizational interaction between the subjects of liquidation of health consequences of emergencies showed that the dominant principle of its construction is functional, which prioritizes the functional responsibilities of a single body, rather than logical and consistent relationship of work and functions for interacting bodies. In order to establish the content of interaction of elements of the subsystem of prevention and elimination of medical and sanitary consequences of emergencies with other subsystems of the unified state system of civil protection and to develop a draft plan of joint actions of interacting services, the subsystem of prevention and liquidation of medical consequences.*

Keywords: *emergencies, management, mechanism, structural-functional, medical-biological, liquidation.*

JEL Classification: H41, H79, I18

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Introduction. In accordance with the Association Agreement between Ukraine, on the one hand, and the European Union, the European Atomic Energy Community and their Member States, on the other hand, Ukraine has committed itself to protecting human and animal life and health, preventing the spread of dangerous infectious diseases in the country, increasing preparedness in response to outbreaks of infectious diseases. Infectious diseases are one of the most serious threats to modern society, directly and indirectly affecting the quality of life. In modern conditions there is an intensification of the epidemic process and the global spread of new, the return of old and emerging nosological forms of infectious and parasitic diseases. Dynamic growth of cross-border movement of people, goods and vehicles, uncontrolled movement of animals and infected livestock and products, lack of national monitoring of vectors of dangerous infectious diseases against the background of unstable epidemic and epizootic situation in the world, increased risk

of terrorist attacks and armed conflict import and spread on the territory of the country of pathogens of dangerous infectious and parasitic diseases and the occurrence of related emergencies [1-2].

The risk of medical and biological emergencies caused by infectious diseases of the population in Ukraine is high. The scale of the consequences of medical and biological emergencies caused by infectious diseases makes the organization of public administration in the field of civil protection among the most relevant and important tasks of central and local executive bodies and local governments. Coordination of all branches of government in the elimination of the consequences of medical and biological emergencies caused by infectious diseases requires clear management and coordination of actions to ensure the effectiveness of the whole set of measures. The available experience shows that there is a lack of organization of measures management in overcoming medical and biological emergencies caused by infectious diseases at the national and regional levels. The result is the loss of holistic management of the public administration system, overloading with secondary tasks, the ineffectiveness of existing algorithms of action and approved response plans, loss of time, reduced effectiveness of measures, significant economic losses. Coordination and control of the participation of public and international partners involved in the elimination of medical and biological emergencies caused by infectious diseases is almost non-existent.

Literature review. V. Bakumenko, V. Bogdanovich, V. Vorotin, V. Goshovska, N. Hrytsyak, M. Izha, V. Knyazev, O. Lebedynska, V. Lipkan, P. Nadolishniy, N. Nyzhnyk, V. Oluyko, L. Prykhodchenko, I. Rozputenko, G. Sytnyk, V. Troshchynsky and other scientists. I. Shpylovy studied the improvement of approaches to state regulation in the field of natural and man-caused safety. A. Kaczynski studied the issue of risks in Ukraine taking into account such a factor of instability as emergencies of natural and man-made nature.

Aims. The purpose of the publication is to substantiate the theoretical aspects of the implementation of the structural and functional mechanism of emergency management of medical and biological nature.

Methods. The methodology of this study implies the use comparative analysis, the study of domestic and foreign researches, studying digital transformation processes of the public administration system in Ukraine.

Results. Problems of effective and adequate civil protection of the population affected by emergencies (EM) is one of the urgent tasks of modern health care and medical science, due to two causal factors: first, the increasing frequency and severity of emergencies, and secondly, the emergence of new types of emergencies, in particular socio-political nature, which requires a special nature of the organization of the process of emergency response.

In Ukraine, among the medical and biological threats, the greatest danger is infectious diseases and mass poisoning of people. In the conditions of growing anthropogenic load on the environment, increasing resistance of infectious diseases to chemotherapeutic drugs and disinfectants, diversity of natural zones and biocenoses of Ukraine, creating favorable conditions for long-term existence of natural focal

infections, detection of new nosological forms. on the territory of the country (Covid-19, viral hemorrhagic fevers of Crimea, West Nile), increasing migration, increasing international trade in food, as well as natural disasters and catastrophes, there are objective prerequisites for rapid change in the epidemic situation in some areas countries. Deterioration of the social, economic and environmental situation has affected the level of medical care, the state of immunoprophylaxis, and, accordingly, the level of infectious diseases.

Ukraine joined the COVID-19 pandemic on March 3, 2020, when the first confirmed case of coronavirus 2019-nCoV was reported in a Chernivtsi Oblast resident returning from Italy. Since then, the situation has deteriorated rapidly and as of the end of the 13th week of 2021 registered 1755888 confirmed cases of COVID-19 in Ukraine, the incidence rate was 4610.4 per 100 thousand population, including children aged 0-17 years) 84409, which amounted to 4.8% of the total number of cases. The weekly dynamics of registered COVID-19 cases shows their growth. COVID-19 cases are registered in all regions of Ukraine, and the largest number of them was in Kyiv (167668 cases) and Odesa (113735 cases) oblasts [3-4].

During the period of epidemiological surveillance, a total of 34,587 deaths were registered among people with a confirmed diagnosis of COVID-19, including 23 children aged 0-17, which was 0.1% of the total number of deaths. The mortality rate was 90.8 per 100,000 population and the mortality rate was 2.0%. The highest mortality rate was registered in Kirovohrad region (3.5%), and the lowest - in Cherkasy region (1.3%).

If the largest number of confirmed cases occurred in the age group from 30 to 69 years (74.4%), the death toll was registered mostly among persons over 50 years (93.4%).

Despite the restrictive measures introduced, the uncontrolled spread of the pathogen in the country is still not overcome, which will certainly have serious consequences for the health of the population and the economy of Ukraine.

Since the beginning of the pandemic, the SARS-CoV-2 virus has changed significantly, acquiring genetic diversity. SARS-CoV-2 mutates much more slowly than other viruses, such as influenza virus or human immunodeficiency virus.

Currently of greatest concern are three mutated strains of SARS-CoV-2 viruses, which are more contagious than other species, among these variants is a virus called VOC 202012/01, first detected in August 2020 in the UK, virus 501Y.V2, first detected in October 2020 in South Africa and the P.1 virus, first detected in December 2020 in Brazil. At present, these viruses have become quite common in some countries and continents, there is a combination of their spread.

Search and rescue of people in disasters and emergencies with a large number of victims (oil leaks and especially dangerous chemicals, isolated cases of terrorist acts) account for 80% of the total number of cases, so their consequences are eliminated according to pre-developed principles and algorithms.

Management in an emergency is the constant guidance of the governing body and the authorized head for the elimination of emergencies by the services and forces involved and in the organization of the tasks of emergency response or its

consequences. The main tasks of management are: maintaining a high level of moral and psychological condition of personnel and constant readiness for action; early planning of forces; continuous collection and study of data on the situation in the emergency area; timely decision-making and bringing them to subordinates; organization and provision of continuous interaction; organized collection and evacuation of the population from the emergency zone; preparation of forces and means for carrying out emergency rescue and other urgent works related to emergency response; organization of comprehensive provision of forces and means; control over the timely implementation of measures and tasks by subordinates and provide them with the necessary assistance [5].

Factors influencing the elimination of emergencies include the following: political, economic, institutional, socio-humanitarian, psychological, technological, informational, organizational, spatio-temporal. Political factors reflect the distribution of the main tasks among public authorities at the central and regional levels, namely: the Cabinet of Ministers of Ukraine, ministries and territorial authorities. Economic factors are financing measures to eliminate the consequences of emergencies, compensation for victims, logistics of civil protection measures, which in turn is a set of organizational, engineering, legal and other measures aimed at continuous supply of government and civil defense forces, as well as the population affected by the disaster [6-7].

Under the institutional factor we understand a set of institutions-rules, institutions-organizations and institutional conditions, namely: the formation of the principles of safe living in Ukraine, balanced economic and environmental policy, sustainable use of nature, recreational landscaping, creating effective management bodies to prevent emergencies.

The basic principles of security are the ways of practical application of the achievements of life safety for the sustainable harmonious evolutionary development of man and society.

Socio-humanitarian factor reveals the volunteer movement - information and educational activities, training in skills of home care, improving the training of volunteer rescuers, dog trainers, involving the public in disseminating knowledge about survival in emergencies of various kinds.

The psychological factor is the prevention of panic among the victims, psychological support for the professional activities of rescue teams, and as a mandatory element - medical and psychological rehabilitation of rescuers and personnel of mobile medical teams.

Information factor - the use of modern information and telecommunications technologies to support management decisions, obtaining timely and adequate information about the consequences of emergencies and the situation in the emergency zone, technology OLAP-analysis and spatial analysis by GIS technology in determining the emergency zone, automated monitoring systems and NPPs [8].

The organizational factor reveals the goals and objectives of the Unified State System of Civil Protection (EDCS) as a set of government, forces and means of

central and local executive bodies, executive bodies of councils, enterprises, institutions and organizations that implement state policy in civil protection.

Spatio-temporal factor - EDTSC operates continuously and continuously throughout Ukraine. Depending on the scale and features of the projected or emerging emergency, one of the following modes of functioning of the unified state system of civil protection is established in Ukraine or within its specific territory: daily functioning; increased readiness; emergency situation; state of emergency.

Summarizing the above, it should be noted that the combination of economic and psychological factors influencing the process of emergency response may be pronounced negative. At the same time, the combination of informational and socio-humanitarian factors allows to optimize management decisions and bring assistance to the victims. Ignoring the importance of political and economic factors, neglecting the problems of adequate funding for civil protection measures both in the period of emergency response and in preventing emergencies, can reduce the level of natural and man-made security of Ukraine [9].

Existing threats of both internal and external nature, probable risks of natural and man-made disasters, emergencies of various levels - determine the constant readiness of the national health system to adequately respond to certain challenges in emergencies, terrorist acts and special periods. . The effectiveness of measures to provide medical care to the population of Ukraine in case of emergency, in a special period depends on the organizational and legal framework defined by law.

In accordance with the Resolution of the Cabinet of Ministers of Ukraine of April 14, 1997 №343, the State Disaster Medicine Service was established, the organizational and methodological guidance of which is provided by the Ministry of Health of Ukraine. Coordination of the Service's activities in case of emergencies is carried out by the central and territorial coordination commissions. The Service consists of medical forces, facilities and treatment and prevention facilities at the central and territorial levels, regardless of departmental affiliation, which must be agreed with the relevant ministries, regional, Kyiv and Sevastopol city state administrations. Thus, the State Disaster Medicine Service is a functionally integrated structure of medical forces and facilities of various departments both at the central level and at the territorial, organizational and methodological management of the Ministry of Health of Ukraine.

The Ministry of Defense of Ukraine is the most powerful of the medical structures of the ministries that are functionally part of the State Disaster Medicine Service. The powers of authorities, rights and responsibilities of other entities are established by the Civil Protection Code of Ukraine, which entered into force on 01.07.2013 [10]. In particular, in ch. 9 - "Medical, biological and psychological protection, ensuring sanitary and epidemiological well-being", in Art. 36, 37 the tasks for public authorities concerning medical and biological protection of the population are defined.

From the first minutes after the emergency, the work of health authorities should be aimed at providing emergency medical care: mobilized medical staff, mobile units of the disaster medicine service were sent to the emergency center, supply of

medicines and medical equipment, medical evacuation of victims, order on the roads and uninterrupted operation of transport.

In the conditions of mass sanitary losses, which determines the need to distribute the mass of victims, medical sorting is of particular importance, which should provide favorable conditions for the most rational use of qualified medical (especially surgical) forces and adequate involvement of treatment and prevention facilities, most effective and timely medical care. as many victims as possible in the required order.

A functional model of management of medical care in the elimination of medical and sanitary consequences of emergencies with a significant concentration of people is presented. In building the model, we used a systematic approach, which allowed us to logically link the sequence of actions in the management of the process of providing medical care in emergency situations. This author's functional model of management of medical care in the elimination of health consequences of emergencies in large crowds is based on the results of a comprehensive analysis of practical experience in providing medical care by mobile medical formations of the EMD disaster medicine service victims of natural and man-made disasters in Ukraine and and beyond as part of international humanitarian missions.

Discussion. Due to the fact that at the time of the emergency there is a negative impact on the existing management system of health facilities in the affected area, the reliability and completeness of information about the location, nature and consequences of the emergency occurred in the affected area. Information that an emergency has occurred (Urgent notification of an emergency with medical consequences) via UIAS communication channels is transmitted from the territorial center of EMD and MK to the reserve communication node of the Ministry of Health of Ukraine (UNPC EMD and MK). This message contains information about the nature of the emergency, the scale, place and time of the event, as well as information about the dead and injured. When forming this urgent message, there are sometimes discrepancies in the presentation of information about victims and deaths due to the imperfection of the form of urgent message, which does not clearly state that the number of dead is written on a separate line in the text [11].

To date, the problem of preventing emergencies of medical and biological nature caused by infectious diseases of the population in Ukraine, involves the preparation and implementation of a set of legal, socio-economic, political, organizational, technical, sanitary and other measures aimed at risk management, assessment of risk levels, early response to the threat of an emergency based on monitoring, expertise, research and forecasts of possible events in order to prevent them from escalating into an emergency or mitigate its possible consequences.

The interaction of governing bodies in the context of administrative reform, the reform of central executive bodies, which are part of the state system of prevention and response to emergencies is a multifaceted and complex problem.

Solving this problem required the development of a specific research program using a systematic approach, defining the subject and object of research and phased research. As a result of this work, reliable and complete information was provided on each of the tasks.

Conclusions. Under conditions when the medical consequences of the emergency meet certain criteria and the situation is described as the presence of a significant contingent of victims in need of medical care in the emergency zone, the need for medical care is determined, then the required number, profile and location mobile medical formations in the emergency zone. In the emergency zone, teams of constant readiness and queues of the disaster medicine service and mobile medical points of the civil protection service can be deployed. In parallel with the introduction of search and rescue formations into the emergency zone, the disaster medicine service is being introduced into the zone of mobile medical formations.

At the next stage of the organization of medical care in the elimination of health consequences of emergencies with a large crowd of people is the procedure of medical sorting, which is the main doctrine of disaster medicine and serves to ensure timeliness and adequacy of medical care to victims. Analysis of the factors influencing the elimination of emergencies, political, economic, institutional, socio-humanitarian, psychological, technological, informational, organizational, spatio-temporal showed that:

- a set of economic and psychological factors influencing the process of emergency response may be pronounced negative;
- a combination of informational and socio-humanitarian factors allows to optimize management decisions and bring assistance to the victims;
- ignoring the importance of political and economic factors, neglecting the problems of adequate funding for civil protection measures both in the period of emergency response and in preventing emergencies, can reduce the level of natural and man-made security of Ukraine.

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ORGANIZATIONAL SUPPORT OF IMPLEMENTATION OF COMMUNICATIVE PROJECTS IN THE ACTIVITY OF PUBLIC ADMINISTRATION BODIES

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Abstract. *The article analyzes the organizational support for the implementation of communicative projects of public administration bodies. Arguments became the basis for determining the purpose of the study as a justification for the need for organizational support for the implementation of communication projects in order to improve the activities of public administration bodies. When processing the materials, the method of analysis and synthesis was used to determine the essence of the concepts. The generalization method was used in terms of presentation of the conceptual scheme of meaningful characteristics of the communicative project in the activity of public administration bodies. The conceptual scheme of meaningful characteristics of the communicative project is formed, which consists of the purpose, complex of actions, components of development and tasks of realization of communicative projects. This will allow a comprehensive approach to the development and further implementation of communication projects with timely decision-making on targeted changes to certain communication systems or their individual elements in case of negative changes in project activities, or to preserve of the existing state, if will be positive dynamics of communicative activity of public administration bodies.*

Keywords: *project, communication projects, project approach, public administration.*

JEL Classification: **H19, H43**

Formulas: **0; fig.: 2; tabl.: 0; bibl.: 15**

Introduction. Today, in the context of systemic transformations in the activity of public administration bodies, Ukraine has begun to pay considerable attention using of new management methods and of advanced management technologies which focused on the application of the concept of project management. In order to achieve the effectiveness of public administration, the innovative direction of project management is the implementation of communication projects in the activities of public administration, which will have a positive impact on achieving the planned results and making effective management decisions. Therefore, today the issue of organizational support for the implementation of communication projects in the activity of public administration bodies is largely relevant for to achieve management goals and the formation of a positive image of public administration.

Literature review. Problems of communicative projects in public administration have been studied in the works of such scientists N. Gavkalova, N. Drahomyretska, A. Chemerys, V. Dreshpak, O. Nepomnyashchy and others. Given the important research of the above authors, it should be noted the need to highlight

key aspects of organizational support for the implementation of communication projects in the activity of public administration bodies.

Aims. Arguments became the basis for determining the purpose of the study as a justification for the need for organizational support for the implementation of communication projects in order to improve the activities of public administration bodies.

To achieve this purpose it is necessary to solve the following tasks:

- to explore the definition of "project", "communicative project";
- to form a conceptual scheme of substantive characteristics of the communicative project in the activities of public administration bodies;
- to characterize the phases of the life cycle of the communicative project in the activities of public administration bodies.

Methods. When processing the materials, the method of analysis and synthesis was used to determine the essence of the concepts. The generalization method was used in terms of presentation of the conceptual scheme of meaningful characteristics of the communicative project in the activity of public administration bodies.

Results. Projects, programs and development strategies are recognized as the most important elements in achieving the strategic goals of the organization both in the business environment and in the public sector. Concepts of development strategy, project management have become key conditions in the current activities of public administration bodies in the implementation of public policy, provision of services, development of national programs or use of material and financial resources [1].

Project management in the field of public administration contains two components. The methodological component includes a set of knowledge, skills, methods, tools and technologies of project management that are necessary for project implementation. The organizational component consists of a project team that manages the project implementation process. Given that project development and implementation takes place in a dynamic environment, this requires constant feedback from project stakeholders [2].

The definition of "project" should be analyzed for a deeper understanding of the essence of the communicative project in the field of public administration.

Yu. Kovbasyuk defines the project as a unique set of coordinated works of a given content with defined start and end dates, limited cost and implementation time, which are aimed at achieving the planned goals in terms of duration, cost and satisfaction of participants [3].

The Law of Ukraine "On Cooperation of Territorial Communities" contains an interpretation of the definition of a joint project, which defines it as a set of measures carried out by local governments at the expense of local budgets and other sources not prohibited by law and aimed at socio-economic and cultural development territories [4].

O. Nepomnyashchy defines the definition of "project" is a process that has limited time, time and may be limited by financial flows, aimed at achieving specific unique goals and objectives in various sectors of the economy and social development " [5].

A. Chemeris understands the project in the public sphere as a set of interconnected logically structured tasks and activities that are organized on a timeline. The project aims to solve the most important problems of development of the state, individual sectors of the economy, administrative-territorial units or territorial communities, organizations and institutions, which in turn are carried out in conditions of financial and other resource constraints in a timely manner [6].

Examining the definition of "project" O. Lashchenko and N. Seryogin define its double meaning. On the one hand, the authors emphasize that it is an activity, a set of processes that involves a set of specific actions to achieve certain goals. On the other hand, it is a system of tasks, technical and organizational documents, which describe and justify a set of actions to achieve predetermined specific goals. Researchers summarize that a project should be understood as a document that uses specific methods and tools to describe, justify and detail certain activities (set of processes) to achieve a predetermined and desired result with clearly defined resources in a timely manner [2].

Communicative project means a special form of reflection of needs, interests, moods, aspirations, which are expressed in a certain symbolic form. This is a special technology for building government-public relations. It involves investing a certain amount of resources (financial, material and human) in order to achieve goals and planned results in a timely manner with public involvement in management processes [7].

In the context of forming a corporate culture, E. Kaverin argues that communication projects should be considered as a strategic system of action. They should be aimed at achieving a cascade of corporate goals, namely strategic goals (broadcasting corporate myths and traditions, promoting corporate values, initiating interaction with partners, etc. Communicative projects aimed at achieving motivational goals, namely building a positive creative atmosphere and teamwork goals (team building, detection of hidden professional and personal reserves of staff) [8].

It should be noted that in the field of activity of some scientists, communication projects are considered in the context of social, taking into account that project activities involve, above all, the relationship between stakeholders. But most scholars are still inclined to the organizational and communication aspect, explaining that communication and management are aimed at regulating the joint activities of individuals, groups, society, which aims to achieve economic effect, and therefore do not exclude the economic component contained in projects.

Describing the implementation of communication projects in local governments, N. Drahomyretska notes that project activities belong to the category of innovative creative activities, as it involves the transformation of reality, based on appropriate technology that can be unified to master and improve. The author argues that the implementation of communication projects is unique in that it provides an opportunity to involve the public in management processes. N. Drahomyretska characterizes the project of communicative activity of public administration as an intellectual model, the implementation of which contributes to the intellectual,

emotional and behavioral construction of the recipient of the message, and therefore, the project is to some extent communicative [7].

In the context of the study, it is advisable to present a conceptual scheme of the substantive characteristics of the communicative project in the activities of public administration bodies (Fig. 1).

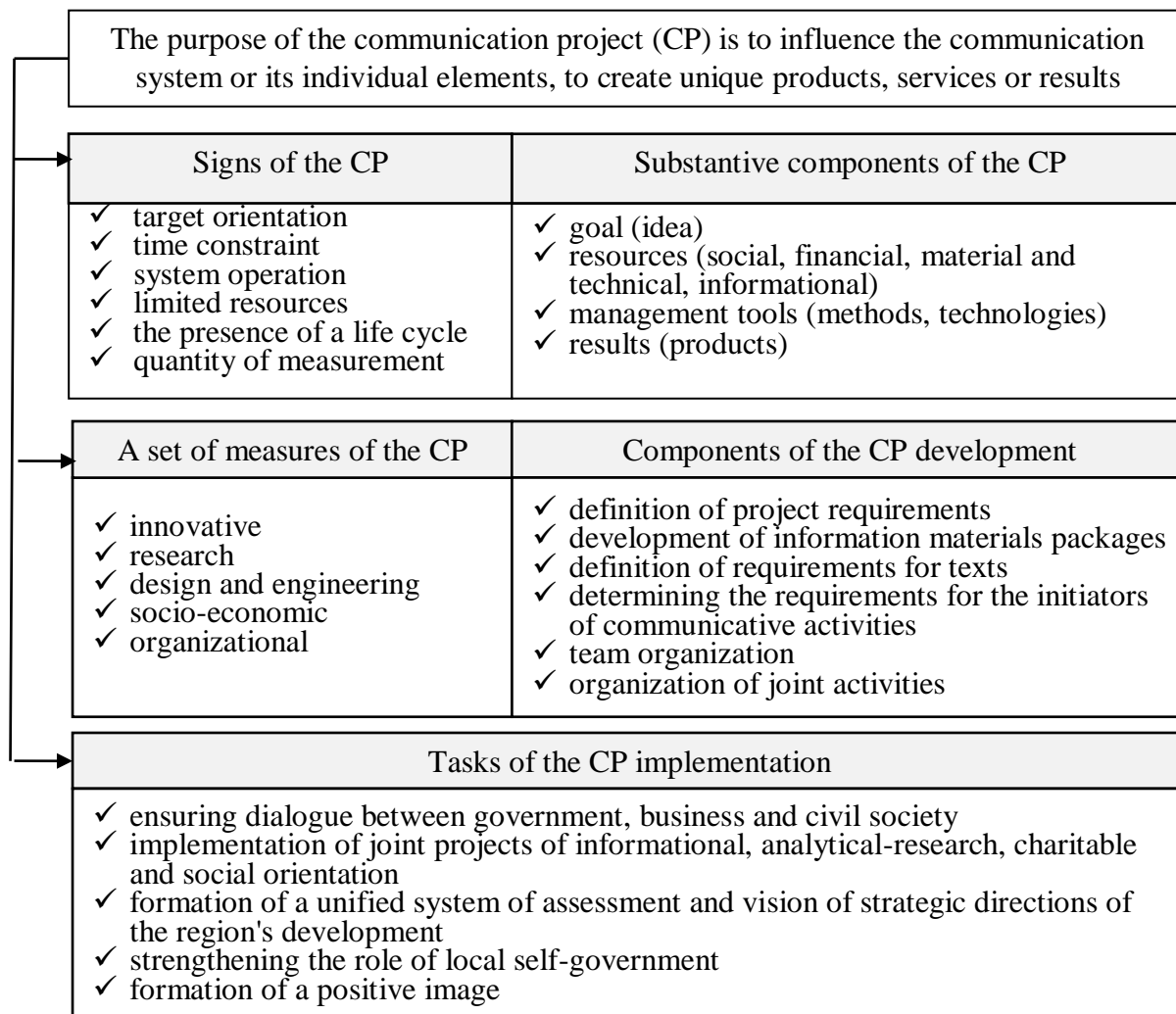


Figure 1. Conceptual scheme of meaningful characteristics of the communicative project in the activity of public administration bodies

Source: developed by the author

Communication project ideas are developed depending on the target audiences of projects, which can be aimed at both external audiences (stakeholders, the public, public authorities, etc.) and internal audiences of public administration. As part of the communication project, depending on the goals and objectives, special events can be organized to convey corporate views, ideas and to engage target audiences with corporate values.

The content components of the project highlighted in Figure 1. have a certain set of characteristics, are a confirmation that the project should be classified as communicative. Important features of a communicative project in terms of forming the corporate culture of united territorial communities is that even if projects are

similar, they are never implemented in the same environment and context, so communicative projects are unique. They are temporary, so they are determined by the specific beginning and end of each project.

Therefore, the start time can be set, as the project starts with the term for which the temporary project team is organized and the key team is appointed. Because projects are not repetitive, are performed for a product with unique content and provide certain conditions, fulfilling their missions is not always an easy task and is accompanied by some uncertainty. This uncertainty leads to risks due to uncertain information, immature or untested technology and unpredictable factors. In projects, these risks are overcome with the help of the project manager and the combined knowledge and creativity of team members. The project team is created and operates during the period of implementation of the communicative project. Its composition and functions depend on the scale, complexity and other characteristics of the communicative project that determine its uniqueness.

The main limitations in the implementation of projects are must be taken into account in planning is the so-called project triad, which includes time, budget and quality of work. Like any project, a communication project has a life cycle. It is the period from the appearance of the concept of the future product of the project or the requirements for it (information) to the moment of putting this product into operation (closing). The life cycle of a communicative project consists of several phases, each of which involves the implementation of certain actions that lead to an intermediate result. There is no generally accepted division into phases, but all phases are performed in chronological order. It is important that at the end of each phase it is necessary to evaluate, provide justification for further implementation of the communicative project [3] (Fig. 2)

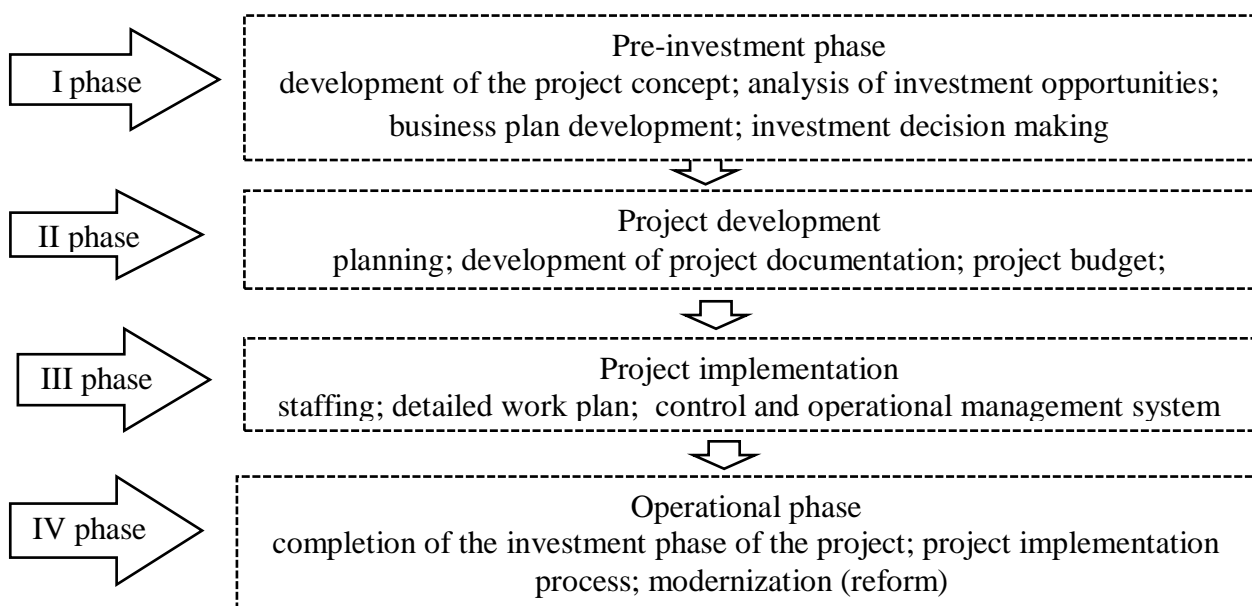


Figure 2. Characteristics of the phases of the life cycle of a communicative project

Source: generalized on the basis of [3;7;9]

The expediency of implementation and realization of communicative projects in the activity of public administration bodies first of all is explained in the direction of realization of the strategy of development of the territory [9,]. In order to meet the needs of the target audience, it is important for communication projects to establish feedback with the public, stakeholders.

Communication projects are implemented in various forms. As an example of communication projects in the field of public administration V. Dreshpak notes communication strategies of public authorities at various levels, media campaigns using media systems, etc.[11].

The activities of public relations and mass media (media) services of public administration bodies can also be considered in the aspect of organization and implementation of media campaigns (media projects) of different scales and duration. Thus, it is possible to clearly define the goal to be achieved, rational use of resources, accurately outline the result, which in a given time can be assessed by certain criteria. In this context, we consider the media campaign as a communicative project that has to go through stages: assessing the situation and identifying the problem; goal and audience definition; selection of mass communication channels and techniques of influence; resource planning; actual project implementation through communication; evaluation of the result [12, pp. 95-100].

Therefore, in order to implement and evaluate communication projects, financial and logistical support of projects in the activities of public administration, first of all requires a fundamental solution to the organizational structure of communication project management.

In general, according to M. Drahomyretska, in the organization and implementation of communicative activities the project is such a tool that allows to organize the communicative activities of public administration at a new level. The development and implementation of these projects in communicative activities, as noted by the scientist, has the following components: determining the requirements for the project; preparation of the verbal component of the project implementation on the development of packages of information materials to explain the actions of the initiators of communicative activities; definition of requirements to texts; requirements for the initiators of communicative activities; selection of a team for project implementation; organization of joint activities with repeaters. The project type of communicative activity is one of the most difficult both in terms of management and in terms of practical implementation of tasks. It requires creativity, diligence, flexibility, ability to interact with different organizations, the ability to make non-standard decisions, the ability to find the least expensive ways to solve problems, etc. [13, pp. 24-26].

In order to effectively communicate N. Drahomyretska [7] proposes to implement a project approach to management, which should be accompanied by structural changes, namely to move to a two-tier structural organization, which provides a level of formal administration, including all types of management and project level. From a team organization perspective, the project level may include temporary and permanent project teams. From the standpoint of the direction of

work, the project level is related to the communicative activities of public administration bodies.

For the development and implementation of programs and projects in the field of public administration I. Chikarenko [14] provides a number of arguments about the feasibility of applying the project approach:

- project management is a universal concept that can be applied to any project in all fields and areas, from education, science and medicine to heavy industry, the armed forces and the defense industry;
- on the basis of project management it is possible to effectively solve the problem of control of deadlines and especially costs (both by government agencies and the public); project management methods are flexible, they can be used in any organization and at the same time harmoniously adjusted with strategic management and organizational strategy;
- on the basis of project management it is possible to clearly control and manage the effectiveness of activities, which in other conditions is often difficult to do;
- project approach allows to form a more flexible organizational structure of management, able to respond in a timely manner to changes in internal and external environment;
- the project approach provides a clear division of management goals, objectives, functions and responsibilities for project implementation, which facilitates the evaluation and increases control over the implementation of tasks by subordinates;
- on the basis of the project approach determine the composition of the project tasks, hierarchical structuring on the principle of "tree of works", which allows to include in the project structure the necessary and sufficient tasks;
- the project approach provides an opportunity to conduct an integrated assessment of the socio-economic usefulness of the project on the only main criterion for obtaining a generalized assessment of the effectiveness of public authorities in a particular problem area;
- project management aims to obtain a finished product - the end result, which determines the degree of satisfaction of the needs of citizens;
- project management uses the strategy of targeted rational allocation and use of project resources on the criterion of maximization in order to effectively manage them;
- with the help of the project approach the feedback with the population of the country is carried out that gives the chance to estimate activity of public administration body directly by citizens of the state.

Conclusions. In conclusion, a communicative project is a complex of interrelated activities that are aimed at creating a unique product or service in conditions of time and resource constraints. In the context of the systemic transformation of public administration, the reform of local self-government and the formation of new territorial communities [15], communication projects are of particular importance in addressing a number of organizational, communications, socio-economic issues, namely, improving human resource management, resource provision, and improving public image management.

Author contributions. The authors contributed equally.

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CHAPTER 2

LEGAL RELATIONS: FROM THEORY TO PRACTICE

LEGAL ISSUES OF MODERN DISTRIBUTED DATA TECHNOLOGIES: THE USE OF BLOCKCHAIN IN PUBLIC GOVERNANCE

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Abstract. *The focus on informatization of society, the rapid spread of information and communication technologies and a significant increase in their number of users, the introduction of e-government, the transition to electronic document management and the use of electronic digital signatures include the accumulation of significant electronic resources and electronic documents. The solution to this problem is closely related to the use of the cutting-edge electronic information and communication technologies, such as blockchain. The purpose of this work is to study the development of the legal aspects of DL-technologies, their impact on public relations, changes related to the spread of blockchain and legal regulation peculiarities of using these technologies and to analyze the prospects for the use of blockchain technologies regarding information security, electronic document management, election and voting, public administration, corporate management. Blockchain technology allows to solve the above problems in an optimal way, to minimize the costs of participants in electronic interaction, opens new opportunities in the creation and management of electronic registers and their promotion in a network economy. Blockchain technology can be implemented to solve the problems of information management, for maintaining public registers of shareholders and members of the corporate investment fund.*

Keywords: *blockchain, information, information security, public administration, corporate management.*

JEL Classification: C88, H11, K19, K40

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Introduction. The rapid development of technologies of the last decades has significantly affected social relations. The Distributed Ledger Technology (DLT), in particular "blockchain" - a technology of distributed data system, which is the basis of cryptocurrencies, the most famous of which today is Bitcoin. The introduction and rapid spread of blockchain technology is causing changes in public relations that require legal regulation. Today we may observe the expanding of the scope of blockchain technology to various spheres of public life such as banking, finance, taxation, state registers, electoral law, land relations, etc.

Literature review. The introduction of blockchain technologies in business structures, public administration, corporate governance are widely discussed among politicians, lawyers, other specialists in the field of information and telecommunication technologies, and scientists as well. Blockchain issues have been developed in the works of: M. Atzori [1], M. Swan [2], D. & A. Tapscott [3], O. Danilchenko [4], P. Kravchenko [5] and others.

Today blockchain technologies are not widely used both in the field of public administration and in corporate management in Ukraine.

Aim. The purpose of this work is to study the development of the legal aspects of DL-technologies, their impact on public relations, changes related to the spread of blockchain and legal regulation peculiarities of using these technologies and to analyze the prospects for the use of blockchain technologies regarding information security, electronic document management, election and voting, public administration, corporate management.

Methods. The methodology of this study implies the use comparative analysis, the study of domestic and foreign researches, studying digital transformation processes of the law system in Ukraine.

Results. The focus on informatization of society, the rapid spread of information and communication technologies and a significant increase in their number of users, the introduction of e-government, the transition to electronic document management and the use of electronic digital signatures include the accumulation of significant electronic resources and electronic documents. The solution to this problem is closely related to the use of the cutting-edge electronic information and communication technologies, such as blockchain.

The essence of the blockchain concept is the idea of distributed, decentralized storage of registry entries on a number of network nodes, rather than centrally in one place. Typically, transactions registered in a distributed registry involve several parties, and each party has its own copy of the records of the transactions in which it participates.

The architecture of blockchain technology is based on the principle of decentralized management of data. Blockchain can be applied to any database and provide reliable storage of information. Within this system, there is no "management" center (single server), which makes falsifying voting results not possible.

Among the advantages of blockchain the ability of the technology to more effectively preserve the privacy of users, the ability to individually control their personal data should also be noted.

The legal security of a blockchain system can be ensured if its development, implementation, operation and decommissioning are carried out in such a way that over time, despite changes in legal, technological or social conditions, the following requirements are met:

- documents stored (or managed by) a blockchain system must retain their business or legal value for as long as necessary;
- interaction with courts and regulators (especially in situations where courts will request documents or information or require them to be deleted, modified or blocked) should not have catastrophic consequences for the system (say, by violating the principle of record-keeping);
- it should be possible (technical and legal) to submit certain documents to the court or the regulator (it should be determined who and how will certify them);
- the authenticity, integrity, usability and confidentiality of both the system itself and the documents stored in it should be ensured so that it can be demonstrated to the regulator and the court;

- comply with existing legal and regulatory requirements for storage and protection of personal data;
- it should be clear who is responsible for the proper functioning of the system and who compensates for the losses;
- operators (or the stakeholder community) should monitor legislative and regulatory changes and take appropriate action;
- make efforts to solve the problem of ensuring long-term storage of information in the blockchain.

A key innovation in the use of DLT-systems is a new model of trust, which, unlike traditional systems, does not rely on the authority of the organizer and trust of its participants, nor on the rules of specific jurisdiction and generally does not require the use of trusted third parties. including certification centers and timestamp services. The DLT system itself seeks to become a universal intermediary that organizes direct interaction between the parties to transactions.

A number of states are already using blockchain solutions as an additional tool independent of the state and some specific commercial organizations to ensure the credibility of electronic data and documents.

The important point is that in a blockchain system built on the type of bitcoins, there is neither an official owner and jurisdiction, nor an operator to which claims and claims could be made (which, depending on the circumstances and tasks, can be as good , and bad).

Such uncertainty can be useful where, for example, it is necessary to circumvent barriers to cross-border cooperation related to the sovereignty of states and to limit the ability of individual states to interfere in the management of the system, seize information and impose sanctions. A blockchain solution can be intentionally created as a neutral trusted intermediary "without citizenship". Due to the lack of an official owner and operator, it is difficult for law enforcement agencies in a particular country to access confidential information belonging to DLT participants.

The fundamental distribution and / or decentralized blockchain solutions make them catastrophic as well as resistant to the influence of certain states.

Blockchain technology and distributed systems are becoming an important new direction in the development of information technology, they can be used in many areas to solve a wide range of problems. In particular, O. Danilchenko believes that blockchain technology can be adapted to carry out any transactions, one way or another related to the registration, accounting or transfer of various assets (financial, tangible and intangible); at the same time, neither the type, nor the number of participants, nor their geographical location matter, which may change the very model of public administration in the future [4].

The peculiarity of the blockchain is the possibility of decentralized storage and processing of user and other data: this universal principle can be used in any voting process. The technology is able to guarantee a qualitatively higher degree of security, including effective protection against hacker attacks and misuse of personal data.

A separate case of the use of blockchain technology is the system of public administration. Blockchain technology allows you to maintain decentralized state

registers, including registers of ownership of land, real estate, etc., it can be used as a file storage of huge amounts of information, allowing you to effectively manage any assets or information through high transparency.

According to K. Yarmolenko, Advisor to the Head of the State Agency for Electronic Government of Ukraine, the Ministry of Justice of Ukraine in 2017 is ready to introduce blockchain technology in the system of sales of confiscated property "SETAM" and in basic registers, as technology prevents fraud in state registers as inside when bribing an administrator or registrar, and externally when cyberattacks take place [6].

The development of blockchain technology gives impetus to new implementations of e-government, especially in the field of information security from falsification. Data on citizens, real estate, certificates, permits, property rights, etc. after entering in the state blockchain registers is almost impossible to change. Data from state registers can be used as full-fledged documents that have legal force and are available to all stakeholders.

However, along with the advantages of blockchain technology, certain disadvantages should be taken into account.

Existing blockchain solutions are optimized to manage "tokens", which are different types of assets, and are not suitable for storing documents, because the documents themselves do not fit into the blockchain (otherwise due to the rapid increase in volume it would be extremely difficult to maintain copies of the register on numerous computers). The blockchain in this case stores only hashes of documents or documented information, i.e. the blockchain solution acts as a trusted timestamp system that operates without the use of traditional public key infrastructure (PKI).

According to the current legislation, in some cases changes should be made to the register: this may be necessary, for example, by a court decision that declared certain agreements invalid. However, the world community of experts is much more concerned about the legislation on personal data protection and privacy, especially in its European version, which provides for the "Right to erasure" ("Right to be forgotten") [7] and considers the right to personal data protection as a fundamental, inalienable human right that is undeniable.

It follows from the general considerations that solutions based on blockchain and distributed registry technologies can be quite effective as a tool to support initially decentralized and non-centrally controlled activities and processes. Conversely, traditional solutions should be expected to continue to be more effective where activities are centralized or centrally controlled.

The perspectives for the use of blockchain technologies in the field of corporate management i.e., when making decisions at a general meeting of shareholders also could attract attention.

Internet voting has been used worldwide since 2000. However, the advantages of blockchain voting during the general meeting of shareholders are obvious. This is transparency and the impossibility of falsification. In addition, the world is facing a

pandemic, and the use of blockchain voting allows not to visit the venues of the general meeting of shareholders. The only need is to install the necessary software.

The right to hold general meetings remotely during quarantine is provided by the Law of Ukraine № 540-IX of March 30, 2020 “On Amendments to Certain Legislative Acts of Ukraine Aimed at Providing Additional Social and Economic Guarantees in Connection with the Spread of Coronavirus (COVID-19)”. To implement the provisions of Law № 540-IX, the National Securities and Stock Market Commission (NSSMC) approved the Temporary Procedure for convening and remote holding of general meetings of shareholders and general meetings of corporate investment fund participants.

The decision of the NSSMC № 196 of April 16, 2020, which approved this procedure, states that the body convening the general meeting must enter into an agreement with the Central Depository on the provision of services for remote general meeting.

Discussion. In turn, shareholders, for registration at the general meeting, submit ballot papers to the depository institution that maintains the securities account of such shareholders. If a shareholder has security accounts in several depository institutions where the company's shares are accounted for, each of the depository institutions accepts a ballot paper for voting at the general meeting. Thus, according to the NSSMC, issuers will interact with the Central Depository, and shareholders - with depository institutions, with which they have a contract for servicing a securities account. Through the depository system, the information will reach the issuer from the shareholders, and in reverse order, the issuer will receive the results of the shareholders' voting.

The weakness of such a voting system is its vulnerability to hacker attacks and the possibility of data loss due to fraud, theft or unauthorized use of data from these registers.

Summarizing the above, we conclude that barriers to the use of blockchain technologies can be: legal restrictions, novelty of technology; lack of knowledge and skills of staff working with technology; lack of sufficient state support and high cost.

Based on these technologies, it is possible to create new solutions that will have great potential, especially in cases where transactions between individuals or organizations require reliable and immutable documents, without the involvement of a trusted third party.

Since blockchain technology is a document management technology, its further development would benefit from the application of theoretical and practical knowledge accumulated by archival science.

Currently, the technology is not ready to guarantee long-term storage of legally relevant information and documents at intervals of about 10 years or more, so its use for archival storage is associated with serious risks. It can be used in the presence of a thorough legal and regulatory framework and the formation of judicial practice in the management of documents in the short and medium term.

Conclusions. Blockchain technology allows to solve the above problems in an optimal way, to minimize the costs of participants in electronic interaction, opens

new opportunities in the creation and management of electronic registers and their promotion in a network economy. Blockchain technology can be implemented to solve the problems of information management, for maintaining public registers of shareholders and members of the corporate investment fund.

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APPLICATION OF BLOCKCHAIN TECHNOLOGIES FOR PROTECTION OF INTELLECTUAL PROPERTY

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Abstract. Blockchain technology could be used to create and maintain any database or ledger that can record and track transactions and assets and can be widely accessible to the public or large groups, depending on the permissions granted. The aim of the article is to study the legal aspects of DL-technologies regarding intellectual property protection, IP-ownership, transfer of IP-rights. The methodology of this study implies the use comparative analysis, the study of domestic and foreign researches, studying blockchain transformation processes of the law system in Ukraine on intellectual property. Considering the security, transparency, and immutable nature, blockchain can be applied for managing intellectual property (IP) rights such as patents, copyrights, trademarks, and industrial designs. The potential IP-related application of blockchain is verifying the authenticity of ownership. Due to its possibility to record, share, and synchronize transactions in its respective electronic ledgers, blockchain technology can be used as a platform where inventors can place their inventions/digital works in the form of ledgers thereby acting as an intellectual property marketplace. The application of smart contracts has increased the utility of implementing blockchain to protect one's intellectual property.

Keywords: blockchain, intellectual property, copyright, ownership, smart contract

JEL Classification: C88, H11, K10, K19, K40

Formulas: 0; **fig.:** 0; **tabl.:** 0; **bibl.:** 13

Introduction. Blockchain technology could be used to create and maintain any database or ledger that can record and track transactions and assets and can be widely accessible to the public or large groups, depending on the permissions granted. The chain is updated with each transaction so that users can see the chronological activity for that blockchain. Once something is on the database, it cannot be removed. Due to its possibility to record, share, and synchronize transactions in its respective electronic ledgers, blockchain technology can be used as a platform where inventors can place their inventions/digital works in the form of ledgers thereby acting as an intellectual property marketplace.

Literature review. Today when digital technologies become more important, it is no longer possible to imagine our life without blockchain, a fault-tolerant decentralized system, the core principles of which are that each subsequent block in the blockchain contains the hash value of the previous block, and all attempts to change the data recorded on a particular block levels, will cause changes at all subsequent levels and will be noticed by other participants (network nodes). This ensures database integrity verification and a blockchain sequence is formed in which each subsequent block stores the hash value of the previous one [1, 277].

Blockchain has gone far beyond cryptocurrencies, and has spread to all walks of life in society and the state, and thanks to its coordination capabilities and the ability to retain information has become a modern Magna Carta of fundamental social progress. The advantage of blockchain over other storage media is that the data that gets to it can be analyzed while remaining private and unchanged [2, 149-150].

Blockchain has prominent implications in various domains such as cryptocurrency, health care, real estate, voting systems, supply chain and logistics, etc. Theoretically, blockchain can be applied to any database and provide reliable storage of information. Considering the security, transparency, and immutable nature, blockchain can be applied for managing intellectual property (IP) rights such as patents, copyrights, trademarks, and industrial designs [3]. Implementing blockchain in the management of intellectual property have been developed in the works of: Miriam Stankovich [3], Sumit Prasad [4], Yuefei Caro, Hajme Nobuhara [5] and others.

Aim. The aim of the article is to study the legal aspects of DL-technologies regarding intellectual property protection, IP-ownership, transfer of IP-rights.

Methods. The methodology of this study implies the use comparative analysis, the study of domestic and foreign researches, studying blockchain transformation processes of the law system in Ukraine on intellectual property.

Results. According to the article 177 of the Civil Code [6] the results of intellectual, creative activity belong to the objects of civil rights and as it is enshrined in the article 199 of the Civil Code, the results of intellectual, creative activity and other objects of intellectual property rights create civil rights and obligations in accordance with Book IV of the Civil Code (intellectual property rights).

The potential IP-related application of blockchain is verifying the authenticity of ownership. In case of copyright, it is difficult to secure IP-ownership because of the lack of any official documentation, and the onus of proving ownership of a creative content lies with the creator. Exercising the copyright has become even more challenging in the era of internet, where anyone can download the content created such as a recorded song, a photograph, painting, etc. and can freely use it at will [4].

Proving the date of content creation is important in many situations and crucial for data used as evidence. For example, inventors must prove when exactly they put forward a patentable invention to obtain a patent. Trusted timestamping protocols, which rely on asymmetric cryptography, are used to prove that data has existed and has remained unaltered since a certain point in time [5].

Blockchain can be used to catalog and store original works. Often, there are no adequate means for authors to catalog their works and copyright ownership can be hard to prove. It can also be difficult for authors to see who is using their work, and it is equally difficult for third parties to know from whom to seek a license. Authors are often unable to stop infringements or to monetize their works successfully. With blockchain, copyrights need not be registered and can come into existence automatically upon the creation of original qualifying work.

Currently, IP owners have difficulties protecting the IP works online, i.e., once the IP work is uploaded on the internet, it becomes difficult to maintain control of that work and monitor who is using it for what purpose.

When the IP work is registered and verified using blockchain-based platforms, authors can search across a whole host of different sources simultaneously to ascertain who is using their work. This enables IP owners to identify and stop infringements and makes it easier to license their IP works. In this sense, blockchain

can serve as an enforcement tool. With a blockchain-based registration system, verifying whether a new song is or isn't infringing upon the existing IP of a previously registered song will be much simpler. This type of blockchain-based detection system can be applied to text, art, and music with the help of artificial intelligence.

The addition of smart contracts has increased the utility of implementing blockchain to protect one's intellectual property. Smart contracts live on the blockchain and perform actions, such as allowing access to the information stored on the block, when conditions are met. By using this functionality, an owner can give licenses to users who want to access the intellectual property by accepting that user's digital signature. An owner can also deny a person access to their work this way. Smart contracts can also be utilized to collect royalties from people who are using and accessing intellectual property by establishing a contract.

The concept of smart contracts appeared in 1994, when cryptographer Nick Szabo concluded that with the help of an electronic decentralized register it was possible to conclude contracts that were executed automatically [7]. However, it became possible to implement this idea only in 2008, thanks to the advent of blockchain technology.

The development of the information economy causes such institutional problems of the society as the problem of trust, high costs of managing large amounts of information, risks of information attacks and the possibility of damage or loss of data due to various circumstances, including fraud, theft, or unauthorized use.

The potential of a decentralized approach and the use of such a consensus mechanism, in which the final state of the accounting system database is well protected from changes used in blockchain technology, enables accounting systems with multiple independent validators to achieve not only secure database synchronization but also data [1].

The innovation of this technology is that transactions are automatically verified and recorded by network nodes using cryptographic algorithms without human, government, or third-party intervention (banks, financial institutions, and any other organizations) [8].

O. Danilchenko believes that blockchain technology can be adapted to carry out any transactions, one way or another related to the registration, accounting, or transfer of various assets (financial, tangible and intangible); at the same time, neither the type, nor the number of participants, nor their geographical location matter [9].

Expanded capabilities of electronic communication and the latest technical and technological solutions have significantly changed business communication and caused the need to improve legal requirements. In 2015, as a result of amendments to Art. 205 of the Civil Code of Ukraine, the electronic form of the transaction was equated to the written one, and when it was made it became possible to use facsimile reproduction of the signature by mechanical or other copying, electronic numerical signature or other analogue of handwritten signature 207 of the Civil Code of Ukraine) [6]. The concept of electronic contract as an agreement of two or more parties aimed at establishing, changing, or terminating civil rights and obligations and

executed in electronic form, is enshrined in paragraph 5 of Article 3 of the Law of Ukraine "On Electronic Commerce" [10].

Meanwhile, information technology made possible first electronic payments, and then led to the emergence in 2009 of "digital money" - cryptocurrency, as a special type of financial and payment asset, independent of the central banks of any country in the world, which exists exclusively in dematerialized (digital) form and provides complete anonymity of payment participants.

The digital environment of cryptocurrency circulation and its digital nature means that the application of a standard form of contract to transactions where it is a settlement instrument is undesirable. Today, such a tool is a smart contract.

Smart contract is a set of promises in digital format, including the protocol by which the parties fulfill these promises [7]. Smart contracts are agreements written in code that automatically perform programmed functions in response to certain conditions fulfilled by the parties to the agreement.

The elements of smart contracts include:

- subject of the contract. The program must have access to the goods and services that are the subject of the contract and be able to automatically provide or close this access to the counterparty.
- digital signatures. The parties certify the agreement with their own secret digital keys generated by a single technology
- the terms of the contract, set out in the exact sequence of operations, i.e., in the form of an algorithm, and agreed by the parties
- decentralized platform.

Recording, storage and enforcement of a smart contract takes place on a resource independent of the parties [7].

There is no definition of the concept of a smart contract in the legislation of Ukraine and the corresponding requirements to such contracts as well. It is necessary to agree with L. Mamchur and O. Nedybalyuk, who argue that it is impossible to consider a smart contract as a kind of contract concluded in electronic form, because, in accordance with paragraph 3 of Art. 3 of the Law of Ukraine "On Electronic Commerce", the electronic form of presentation of information is the documentation of information that allows it to be reproduced in a visual form suitable for human perception [11].

The basis of a smart contract is a transaction that is made via the Internet, and which can be qualified, according to paragraph 1 of Article 202 of the Civil Code of Ukraine, as an action of a person aimed at acquiring, changing, or terminating civil rights and obligations.

Discussion. Today, it is proposed to use smart contracts in a wide range of legal relationships, such as insurance, corporate acquisition of property, or for automatic payment for the delivery of goods or services. They are also especially recommended for the exchange of stocks, bonds, and options, as well as for microfinance services [12].

Blockchain and smart contracts can be used for licensing IP works by reducing the cost of transactions and creating a direct link between authors/inventors and users [3].

Smart contracts are agreements written in code that automatically perform programmed functions in response to certain conditions fulfilled by the parties to the agreement as a computer protocol, which based on mathematical algorithms translated into computer code, independently performs operations with full control over their execution. Using smart contracts, IP licenses can be self-executing upon the use of a work.

Smart contracts can also be used for micropayments for the use of content. The author could assign a Bitcoin address to an IP work, allowing the user to make a micropayment to the author in return for using the work. This system can eliminate the need for financial intermediaries and thus enable the author to be remunerated without paying the high transactions costs. The system also introduces simplicity and transparency in IP-related transactions.

Conclusions. Considering the security, transparency, and immutable nature, blockchain can be applied for managing intellectual property (IP) rights such as patents, copyrights, trademarks, and industrial designs. The potential IP-related application of blockchain is verifying the authenticity of ownership. Due to its possibility to record, share, and synchronize transactions in its respective electronic ledgers, blockchain technology can be used as a platform where inventors can place their inventionsdigital works in the form of ledgers thereby acting as an intellectual property marketplace. The application of smart contracts has increased the utility of implementing blockchain to protect one's intellectual property.

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ESSENCE OF UNITED NATIONS OFFICE OF COUNTER TERRORISM AT THE TIME OF GLOBAL PANDEMICS

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Abstract. *Although the world lives in an abnormal situation due to the current pandemic COVID-19 which has spread in almost all states and countries, the threat of terrorism are still standing on the ground, but also some of their violent activities, killing, spreading fear have increased in some places. The states are preoccupation with their subjects, people as well as United Nations and other international organizations attempt continuously to eliminate the pandemic permanently, but still needs time, so the terrorist groups exploited it to make damages as much as can, so here the essence of the office appears as it is the professional to act with such as cases but still needs help of other states, agencies and other national, international foundations, which the situation cannot stand anymore if the states do not put their interests aside and work for whole international community due to the high level of risk of terrorism.*

Keywords: *state members of General Assembly, Counter Terrorism Office, ideology, religion, health pandemic, coordination, public interest, international peace, agencies, awareness, exploitation, threat, human rights.*

Jel Classification: K14, K30, K40

Formulas: 0; **fig.:** 1; **tabl.:** 0; **bibl.:** 8

Introduction. Although the counter terrorism office has been founded to fight against terrorism acts as well as to improve the ability of the United Nations, but still face a lot of challenges from time to time and from place to another, the recent challenges of the office is COVID-19 that due to this pandemic, extremist groups could reorganize their tactics, ways of attacking, hiding inside crowds, having technologies, and improve their abilities. The office of counter terrorism should have alternative ways, tactics to deal with such as cases that can face terrorism, meanwhile does not violate human rights.

Literature review. During the article various cases analyzed that counter terrorism will be just a normal office and cannot do its duties without fully coordination of states other agencies, and faces more challenges when there is such natural or no natural disasters, pandemic which leads international community to be ready for it and have more chance to deal with the situations. According to “Fink N. C., 2012, in his book under name, meeting the challenge, a guide to united nations counterterrorism activities” in the last decades the work of the United Nations against terrorism has been expanded through initiatives of the General Assembly and the security council and it means that there is a good relationship among countries in United Nations organ to defeat terrorism and destroy it, because the threat posed by terrorism today is therefore complex, globalized, diffused, and sometimes connected to a number of other transnational threats. So the threat of terrorism is increasing day after day because of developing technologies and terrorists wish to have it and use it to have more damages, besides the relationship and coordination among states is not on that high level, almost all states determine radical groups on how the groups close to their interest, not depend on the universal standard or radicalism. While C.S.R

Murthy, sees in his book (*The U.N. Counter-Terrorism Committee: An Institutional Analysis*, 2007) It is indisputable that terrorism is a pervasive and pernicious threat to global security and order. To make the combat against terrorism universal in scale, the United Nations has become a natural forum in view of its unique value and experience in addressing a wide variety of complex problems of global character. As a kingpin among several UN mechanisms addressing different aspects of the menace, the Counter-Terrorism Committee (CTC) of the Security Council signifies robust institutionalization of the international community's sensitivity to the imperative of effective collective action to deter terrorism acts.

Aims. The aim for the article is to find out what are the challenges before the counter terrorism office, how to deal with cases, how be ready and adapt itself for unexpected situations such as we are in the current situation, how to make the office performs better in future.

Methods. Methodology of the article depends on several analyzes of other studies related to the title, various information, studies, views have been gathered to reach the better solution as well as pave the ways for others to make further ideas, synthesize with other structures, besides analyze other concerning articles, theses and ideas which already had on the topic, through all of these critical information we tried to have conclusion which can be solutions for some countries, places or at least will be basic ground for other researches because the method based on important structures of research as well as performed to gather as much information as relevant from previous studies which can provide readers enough statistics and gives key points to prove their theses, views, ideas, optional solutions which contributes achievement of the goal and can be source for other researchers.

Results. As an instrument of promoting international cooperation, the value of the United Nations can be potentially unique. Notwithstanding the fact that terrorism constitutes a serious threat to the core values of the UN, critics write that the response of the world organization to terrorism has been "tentative, halting, and even ambivalent". Two explanatory factors are cited. First, doubts about the capacity of the United Nations to rise up to the challenge alongside – ironically enough – a realization that no viable multilateral alternative exists for dealing with terrorism. Secondly, lack of common agreement on the legality and legitimacy of counter-terrorist measures carried out unilaterally or in groups without the backing of the UN bodies.

The attacks against the United States in September 2001 pushed the United Nations to begin working on a suitable and agreeable strategy on counterterrorism. As a first step, the Secretary General had set up in October 2001 a policy working group which in its report cautioned against 'offering, or being perceived to be offering, a blanket endorsement of the measures taken in the name of counter-terrorism' and that UN efforts to 'reduce terrorism must not be at the expense of its core responsibilities' like development. The Group very wisely acknowledged the operational inability of the UN to pre-empt specific terrorist strikes or to develop dedicated intelligence capacities and highlighted the potential of a three-pronged strategy centered round the areas of the world body's comparative advantage.

Accordingly, the UN could work to dissuade the disaffected groups from pursuing terrorism for redress of grievance if any; deny groups and individuals the means to carry out acts of terrorism; and sustain broad-based international cooperation in the struggle against terrorism [1].

The United Nations Office of Counterterrorism (UNOCT) was established on 15 June 2017 through the adoption of UN General Assembly Resolution 71/291. The creation of the Office is considered as the first major institutional reform undertaken by the UN Secretary-General following his report (A/71/858) on the Capability of the United Nations to Assist Member States in implementing the United Nations Global Counter-Terrorism Strategy. Some of the main functions of the office are:

1. Enhance coordination and coherence across the Global Counter-Terrorism Coordination Compact entities to ensure the balanced implementation of the four pillars of the UN Global Counter-Terrorism Strategy

2. Strengthen the delivery of United Nations counter-terrorism capacity-building assistance to Member States

3. Ensure that due priority is given to counterterrorism across the United Nations system and that the important work on preventing violent extremism is firmly rooted in the Strategy.

On 23 February 2018, the Secretary-General signed the new UN Global Counter-Terrorism Coordination Compact, which replaced the Counter-Terrorism Implementation Task Force coordination arrangement. The Compact aims to strengthen a common action approach to coordination and coherence in the counterterrorism and prevention of violent extremism (CPVE) work of the United Nations system, and to strengthen support to Member States, at their request, in the implementation of the UN Global Counter-Terrorism Strategy and other relevant United Nations resolutions and mandates. UNOCT works in close collaboration with the Security Council subsidiary bodies mandated to enhance the capacity of Member States to prevent and respond to terrorist acts [2].

Despite these comparative advantages, it is broadly acknowledged among policymakers at the UN and in several member-state missions that the UN is less suited to taking on the more militarized tasks associated with fighting terrorism. As the Policy Working Group acknowledged, the UN is not “well placed to play an active operational role in efforts to suppress terrorist groups, pre-empt specific terrorist strikes, or to develop dedicated intelligence-gathering capacities. Without a standing army or any independent military capacity, the UN cannot engage in any kinetic counterterrorism operations, nor does it have sufficient resources at this time to devote to the development of a strong independent analytical capacity to assess the threat and formulate the necessary response. Furthermore, the UN is an unlikely vehicle for sharing sensitive national security information given the differences among the membership regarding the definition of terrorism and the inability of the world body to place any guaranteed safeguards on classified information. Consequently, the willingness of states to utilize multilateral tools in addressing terrorism has been variable, with many preferring to channel counterterrorism resources through bilateral arrangements or regional/sub regional organizations.

Nonetheless, for many states, the UN remains a trusted partner, especially when overt bilateral engagement on counterterrorism is fraught with political sensitivities.

Also in regions where political tensions inhibit counterterrorism cooperation at the political level, the UN is well placed to be a neutral convener for practitioners and key stakeholders to develop cooperative professional networks and to exchange best practices. Differences among the UN membership on how to address terrorism reflected the views of two main blocs. Primarily developed states in the Global North advocated a zero-tolerance approach while primarily developing countries in the Global South expressed concerns about the diversion of development and other resources towards what they perceived to be a Western/Northern security agenda that had little relevance to their own priorities.

Moreover, many of these states owed their independence to successful anticolonial movements and reflected this history in their reluctance to label those they perceived to be freedom fighters as terrorists [3]. The international community is facing a human crisis unlike any other since the founding of the United Nations. COVID-19 continues to devastate lives and livelihoods, hitting the most vulnerable and marginalized the hardest. It has unleashed a tsunami of misinformation, hate speech, xenophobia and conspiracy theories. It also has the potential to act as a catalyst in the spread of terrorism and violent extremism by exacerbating grievances and inequalities, undermining social cohesion and fueling local conflicts. Terrorists are already exploiting the significant disruption and economic hardships caused by COVID-19 to spread fear, hate and division and radicalize and recruit new followers.

The pandemic has also highlighted vulnerabilities to new and emerging forms of terrorism, such as cyber-attacks against critical national infrastructure and the weaponization of deadly diseases. The successful delivery of the Virtual Counterterrorism was a major achievement as the United Nations' first global conversation on the evolving terrorism threat and counterterrorism responses in a pandemic environment.

It improved our collective understanding of the impact of COVID-19 on the counter-terrorism priorities of Member States. It underscored the importance of international cooperation, respect for human rights and the rule of law, and a whole-of-society approach to effectively prevent and counter terrorism. It also raised awareness of the transformation in the way that the United Nations provides capacity building support to Member States and regional organizations, in line with the all-of-UN approach embodied by the United Nations Global Counter-Terrorism Coordination Compact [4].

The Security Council renewed its determination to further strengthen the unified and coordinated international response against those heinous acts. Acting under a temporary silence procedure induced by the COVID-19 pandemic, Tunisia, Council President for January, issued a presidential statement (document S/PRST/2021/1), in which the 15-member organ reaffirmed that terrorism in all forms and manifestations continues to constitute one of the most serious threats to international peace and security.

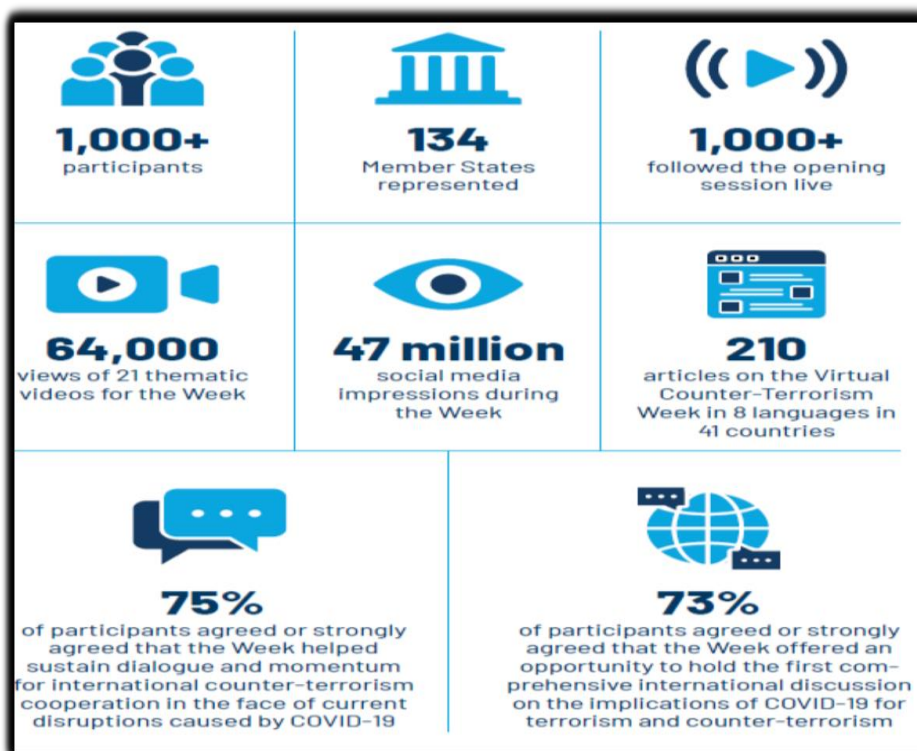


Figure 1. Showcasing the work of UNCCT: the ‘Virtual Expo’ raised the visibility of UNCCT’s capacity-building activities, programs and confirmed its reputation as a global center of excellence serving Member States and the international community 2020

Source: [4]

Reiterating the obligations of Member States to prevent and suppress the financing of terrorism, the Council highlighted the need to enhance cooperation among its various relevant committees and develop effective partnerships among the United Nations, regional and sub regional organizations in countering terrorism. Underscoring the importance of strong coordination and cooperation between the Counter-Terrorism Committee and its Executive Directorate (CTED) and the United Nations Office of Counter-Terrorism, the Council further underlined those entities’ invaluable aid to Member States through technical assistance and identifying capacity gaps to implement resolution 1373 (2001) and relevant subsequent texts “In the face of these threats, this Council has provided critical impetus and guidance for Member States to demonstrate unity of purpose and action, stepping up national efforts and international cooperation.

This has led to important successes, helping Member States to bring terrorists to justice and to disrupt more attacks. Even the terrorists in Iraq and Syria were defeated, although it remains a threat in the region. Terrorists have sought to exploit disruptions arising from COVID-19, he warned, attempting to benefit from the setbacks to the development and human rights agendas, riding on the wave tops of polarization and hate speech amplified by the pandemic. The threat has become even more difficult to prevent, with low-cost, low-tech attacks against soft targets by so-

called lone wolves [5]. Partnerships involving governments, civil society, and CSOs on their own also make important contributions to shorter-term preventive counterterrorism and related efforts.

For example, interaction between governments and CSOs on the issue of small arms and light weapons (an issue that is explicitly mentioned in the Strategy) has developed into an effective partnership in the past time. Similar efforts have also flourished between government and nongovernment experts seeking to address the threat of illicit transfers of biological, chemical, and nuclear materials to potential terrorists. CSOs are also making conscious and significant contributions to measures to prevent terrorism in the implementation and monitoring of security sector reform activities, which are linked to a state's ability to carry out effective law enforcement and other security-related counterterrorism measures. Some CSOs, especially research organizations, also foster closer, cooperative initiatives involving states and other stakeholders to improve and raise awareness of threats and encourage collective action to address vulnerabilities.

The UK Department for International Development, for example, has noted that: Improving civic awareness of security issues is a starting point for improving relations between the security forces and the public, creating a national consensus on a reform programmer, and building political coalitions to sustain the process. Civil society can also play more specific roles by facilitating dialogue, monitoring the activities of the security forces, and expressing views on security policy as well as providing policy advice. This may be particularly useful where state capacity is weak: the role of legislatures or other government departments in analyzing security issues, for instance, can be greatly enhanced by assistance from specialist external campaigning groups or think tanks providing research and analytical support. In addition to long-term efforts to address causes conducive to the spread of terrorism, the Strategy in its second pillar reaffirms states' existing UN mandated counterterrorism obligations to implement security-focused measures to address the terrorist threat, including judicial, police, and other forms of law enforcement cooperation, and comprehensive counterterrorism legislation [6].

The new Counter-Terrorism Office marked a milestone in efforts to improve United Nations efficiency in fighting terrorism, delegates in the General Assembly, calling on its freshly appointed head to strengthen coordination among the 38 agencies, funds and programs, and affiliated organizations to end the scourge. With that in mind, the representative of the United States said the Office must prioritize the Secretary-General's action plan to combat terrorism by promoting preventive measures that addressed the drivers of extremism. It should also engage local civil society, especially young people and women, and promote respect for human rights. More broadly, speakers from Nicaragua, Maldives, United Arab Emirates, Qatar, Bangladesh and the Philippines were among those warning against linking terrorism to any culture, religion, ethnicity or nationality, with Saudi Arabia's delegate stressing that fighting extremist ideology must remain a priority [7].

Discussion. According to the mandate of establishment of the United Nations office of counter terrorism there are good points which make real coordination among

states and other legal entities to have coordination, collaboration and strengthen support to the member states, but on the ground is something else, not just there is a good coordination among members but some states charges other states for helping violent groups, terrorists and implement other agenda which can create dangerous on each other.

The UN had confessed that the response of global community against the terrorism is not in that level, it was temporary which cannot solve the root issues, was not on progress all the time as well as there was contradictions among states on how to face the challenge, so it made the process went slowly. Meanwhile the community was and still in dangerous because of the real threaten of the terrorism acts, so they found out that there is no alternate plan for the multilateral dealing with the violent acts which are used by the radical groups, in another hand the terrorism can attack states more easily if the community does not confront the high level of threat. Besides the United Nations has not military power to fight with terrorism which it is a big defect on the biggest international organization, makes UN inappropriate foundation as it is responsible to keep international peace and security not just that but has not ability to have enough intelligent information about terrorism acts which prevent it before performing, as long as UN stays in that position then cannot play an active operation to suppress terrorism, in another side states want to strengthen lateral capacity in all fields of technology, intelligent, military, weapons, and other spaces.

After appearance of corona virus COVID-19 the international community faces another challenge which hits the most vulnerable and poor people that took life from more than million people in all around the world in different ages, ethnics, colors, religious, and it gives more opportunity to the terrorists to reorganize themselves again in some places, which makes international community to cooperate better and hit the terrorist with one united hand, but meanwhile human rights, sovereignty of states should be respected and does not exceed on other rights by the name of fighting terrorism.

According to the latest resolution of the majority of members of Security Council that the terrorism is still the one of the most challenges risk on humanity in general and on international peace and security which means the members of the states should more effort to prevent the heinous acts wherever they are, show more active acts, make better coordination to those offices which are related to the counter terrorism, almost all were agreed that terrorists exploited chance to attack civils, governmental foundations, and other national and international entities during the corona virus.

Besides Security Council made double check to patch the hole with deliberation intelligence and useful information among state members which helps them to find where the weak points are and what the strong points are as well. Fighting terrorism lies with everyone, state, entity and our all responsibility not on a specific country or person, but on states, governments, regional entities, international entities, civil societies, or any other foundations and centers who have any kind of positive effect, have contribution to solve the issues or at least lessen violence inside and outside the country, which can help the international community to control the situation,

understand where and what is needed, on this base national and international organizations should have coordination and performing more active role to raise awareness among people, make them have enough information that violence is against human being despite of having different ideas, ideology.

It is clear that the counter terrorism office has been founded to strengthen United Nations ability to protect international community from terrorist attacks wherever it be and it is emphasized several times by General Assembly of United Nations, and that is the priority of the counter terrorism office, but while doing any kind of activity by the office the safety of human being, their rights should be protected and not be done hierarchy, as well as most states are agree that terrorism has no relationship with religion, culture or races as some think terrorists belong to specific religion in particular with Islam, but it is totally wrong, none of religious allows extremist ideology nor permits to act violent against others.

Conclusion. United Nation office of counter terrorism is created for specific purpose and it is to fight terrorism as it is named, and it is impossible to gain the goal without perfect relationship among states, the mandate of the office becomes a blue print if the states which already signed the mandate do not keep and respect their signing, meanwhile it is international community in general and security council particularly to keep the world peaceful, out of violent, prevent terrorism act wherever the acts are. Throughout the history and study of the cases reached to the point that should be global agreement on crucial matters which are community consideration, it is a very simple equation that two is better and stronger than one, three more than two etc.

States should leave their private and personal interests for whole community, as today on me tomorrow on you, so no one is excepted from terrorism and let us unite for facing the serious threat, otherwise the United Nation will face the same dissolution as happened to the league of Nation during the second world war due to incapacity to stop the war among states and because there were various directions of views as well as personal interests. It is still not too late if the global community takes necessary steps, it is the United Nations responsibility to defend its principles and volumes, let them to clear things up and the main thing is point out the which states are not with, which are with, they should be more direct and straight, stop beating around the bush because poor people are the main targets of the terrorism.

Neither United Nations nor the office of counter terrorism is able to fight terrorism acts if the states members do not fully associate with the United Nations committees and offices which are regarding confrontation terrorism violent, membership of states is not just blue print and by name but it is by practical things which means membership of states in United Nations almost means nothing if do not give those technologies which are necessary for United Nations, instead of empowering international organization such as Un, states empowered regional and continental organizations such as NATO, it is good that states, regions, continents have bilateral, multilateral relationship and coordination, but better to have those relationship in United Nations as well and not characterized only by ethnic, nations, races. The planet of earth in general and the international community since been

created was not and still not far from pandemics, wars, plague, disasters which some were artificial by people who had interested in events, and some were natural disasters which human being had nothing relating with, so just like the COVID-19 no one is far from the pandemics is also true to the terrorism and no one will be excepted from their attacks, that's why the essence of the counter terrorism office is so important and more important is to follow up the updates during the pandemic, the most powerful weapon we can use to change the world and make it better is to be united and fight the terrorism together, the big challenge is every state during the virus considers its issues and affairs through its territory and became far from other international issues which at the end there is no border for the pandemic as it was appeared in a country at first and now no place is safe.

Through the history of United Nations tens or hundreds of resolutions have been taken in regards with the terrorisms in particular and heinous acts in general for preventing terrorism acts, crush the financial root, lessen violence against community, meanwhile protect and keep the international peace and security but in fact violence acts including terrorism are increased, the most recent solution which issued by the majority members of Security Council was in January 2021 during the corona virus especially for those issues which are related to the terrorist acts, international peace and security, but on the ground the other things have seen which are far from the issued solution they have decided, it means issuing resolutions for the state members are not enough if not fulfilled on the ground, the lesson is in its implementing not in issuing or ratifying, as they say actions speak louder than words, so words become just blue print if we all do not go for acting in active way.

Terrorism, violence, and fear spread in all around the world, it might happen in everywhere, so we as states, individual person, people, governments, civil societies, entities and other stakeholders to take the dangerous seriously and try to raise awareness among society, no one may not be ignored because everything has its effect on the society, but the effect should be in positive way not negative, as from time to time and place to another we see violation of human rights, obstacles of movements, freedom of expressions all of those things make wider field to the terrorists to do their acts and to exploit people, unfortunately nowadays even in developed countries discrimination among people have seen, but often happens in those countries with dictator system or one political party which others are not allowed to have their political party, speak and study in mother tongue, other things.

Every single gap in society has negative effect and spread hate, fear which led to the violence at the end terrorism acts and groups, actually real humanitarian organizations had a good role in this field, many people got benefit from their information, courses, workshops, which explains how lovely the friendship relationship among societies, nations, cohesion is something that we need to get used with it as there are various races, nations, religions, cultures live in a state. Even if the counter terrorism office is available but cannot perform its duties well if other states, agencies, local governments do not cooperate with the office, in another hand the office should publish fliers of awareness regarding moderate ideologies, give more explanation for people who have no enough information about different religious as

some think violent belongs to specific religion due to bad imagination or publish wrong information on religious especially on Islam, but in fact it is against any kind of violent acts, as it is mentioned in holy Quran (There is no compulsion in religious), how it is possible to cat violently against people but it is tolerance and rejection religion.

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CHAPTER 3

THEORETICAL AND PRACTICAL ASPECTS OF MODERN PSYCHOLOGY

PSYCHOLOGICAL PREDICTORS OF THE FORMATION OF HEALTH-PRESERVING COMPETENTNESS OF FUTURE SPECIALISTS

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Abstract. *It is established that human behavior in each situation is determined by many factors: internal attitudes, motivation, skills, understanding of technology, knowledge and genetic predisposition. The concept of competentness is revealed, which is an integral characteristic or criterion that describes the quality of human behavior in a particular activity. It is proved that the competentness approach is taken as the basis of the educational process of a modern specialist. The assessment of students' attitude to personal health and healthy lifestyle was given by the method of questionnaires. As shown by the survey, students believe that the role of the formation of health-preserving competentness in training is high. The results obtained made it possible to note that the necessary integrated approach of the educational process of a higher educational institution for the formation of health-preserving competentness in the training of future specialists allows creating conditions for enhancing the conscious attitude of students to future professional activities. It has also been proven that health-preserving competentness include physical, spiritual and intellectual self-development; emotional self-regulation and self-support; personal hygiene, taking care of one's own health, sexual literacy; internal ecological culture; ways to live safely. Also, a model was developed for the formation of health-preserving competentness of students of higher educational institutions, which includes the following principles: the principle of relevance; the principle of accessibility; the principle of consistency; the principle of consistency; principle of consciousness. Formed health-preserving competentness presuppose the presence of not only knowledge, skills and abilities to effectively manage the style of personal life, but also the development of such psychological predictors as empathy, tolerance, self-control, communication culture, adaptation to changing conditions of existence, the ability to navigate and self-determine in various areas. , adequate behavior in different life situations.*

Keywords: *health, psychological predictors, health-preserving competentness, future specialists, competence-based approach, model of the health-preserving competentness formation.*

JEL Classification: H10, IO, Y8

Formulas: 0; **fig.:** 0; **tabl.:** 1; **bibl.:** 9

Introduction. The upbringing and education of the individual must ensure the ability and willingness of the individual to make and realize his life and social choice, to bear responsibility for it. Creative approach and innovative thinking are a necessary component of life success in today's changing world. The development of vital competentness of the individual is a condition for both its successful,

harmonious life, and professional competentness, constructive transformation and harmonious development of society (1).

Literature review. New methods and mechanisms of spirituality, ethics, morality, and morality in a networked society, the center of which is a person capable of infinitely expanding knowledge, a set of connections, directions and ways of interaction, are becoming of fundamental importance. The uniqueness of today lies in the growing harmonization and integration of a large number of different scientific disciplines, which places different demands on the education system. This is primarily the formation of cognitive and systemic abilities, skills of solving complex problems, creating new knowledge and data processing, communication, resource management and personal behavior, the formation of personal qualities of participants in the educational process etc.(2,4,7).

It has become clear all over the world that improving the quality of education is impossible due to the extensive growth of the amount of information to be assimilated. The new information society of the XXI century. revealed the problem of shortage of competent personnel able to work in new conditions. The situation when a specialist with a diploma has a finite amount of knowledge in the absence of the ability to use and replenish it becomes a constraining factor in the development of the productive forces of society (8,9).

Competentness is an integral characteristic / criterion that describes the quality of a person's behavior in a certain activity. As a rule, this is some kind of ideal model of behavioral manifestations that allow him to achieve results, to be effective in this type of activity.

It is clear that human behavior in each situation is determined by many factors: internal attitudes and motivation, skills, understanding of technology, knowledge. And even a genetic predisposition.

Competentness approach is taken as the basis of the educational process of a modern specialist. An in-depth analysis of the basic provisions, principles and place of the competentness approach in modern education was carried out by I. Zymnya (5). According to its interpretation, competentness are internal, potential, hidden psychological predictors (knowledge, ideas, programs, algorithms of actions, systems of values and relations), which are then manifested in human competencies as relevant, active manifestations.

The author identifies the main groups of competentness related to:

1. Social competentness - the ability to take responsibility and make decisions, to participate in joint decision-making, to resolve conflicts by non-violent means, to interact productively with representatives of other cultures and religions;

2. Psychological competentness - the culture of emotional receptivity, skills and abilities of reflection, experience of empathic interpersonal interaction and self-realization.

3. Practical (special) competentness - a high level of knowledge, techniques and technologies.

4. Communicative competentness - the ability to communicate, knowledge of foreign languages, a high level of speech culture;

5. Information competentness - possession of new innovative information technologies in various fields.

6. Environmental competentness- knowledge of the general laws of nature and society, environmental responsibility for professional activities.

7. Health-preserving competentness - the availability of knowledge and skills in the field of health, in matters of healthy living.

An obligatory component of the national education system should be knowledge about the preservation and strengthening of health, which will make it possible to take into account the fundamentally new valeological (from Lat. - valeo to be healthy) requirements for the entire content of education, the formation of valeological consciousness and culture of citizens' health.

A high level of human health is a goal that a modern state must achieve for every member of society. The health of a nation shows the level of quality of life, which is determined by many parameters: social, psycho-emotional, material, the development of physical culture and sports.

Various aspects of the health of students have been and remain the subject of close attention of researchers (3,6).

Aim. The aim of the article is to present the results of the development and substantiation of the influence of psychological predicts on the formation of health-preserving competentness of future specialists.

Methods. In modern life conditions, there is a steady deterioration in the health and physical development of student youth. There is a general increase in the number of cardiovascular diseases, deterioration of the body's functional reserves, systemic posture disorders, the presence of various defects of the musculoskeletal system, a decrease in the level of physical fitness, and resilience.

To conduct a realistic assessment of students' attitudes toward personal health and healthy lifestyles, we conducted a survey. Students filled out a questionnaire, which consisted of the following questions:

1. Do you know about a healthy lifestyle?
2. Do you lead a healthy lifestyle?
3. Assess your health.
4. Do you think that the teacher has a responsibility to keep the students healthy, ie. for organizing health-promoting education?
5. Have you ever been informed about the consequences of a sedentary lifestyle?
6. Are measures taken to prevent the consequences of a sedentary lifestyle?
7. How often are educational activities carried out to prevent the consequences of a sedentary lifestyle for students?
8. What measures are taken to protect students' health in the learning process? List them.
9. Do you think that the wellness measures are sufficient?
10. Are parents involved in the organization of health-preserving education of students?

Results. The results of the survey are listed in table. 1.

Table 1. Results of the survey of first-year students in relation to personal health and healthy lifestyle (n=273)

Lifestyle components	Students' answers to the questionnaire	Results, %
To be in fresh air	practically never	16,2%
	no more than 2 hours a day	83,8%
Physical activity	do not go in for sports and physical education	33,4%
	sometimes doing morning exercises or physical exercises	14,1%
	engage in physical activity 2 times a week	46,3%
	attend training classes in sports clubs	6,2%
Diet	irregular	47,5%
	the diet is dominated by fatty and starchy foods	23,5%
	don't eat liquid foods at all	17,5%
	do not eat more than once a day	11,5%
Sleep	go to bed before midnight	28 %
	sleep for less than 6 hours	35,4%
	sleep disorder, insomnia	36,6%
Smoking	smokers at the time of the survey	33%
	have smoked before, but have stopped or are trying to do so	47,1%
	have never smoked	19.9%
Alcohol	алкогольные напитки употребляются регулярно	73,7%
	только на праздники	12,7%
	do not drink at all	13,6%
Health awareness	note that they are not sufficiently aware of healthy lifestyle issues	27,2%
	regularly find information about health on the Internet	38,4%
	are not at all interested in health	34,4%
Taking care of your health	take their health seriously	9,1%
	understand that they are not doing everything necessary to improve health	68,1%
	they do not care about their state of health at all	22,8%

According to the survey, students believe that the role of the formation of competence in health issues in their preparation is high. Students have a desire and want to use healthcare technologies professionally, but assess their level of knowledge and practical skills in this area at an average and low level.

The results obtained made it possible to note that the necessary integrated approach of the educational process of a higher educational institution for the formation of health-saving competence in the training of future specialists allows creating conditions for enhancing the conscious attitude of students to future professional activities.

Discussion. Health-preserving competence are ways of physical, spiritual and intellectual self-development; emotional self-regulation and self-support; personal hygiene, taking care of one's own health, internal ecological culture; ways of safe living. Competence are embedded in the educational process with the help of: learning technologies; content of education; lifestyle of an educational institution; type of interaction both horizontally and vertically.

We use the following principles as the basis of the model for the formation of health-preserving competentness of students of higher educational institutions:

- the principle of relevance, reflecting problems related to health, cultural, social norms and values;
- the principle of accessibility, according to which students receive the optimal amount of information about human health for assimilation, components of a healthy lifestyle, social and psychological characteristics of the health process. This principle assumes the use of the most diverse situational tasks with the obligatory need to choose and make a decision, role-playing games, information retrieval, a positive orientation towards the stylistics of life, which has a beneficial effect on health;
- the principle of consistency, providing for the allocation of basic stages and blocks in the implementation of the process of formation of health-preserving competentness;
- the principle of consistency allows you to master knowledge related to well-being through an integral system;
- the principle of consciousness, considered possible only with a full understanding of responsibility for one's own well-being and the well-being of others.

The analysis of scientific and methodological literature and the survey shown that the existing health-preserving competentness presuppose the presence of not only knowledge, skills and abilities of effective personal style management, healthy environment management, but also the development of such professional and personal qualities as empathy, tolerance, self-control, culture adaptation to changing conditions existence, the ability to navigate and self-determine in different spheres of life, adequate behavior in different life situations.

Conclusion. Thus, in the context of the competentness paradigm, the issue of the formation of health-preserving competentness is considered in the unity of the bodily, mental and spiritual components of a person. In the modern interpretation, the emphasis is on ways to achieve a balance of sufficient psycho-emotional and somatic health.

It was stated that the main qualities of a competitive specialist that shape his health-preserving competentness include social motives, social orientation, social activity, values, tolerance and empathy, level of demands and emotional intelligence, ability to self-esteem, self-control and self-control.

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