

№50/2020

Norwegian Journal of development of the International Science

ISSN 3453-9875

VOL.3

It was established in November 2016 with support from the Norwegian Academy of Science.

DESCRIPTION

The Scientific journal "Norwegian Journal of development of the International Science" is issued 24 times a year and is a scientific publication on topical problems of science.

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1000 copies

Norwegian Journal of development of the International Science Iduns gate 4A, 0178, Oslo, Norway

> email: publish@njd-iscience.com site: http://www.njd-iscience.com

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ECONOMIC SCIENCES

DIRECTIONS OF IMPROVEMENT OF LOCAL GOVERNMENT MANAGEMENT

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Abstract

The formation of an effective model of public power in Ukraine requires the development not only of a system of its bodies, but also of territorial communities that could take an effective part in the management of public affairs, as well as solve them independently. The Constitution of Ukraine in 1996 defined the territorial community as the main subject of local self-government, the source of power of bodies and officials of local self-government, but still no mechanisms have been created that would allow it to become a full participant in public affairs. Therefore, in practice, territorial communities remain mainly as an object of government and have not moved into the system of subject-subject public-power relations. This is confirmed by indicators of their actual use of such mechanisms as local initiatives, petitions, public hearings, general meetings, participation in local elections, public involvement in local and regional policy development, activities of local NGOs, etc. Although today the importance of the problem of territorial capacity of territorial communities is recognized at all levels of government in Ukraine and a number of regulations have been adopted defining new vectors of local self-government and at the same time forming territorial communities, they and related documents do not offer specific mechanisms for this. In practice, such mechanisms can be developed in close cooperation of local governments with state executive bodies (local - for the development and application of mechanisms taking into account local specifics, central - for the formation of framework organizational and legal conditions and mechanisms for such activities). Today, the issue of interaction of local governments with state executive bodies is significantly relevant in the context of delimitation of their powers.

Keywords: regional policy, territorial capacity, territorial communities, government

The system of local self-government is a set of subjects and forms of local self-government through which the population of a territorial community realizes the functions and powers assigned to it.

The subjects of local self-government are:

- 1) territorial community,
- 2) village, settlement, city council,
- 3) executive bodies of village, settlement, city councils,
- 4) district councils in the city and their executive bodies,
 - 5) village, settlement, city mayor,
- 6) district and regional councils representing the common interests of territorial communities,
 - 7) Kyiv and Sevastopol city councils,
 - 8) bodies of self-organization of the population.

Since the territorial community of a village, settlement, city is the primary subject of local self-government, it has the authority to resolve all issues of local significance independently or through forms of direct expression of will within the relevant territory and current legislation of Ukraine. In addition, the territorial community can exercise its functions and powers through its representative bodies and officials. After all, representative democracy is more professional, rational

than direct. It can be explained by the fact that in accordance with Part 3 of Article 143 of the Constitution of Ukraine, local governments may be granted by law certain powers of executive authorities.

Local governments, whose activities are guaranteed in accordance with Article 7 of the Constitution of Ukraine, do not have the necessary forces and means to implement, there is also an urgent need to strengthen the regulation of the territorial community in the forms of direct democracy and self-organization. These include local referendums, general meetings of citizens, local elections and initiatives, public hearings, public committees, self-government councils, house, street, neighborhood and other bodies. However, this does not mean humiliation of the place and role of local government bodies and officials. Direct and representative democracy must be dialectically combined at the level of both the state and local self-government.

Analyzing the problems of local self-government as a component of democracy, it is impossible not to conclude that it is a holistic system of democratic institutions and only in this form allows territorial communities independently, under their own responsibility to actively develop creative activities within the Constitu-

tion and laws of Ukraine. At the same time, such an approach to local self-government requires material, legal, organizational and other support.

Thus, local self-government as one of the forms of democracy provided by Article 5 of the Constitution of Ukraine is a specific form of implementation of the latter. It is characterized, firstly, by the presence of a special entity - a territorial community, villagers or voluntary association in a rural community of residents of several villages, towns and cities, which performs selfgoverning functions directly and through representative bodies, and secondly, the fact that local governments are not part of the mechanism of state power, but occupy a special place in the political system. In addition, the recognition in Article 7 of the Law of Local Self-Government as one of the fundamental principles of the constitutional order of society and the state means the need to establish a democratic, decentralized, independent system of government endowed with powers to address local issues.

Thus, local self-government has its own internal and external structure. As a constitutional and legal institution, it includes: territorial staff, representative (elected) and executive bodies, bodies of territorial self-organization of citizens and other forms of direct democracy. and from the political practice that has developed in a country.

Local self-government in Ukraine has a certain system, which includes:

- 1) village, settlement, city councils of people's deputies and their bodies, executive committees, standing, and other commissions;
- 2) other forms of territorial: self-organization of citizens, namely: a) public committees and councils of neighborhoods, residential complexes; b) house, street, neighborhood, polling stations, settlement, village committees.
- 3) forms of direct expression of the will of the population, local referendums, general meetings.

A special place in this system is occupied by village, settlement, city councils of people's deputies, which are local self-government bodies and unite and coordinate the activities of other branches of local self-government on their territory. The system of local self-government is built in accordance with the current administrative-territorial division of the state. It is he who is the territorial basis of these bodies. In the vast majority of parliamentary democracies, local governments have a two- or three-tier structure: community, district, province.

Local self-government is an effective social mechanism that is able to meet the interests of the community and directly affects the government.

In addition, the power of local self-government is characterized by some features: - its source is the people, and the primary carrier - the territorial community; - it applies only to the territory of administrative-territorial units; - its bodies act on behalf of the territorial community, not the people or the state; - material and financial base of its bodies consists of communal (municipal) property and local (municipal) budget; - its organs are connected more closely with the population; - in the system of its bodies there is no rigid hierarchy

and subordination. The scientific publication of the Swiss-Ukrainian project [5] states that self-government as a citizen's participation in governance can function successfully only when elements of civil society and self-organization already exist. According to Art.5 of the Law of Ukraine "On Local Self-Government in Ukraine" the elements of the system of local self-government include: 1) territorial community; 2) village, settlement, city council; 3) village, settlement, city mayor; 4) executive bodies of village, settlement, city council; the mayor (the latter was added in accordance with the Law № 157-VIII of February 5, 2015); 5) district councils in the city, created in cities with district division by the decision of the territorial community of the city or city council; 6) district and regional councils representing the common interests of territorial communities of villages, settlements, cities; 7) bodies of self-organization of the population [7].

The functions of local self-government are diverse and differ in their purpose and legal properties. According to the object-target characteristics of the functions of local authorities can be divided as follows:

- 1) budgetary and financial;
- 2) material and technical;
- 3) information;
- 4) planning and programming of development of the corresponding territories;
 - 5) rule-making;
 - 6) socio-cultural;
 - 7) environmental control:
 - 8) political, etc.

In addition, the functions of local self-government can also be classified by subjects of local self-government, which gives grounds to distinguish the functions of: territorial communities; local councils; executive bodies; village, settlement and city mayors; bodies of self-organization of the population, etc. These functions are common to all spheres of local life and are aimed at addressing issues of local importance.

It should be noted that the basis for the formation, organization and functioning of local governments are certain principles. According to Art.4 of the Law of Ukraine "On Local Self-Government in Ukraine" [7] the basic principles include:

- 1) democracy, which means that the bearer of sovereignty and the only source of power in Ukraine is the people, who exercise it directly and through public authorities and local governments;
- 2) legality in the organization and activity of local self-government institutions, which is supported by the current legislation of Ukraine;
- 3) publicity, which ensures transparent activity of local self-government bodies and systematic informing of the population about it;
- 4) collegiality, which means the organization and functioning of the relevant collective body, which includes a certain number of persons elected personally in the manner prescribed by law, and issues within its competence are decided by a majority vote on the basis of collective discussion;
- 5) the combination of local and state interests, which occurs as a result of the joint efforts of local authorities;

- 6) election: local self-government bodies are formed by free elections, which are carried out on the basis of universal, equal and direct suffrage by secret ballot for a term of five years (village, town, city mayors for a term of four years);
- 7) legal, organizational and material-financial independence within the powers defined by the current legislation;
- 8) accountability and responsibility of bodies and officials of local self-government before territorial communities:
- 9) state support and guarantee of local self-government, which is manifested in the granting of territorial administrative powers to territorial communities and their bodies;
- 10) judicial protection of the rights of local self-government.

The main shortcomings of the current system of division of competence between local governments and local state administrations are:

- unification of powers of local governments of territorial communities, regardless of their category, population and material support;
- unclear division of powers between local and public administration bodies at the subregional and regional levels;
- imperfect system of control over the activities of local governments;
- imperfection of the institution of delegation of powers and the corresponding means of checks and balances, which is a potential source of conflict [14].

The division of functions is based on the Constitution of Ukraine, laws and acts of the President of Ukraine and the Cabinet of Ministers of Ukraine. The functions and powers of local state administrations and local self-government bodies are based on the principles of sectoral competence, which can be divided into the following three types: exclusive competence of local state administrations (for example, state control); related competence, when local state administrations and local governments are empowered in one area of public life; exclusive competence of local self-government bodies (for example, management of communal property). Other ways of delineating functions and powers are treaties and agreements that specify their mutual rights and obligations in accordance with the law. In addition, the analysis of the principles of regional governance and local self-government of many unitary countries of the world shows the existence of such groups of their powers as their own powers (those exercised by regional governments and local governments independently and in the interests of local people) and delegated powers. public authorities, which for the purpose of their more effective implementation are transferred for implementation to local governments on the basis specified by law or contract by other levels). If in resolving "own" cases local governments must act independently and independently of state bodies, subject only to the law, the resolution of "delegated" cases should be carried out under the control and administrative guardianship of the relevant state bodies [15]. Among the negative manifestations characteristic of the

Ukrainian reality, we can also single out: 1) discrediting potentially effective procedures of public consultations, public expertise, hearings, etc. This concerns the non-transparency of the selection of those civil society organizations involved in public consultations, as well as their low effectiveness, as proposals and recommendations are generally not thoroughly analyzed and taken into account; 2) providing formalized responses to information requests to public authorities and local governments, unfounded refusals to provide information, as well as its improper disclosure; 3) filling the websites of public authorities and local governments mainly with information on recording the establishment of public councils, holding hearings, examinations, rather than their contribution to the content of decisions or adjusting them [23].

When reforming the local government system, the possible negative impact of the following factors should be taken into account:

- Insufficient funding for the implementation of expanded powers of local governments (more than 90% of local budgets are subsidized, and half are subsidized by more than 70%, which is especially true in times of crisis);
- organizational and personnel inability to perform the tasks set before local governments due to the low level of qualification of employees;
- insufficient level of development of civic activity at the local level, which in the case of decentralization can significantly increase the lack of control over the work of local governments;
- lack of effectiveness of organizational and legal mechanisms to ensure the independence and protection of the rights of local self-government.

In Western science, a separate area of research on the relationship of public administration. This contributed to the spread of the practice of forming special structural units for intergovernmental relations in the authorities, which made it possible to increase the efficiency of the system of government.

In order to promote the development of local selfgovernment and its reform, the Government of Ukraine in April 2014 approved the Concept of reforming local self-government and territorial organization of power. This was a defining stage in the decentralization process, which involved the transfer of powers and finances from the state to local governments. Consequently, it gives citizens greater independence and special rights to self-regulation. Therefore, the task was to provide the sources of such independence and to adapt to the interaction of all financial components of the system. Decentralization involves the transfer of significant powers and budgets from public authorities to local governments, based on the fact that as many powers as possible have those closer to the population, where such powers can be exercised most successfully [11]. The defining prerequisite for the formation of financial independence of territorial communities is budget decentralization - a comprehensive system of measures for the creation and use of financial resources of local and state budgets and other sources, which reflects socio-economic relations on the distribution and redistribution of monetary resources. At the same time, as

modern scholars rightly point out [29], it should provide a level of funding for local communities, which would give local governments the right and opportunity to finance the proper performance of current and capital functions. The purpose of budget decentralization is to increase the level of financial capacity of local communities and ensure the provision of necessary services to the population. Communities, whose activities fully meet the conditions set out in the long-term plan for the formation of territories, switched to direct inter-budgetary relations with the state budget, and also received the right to financial support in the form of subventions, including on the formation of OTG infrastructure [6].

Budget decentralization has to solve a number of tasks, but the main one is to find a sufficient amount of financial resources that will be able to provide full autonomy and independence of local budgets in the structure of the budget system of Ukraine. Regional development programs should be provided with the financial and resource base of all parts of the financial system in the state structure.

To date, OTGs have gained access to various external and internal financial resources. An important feature of both the availability of a financial resource for local socio-economic development and the interest of local authorities in its application is its regularity, consistency and sustainability, and, consequently, the ability to take them into account in long-term planning and use in the future [4]. Depending on the method of involvement, the following sources of financing of local socio-economic development are distinguished: budget; investment; credit; alternative (grant). All of them play an important role in the development of OTG, along with both advantages and disadvantages in involvement (Table 1).

Decentralization involves the transfer of significant powers and budgets from public authorities to local governments, based on the fact that as many powers as possible have those closer to the population, where such powers can be exercised most successfully [11]. The defining prerequisite for the formation of financial independence of territorial communities is budget decentralization - a comprehensive system of measures for the creation and use of financial resources of local and state budgets and other sources, which reflects socio-economic relations on the distribution and redistribution of monetary resources.

Sources of financing of the territorial community

Table 1.

Type of financing	Characteristic	Benefits	Disadvantages
Budget resources	Funds of local and state budgets, which are used to finance the needs of OTG development and do not provide for the emergence of debt obligations	1. Free and irreversible 2. Additional funding in the form of targeted transfers from the state budget	1. Exhaustion of resources 2. Limited funding 3. Non-renewable nature of some domestic budget resources (funds from the sale of land and real estate)
Investment resources	Funds raised in the local economy to create new assets are directed to the implementation of a particular project directly and not through the OTG budget	1. Distribution of expenses, risks and future profits between investment entities	1. Existence of obligations to the investor
Credit resources	Funds raised in the form of debt obligations on terms of maturity, payment and repayment	1. The ability to obtain significant amounts of financial resources that can be returned gradually over a long period of time 2. Accelerate the development of local infrastructure, etc.	Increasing the debt burden on the local budget Reduction of financing of current expenses Risk of unsuccessful project implementation
Alternative resources	Funds received to finance lo- cal development needs in the form of international tech- nical assistance, grants from international donor organiza- tions, charitable contributions and donations, as well as within the framework of cor- porate social responsibility projects	 Free and non-refundable basis. Support function for other sources of funding Promising direction of financing the implementation of projects and tasks of OTG development 	1. Competitive basis 2. Difficulties in preparation of documentation

Budget sources of financing can be formed both from internal resources of OTG (receipts from taxes

and fees, sale and rent of objects of municipal property), and at the expense of external resources (target subventions from the state budget, financing of projects

from the State fund of regional development, etc..). According to research by Spasiv N, the domestic practice of financial decentralization demonstrates the features of the budget type, as its imperative dominant is the full independence of local governments in the formation of sources of income and expenditure. The need for gradual decentralization of OTG budget resources with effective implementation of transfer policy is argued, as the prevalence of intergovernmental transfers of subventions, which are characterized by certain areas of spending, and permanent dependence on subsidies are threatening in the process of OTG financial capacity [28]. We support the position that, along with budgetary, investment and credit resources, the decisive role in financing local socio-economic development projects belongs to alternative sources in the form of grant funds. These financial resources will help increase the financial capacity of local communities [27]. Given the specific features of alternative sources, we can provide the following definition: alternative sources of funding for OTG development - a set of financial resources that are provided on a competitive basis for clearly defined purposes to address the needs of socio-economic development of the local community (projects) in the form of international technical assistance grants from international donor organizations, charitable contributions and donations, as well as within the framework of corporate social responsibility projects. The main conditions for the implementation of grant assistance are: a clear outline of the problems and needs of OTG development; substantiation of directions of their perspective decision; determining the expected results and the required amount of funding (resource needs).

Therefore, one of the key tasks facing OTG to implement development ideas is to expand opportunities to attract various sources of funding, including alternative. Today they are represented by: fundraising; common cost (crowdfunding platforms); donor programs and opportunities in the context of decentralization reform (grants from the European Union, grants from the United States Agency for International Development (USAID), financial assistance from international projects, etc.). Information on the main donors of decentralization in Ukraine is summarized by us in Annex A. Thus, alternative sources have a number of features and are a determining source of funding in developing OTGs. After all, state support in the form of budget funding is needed in the initial consolidation and to provide basic functions to the community. In the future, thanks to alternative sources, it is possible to improve the infrastructure of the area and strengthen its position in the economy.

To assess the fact and quality of the use of strategic approaches in management, it is necessary to use the method of strategic analysis, such analysis requires not only the need to assess the level of activity, identify key patterns of its development, but also the need to develop sound solutions for future production strategy. To this end, economists and other specialists use various computational research methods, which, as a result of the analysis of objective reality, develop draft recommendations and management decisions for the future [17].

The methodological basis of the study depends on the direction of the tasks are general and special methods, which are based on the principles of economic sciences. In the thesis used methods:

- dialectical in the study of scientific literature;
- dynamic, systemic in assessing the current state of the development management system;
- grouping, correlation-regression analysis to identify the relationship of indicators that characterize the current organizational and economic potential and opportunities for strategic development;
- methods of observation, expert assessments to diagnose organizational and socio-psychological mechanisms of management of organizations; calculation and design,
- comparative, graphic when comparing indicators.

Methods of economic analysis is a set of ways to study the activity by identifying and determining the relationship of indicators, dividing them into constituent parts and comparing with other indicators, measuring the impact on the indicators studied, as individual components (factors) and their totality unity and interconnectedness.

Therefore, a set of methods and techniques of analysis should ensure the implementation of the five most common elements of the analysis:

- identification and presentation of the relationship of the phenomenon under study;
 - > dismemberment or detailing;
 - comparison;
- ➤ determining the magnitude of the influence of factors or elimination;
 - generalization (synthesis).

Without the use of all these elements of the study in the complex it is impossible to carry out a deep and comprehensive analysis of economic indicators that reflect the activity. The use of each element is achieved by a set of techniques of analysis methods.

Study the relationship of indicators. Only by discovering the inner meaning of a particular phenomenon, determining its relationship with its components and other phenomena, you can know its essence and development. In economic analysis, the study of the relationship of economic phenomena is an important and most complex element of the method.

The task of analyzing economic relationships is to characterize the quantitative size and specific type of dependence of economic results on individual factors that affect it. This characteristic is obtained by mathematical modeling of production processes.

An important step in economic analysis is to determine the nature of the dependence of the studied indicator on individual factors and determine their specific relationship.

The analysis examines the various relationships between economic indicators. Thus, in each case there is a question of choosing an analytical function that best reflects the essence of the studied economic phenomenon. Determining the type of function is an integral part of the research process.

Detailing. Consideration of any relationship between an economic indicator involves breaking it down

into its component parts or individual factors. It should be borne in mind that the greater and wider the detail of the studied indicators, the more thorough and better analysis of the causes, the more accurate the analytical results of the study of enterprise economics.

Comparison. An important means of analysis is the comparison of the studied indicators, as well as their components with similar indicators taken as basic. Without comparison, there can be no analysis at all. Depending on the purpose of studying a particular indicator, the methods of comparison differ primarily in which indicators are taken as basic.

The following indicators are usually taken as basic:

- > planned for the economy as a whole and for internal economic units or contractual for tenants;
- for previous years and average for a number of years;
- indicators of other separate farms and average data on association, area or group of enterprises of the same type in specialization;
- > regulatory or calculation capabilities, which are determined taking into account the achievements of best practices.

Methods of comparison are also distinguished by the technique of their conduct absolute and relative. Analytical results of such a study play an important role in the development and adoption of optimal management decisions.

The essence of the method of research of any phenomena and objects is that the process of cognition begins with finding out the general picture of the object under study. Then its imaginary division into parts (analysis) is carried out and each of these parts is studied separately. Finally, the acquired knowledge is summed up and synthesized at the last stage, at the stage of generalization of the knowledge acquired through the analysis, the process of cognition returns to the entry point, but on a new basis, enriched with the data of the analysis.

Thus, the use of general research methods in the thesis is mandatory, however, the specifics of writing a thesis and the use of management strategies, development involves the use of specific research methods, the essence of which is to monitor the existing system of indicators that will improve the process and management mechanism.

The management style of the leader according to the method of Zakharov V., which has two questionnaires, the first of which involves the assessment of leadership subordinates, and the second - self-assessment. The first questionnaire contains questions to which there are three possible answers (authoritarian, democratic and liberal management styles), among which one is chosen and the results are ultimately calculated. The structure of the second part of the questionnaire, which is offered directly to the management for self-assessment, is similar [29]. Therefore, to check the adequacy of staff motivation check and analyze primarily staff satisfaction with their work, assessment of management style of managers and a number of other factors. Objective indicators for assessing staff motivation are the level of labor productivity, rational use of working time, staff turnover, capital turnover and its profitability [6].

Indeed, the level of training of real and potential labor resources meets the needs of development, largely depends on the growth rate of productivity, the possibility of increasing GDP and soon.

The need to improve the territorial organization of power in general and local self-government in particular, in our opinion, due to the spread of local self-government as the most rational type of governance at the lowest level, the formation of capable and self-sufficient territorial communities and local self-government. The formation of self-sufficient communities implies that they will have material, financial and other resources sufficient to effectively implement the tasks and management functions of local government, the provision of social services at the level required by national standards. This will be in line with the European Charter of Local Self-Government, which states that local self-government means the right and ability of local authorities to regulate and manage the share of public affairs within their competence in the interests of the local population. Meanwhile, the current state of local self-government is characterized by the lack of adequate resources needed to perform the tasks and powers of local self-government, the crisis of housing and communal services, infrastructure systems, deepening disparities in socio-economic development of regions in general and local communities in particular.

There is a catastrophic lack of funds at the local government level. For example, the budget security per capita of a village, town, city according to EU standards should be about 2000 euros, while in Ukraine it does not reach this amount, even in hryvnias. At the same time, the state budget system is aimed at supporting subsidized territorial communities, rather than self-sufficient ones, because in practice the rule is: the more revenues to the local budget come from domestic sources, the more withdrawals will be in the next budget year. Conversely, the less such revenues, the more funds will come to the local budget from the State Budget of Ukraine through transfers for financial equalization. Formed in the 30s of the twentieth century the system of administrative-territorial organization of Ukraine does not allow to create such capable territorial communities that would have sufficient material, financial resources, territory and social infrastructure, sufficient for the effective implementation of tasks and powers of local self-government. Among the problems of improving the spatial organization of local self-government, one of the main ones is the transformation of the administrative-territorial division of the state. In the second half of the twentieth century in European countries, structural, functional and organizational reforms of local government systems were carried out, which concerned different territorial levels of government. The consequence of such reforms was the consolidation of administrative-territorial units, the reduction of the number of local authorities.

These processes were basically aimed at forming the self-sufficiency of the territorial, demographic and material and financial base for the performance of powers and functions. For example, in Italy, according to the Law on the Organization of Local Autonomies (1990), new territorial associations can be created with a population of at least 10,000 and provinces with 200,000. Significant financial incentives are provided for the unification and subsequent merger of communities with a population of up to 5,000 or their accession to larger territorial communities. Radical measures to reduce the number of communes have been applied in recent decades in Sweden, Belgium, Denmark, Germany and other European countries. So in Sweden, for example, their number decreased from 848 (1969) to 288 (1995), in Belgium - from 2359 (1975) to 589 (1988). At the same time, the number of the lowest selfgoverning units in the countries of the Council of Europe still remains quite significant: France - 36757 (1851 - 36835); Germany - 8500; Italy - 8090; Spain -8056; Greece - 5750; The Netherlands - 714; Belgium - 589; Finland - 464; Portugal - 305; Denmark - 275 units. In most countries of the Council of Europe, the average area of the lowest self-governing units is from 10 to 40 km2, in particular: France - 15; Luxembourg -22; Greece - 23; Germany - 29; Italy - 37; Belgium -52; The Netherlands - 57; Spain - 62; Denmark - 141; Portugal - 310; Great Britain - 505; Ireland - 837. The average population is 5-7 thousand people. In some Council of Europe member states, a small proportion are small associations. For example, in Italy, 8.1% of communities are home to less than 500 people, and 60% - up to 3 thousand people. At the same time, there are giant communes, such as Rome - 2.8 million people. In many countries, the solution to the problem of forming a proper material basis for local self-government is seen not in the consolidation of territories, but in the development of cooperation between individual communes (cooperative approach).

Such cooperation is usually carried out through the conclusion of contractual agreements for the provision of services and joint activities in certain areas between different bodies and levels of local government. In the United States, for example, municipalities enter into relationships with other municipalities or county governments in areas such as construction, fire safety, civil defense, health care, disaster management, and so on. In this context, we note that in one territory there can be several territorial communities that would be independent subjects of the right to local self-government [6,12].

Settlements under the jurisdiction of local selfgovernment bodies of other administrative-territorial units must lose the status of independent self-governing administrative-territorial units. For example, within the administrative boundaries of 83 cities of national, regional and national importance (Autonomous Republic of Crimea) there are 36 cities, 218 urban-type settlements, 91 settlements and 157 villages, and within the administrative boundaries of district cities - 249 urbantype settlements, about 1150 settlements and villages. At the same time, a significant part of settlements that are part of other administrative units have their own local governments, although their population also participates in the formation of citywide local governments. Thus, a situation is created in which part of the territorial community of the city is an independent territorial community with its own constitutional status. In addition, Ukraine does not clearly and unambiguously define the concept of administrative-territorial unit, as it is not only a settlement within its development, but also part of the territory of the state, where the jurisdiction of the authority of this territory. In most European countries there is no free space between the administrative-territorial units of the primary level - they border each other. In Ukraine, oblasts border on oblasts, rayon's with communities, and communities do not border on each other.

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The process of formation of local self-government in Ukraine is accompanied by attempts to form municipalities on the basis of cities, administrative districts, which arose in other political and economic conditions. As a result, numerous municipalities, which due to objective reasons are unable to implement the functions of local self-government in accordance with current legislation, become dependent on subsidized revenues of the State budget. Therefore, the reform of the territorial organization of local self-government in Ukraine should be carried out in the framework of the transformation of the existing system of territorial organization of society as a whole. Among the conceptual ways to

solve the problem of improving the territorial organization of local self-government can be divided into two approaches: mainly political, which involves establishing the territory of the municipality as a result of the struggle for the right to dispose of local resources between entities representing different interests; dispose of the maximum possible amount of resources to achieve their own goals. At the same time, the task of forming the territorial basis of local self-government, which corresponds to the goal of creating a system of local government capable of meeting the basic needs of the population of the municipality, can be solved only in some cases; mainly functional, in which the formation of municipal territories is based on the effective performance of functions entrusted to local government. In this case, the territory of the territorial formation is defined in such a way that within its limits at the expense of available resources and infrastructure facilities can address all issues related to the powers of local authorities by current legislation. In order to improve the territorial organization of local self-government, it is necessary to create an adequate legal framework and improve the territorial basis of local self-government.

Public authorities of Ukraine should receive the relevant legislative powers and rely on the scientific basis in addressing specific issues of transformation of the administrative-territorial system. In conditions when such a legal basis is not created, it is necessary to act within the framework of the current legislation. Based on the analysis of the current situation in the field of legal and scientific support for the transformation of municipalities in Ukraine, the following conclusions can be drawn. First, the problem of forming the territorial basis of local self-government at the state level is solved in principle, but not defined by law a number of important procedures to take into account public opinion when deciding on the formation, unification, transformation, abolition of municipalities, defining their boundaries and names. Secondly, the scientific and methodological basis for solving the problem of territorial organization of local self-government, principles and criteria of territorial changes of municipalities have not been developed at all. In our opinion, the optimal system for the organization and functioning of local self-government will be the system of administrativeterritorial organization, which is based on the following methodological principles: constitutionality and legality; guaranteeing human and civil rights and freedoms; territoriality, which expresses the localization of the interests of the territorial community within the settle-

As you know, the inhabitants of settlements are aware of their belonging to a certain community of people on a territorial basis and feel their direct involvement in the problems of their city, village, town. Increasing the territory to the level of the district or region reduces the level of awareness of common interests and involvement in their implementation, reduces the effectiveness of self-organization as an integral part of self-government; Preserving the identity of individual parts of the country based on historical, economic, demographic, geographical features of the regions and their

ethnic and cultural traditions; accessibility of local selfgovernment bodies for citizens, as a significant part of services to the population is provided by local self-government bodies at their place of residence, as well as improving the conditions for the provision of socio-cultural services. This principle presupposes the existence within the municipal formation of a settlement capable of effectively performing the organizational and economic functions of local self-government and ensuring, if necessary, the effective effectiveness of the territorial bodies of state administration located within it. In world practice, this principle corresponds to the theory of central places and the criterion of accessibility, which is determined by the loss of time to move from the center of the municipality to the periphery, and to achieve the organizational and economic center of the municipality; adaptation of the system of administrative-territorial organization to changes in economic, social, ecological and other spheres of development of society, the state and its regions; socio-economic integrity of the municipality, the availability of production and social infrastructure necessary for the reproduction of normal living conditions in this area.

It follows from this principle that a municipality may not be any populated area, but only one that has a set of conditions necessary for local governments to carry out the tasks assigned to them; subsidiarity, which provides for the creation of appropriate conditions for a combination of centralization and decentralization in the exercise of state power, the development of local self-government; improving the efficiency of territory management by public authorities and local governments, balanced socio-economic development of settlements and regions. The expediency of this principle is due to the need to control the bodies and officials of local government, as well as the clarity of the activities of bodies and officials of self-governing territories, whose population is able to respond quickly to the actions of local authorities; self-sufficiency of administrative-territorial units, which provides for the creation of the necessary conditions for the formation of financial and economic base sufficient for the implementation of executive authorities and local governments of their powers within the relevant administrative-territorial units; voluntary association of local self-government bodies to solve problems of development of regions and territorial communities; preserving the unity and integrity of the state. The proposed principles and related criteria of territorial organization of local selfgovernment can be used in solving practical problems of improving municipal governance. In this case, the focus is on improving the territorial organization of local self-government, because the process of formation of municipalities in Ukraine has been completed almost everywhere.

Moreover, as practice confirms, it has not always been possible to form self-sufficient local self-government. In this regard, the problems associated with the transformation of existing municipalities - mergers, divisions, etc. are especially relevant. The problems of territorial organization of local self-government are of a strategic nature. The choice of goals and priorities of perspective development, mechanisms of their practical

realization largely depends on their decision. Therefore, it is advisable to develop a concept of reforming the system of territorial organization of local self-government in Ukraine, which can be a special section of the general concept of its long-term comprehensive socio-economic development. The reform of the administrative-territorial system should be carried out in stages: at the first stage, the primary attention should be paid to the grassroots administrative-territorial unit - the territorial community. It is necessary to create economically and financially self-sufficient territorial communities, capable of effectively exercising local self-government, providing services to the population at the level of minimum standards set by the state. The formation of a new grassroots administrative-territorial unit will contribute to the creation of a self-sufficient territorial community. This will be accompanied by the consolidation of rural and settlement territorial communities. Thus it is expedient, as calculations show that the settlement had not less than 5-6 thousand population. It is necessary to bring the network of urban-type settlements and settlements in accordance with the Constitution of Ukraine, according to which only the settlement is included in the system of administrative-territorial organization of Ukraine. The Law of Ukraine "On the Administrative and Territorial System of Ukraine" should provide for the assignment of all currently existing settlements to the category of villages, and urbantype settlements to the category of settlements.

At the same time, settlements classified near industrial enterprises, railway stations and others that meet the established criteria, in particular in terms of population, in accordance with the law, can be individually classified as settlements by the Constitution of Ukraine to the system of administrative-territorial organization. Ukraine does not include village councils, settlement and city councils. Therefore, during the elaboration of the draft Law of Ukraine "On the Administrative and Territorial System of Ukraine" the legislative definition of the procedure for establishing the boundaries of villages, settlements, cities and districts in cities is of special importance. At the same time, in order to prevent the deterioration of the financial support of rural and settlement territorial communities, the solution of this issue should be harmonized with the budget, tax, land legislation and the legislation on local self-government. One of the important factors in making decisions on the formation of districts, assigning settlements to the category of cities, especially cities of regional and national importance in the Autonomous Republic of Crimea, as well as settlements and villages should be the relevant provisions of the General Planning Plan of Ukraine and other urban planning documents. The consolidation of cities, towns, villages and relevant territorial communities can be carried out primarily in the process of merging these administrativeterritorial units. In addition, it should be borne in mind that according to the Constitution of Ukraine, residents of several villages can voluntarily unite in a rural community, elect a joint body of local self-government and the village head. When deciding on the establishment and change of boundaries of administrative-territorial units should take into account the prospects of their socio-economic development, the availability of the necessary economic potential, infrastructure, financial opportunities to meet the needs of the population, land boundaries, land use, master plans and other urban planning documentation.

Establishment of the boundaries of administrativeterritorial units on the ground must be carried out by the relevant executive bodies on land resources and topographic, geodetic and cartographic activities in accordance with the procedure determined by the Cabinet of Ministers of Ukraine. The regional administrative-territorial approach, which reflects the historical, economic, environmental, geographical, demographic, social and other features of the territory, should be preserved at this stage. Execution of self-government functions by relevant bodies at the level of village, settlement and city councils in different regions of Ukraine should be based not only on the same powers provided by current legislation, but also on a certain base of own cultural and household services provided by specific service facilities approximately the same range (set) of services in all lower administrative-territorial entities.

Conclusions. The main problems to be addressed by the reform of local self-government in Ukraine are:

significant regional disparities and deepening of depression of individual territorial communities and regions as a whole:

imperfection of legal regulation of the status of territorial communities and powers of local authorities, as well as unregulated functioning of local self-government:

insufficient financial and logistical support of territorial communities;

low quality of life of citizens;

inefficient property management of territorial communities and the system of providing services to the population;

insufficient professional level of local government officials and high staff turnover.

2. Based on the existing problems of territorial communities, the main purpose of local government reform should be:

creation of legislative provision of conditions for the development of territorial communities as viable competitive socio-economic systems, effective subjects of political, economic and social relations;

providing local self-government with an appropriate level of state support, which will ensure its functioning as a reliable and strong foundation of democracy, an important factor in the economic and social development of the country.

- 3. Achieving the main goal of local self-government reform is ensured, in particular, by fulfilling the following main tasks:
- 3.1) normative legal regulation of the status of territorial communities, administration of internal activity, mechanisms of creation of their associations;
- 3.2) bringing the algorithm of constitutional and legal regulation of relations in the field of local and regional development with the central government in line

with the requirements of European constitutionalism, taking into account national traditions and features;

- 3.3) improvement of legislation on local elections;
- 3.4) development and implementation of a mechanism for functional integration of territorial communities to address common issues of local life;
- 3.5) implementation of the principle of subsidiarity through the optimal separation of powers of local governments and local executive bodies;
- 3.6) strengthening the material and financial foundations of local self-government, which should be ensured by the development of organizational and legal mechanisms of state support of territorial communities, introduction of a differentiated mechanism in providing state assistance to certain categories of communities, optimization of the budget process by reorienting;
- 3.7) legislative regulation of relations in the spheres of land use, communal services, use and protection of natural resources, increase of social guarantees, state stimulation of economic initiative of territorial communities, their members, which will provide a procedure of clear filling of local self-government with self-renewable internal resources;
- 3.8) development and adoption of the Municipal Code of Ukraine, which will ensure the implementation of a systematic and conceptual approach in the legal regulation of local self-government, consistency and organic updating of the legal framework, overcoming the problem of disintegration and inconsistency during the legislative process. communities, implementation of European standards of local self-government;
- 3.9) integration of local self-government reform into the general reform of public administration through the introduction of public management and the principles of "good governance";
- 3.10) involvement of citizens in active cooperation with local self-government bodies and management decisions by appropriate motivation;
- 3.11) formation of a highly professional staff of local self-government bodies and provision of training, advanced training of officials of local self-government bodies and deputies of local councils.
- 4. To determine the directions of local self-government reform in Ukraine, the implementation of measures aimed at eliminating the root causes of the weakness of local communities, and creating conditions for organic development and strengthening of local self-government, namely:
- 4.1) amendments to the Constitution of Ukraine and laws of Ukraine "On the administrative-territorial structure of Ukraine", "On local self-government", "On local state administrations" in order to provide opportunities for the formation of full-fledged territorial communities at the grassroots level. , settlements and cities, streamlining the system of administrative-territorial organization, delimitation of powers between local governments and local executive bodies, as well as the definition of institutional tools for local government reform;
- 4.2) adoption of the Municipal Code of Ukraine as a legislative basis for improving the organizational and legal mechanisms of local government, strengthening the institutional capacity of territorial self-organization

- of the population, implementation in national legislation of the European Charter of Local Self-Government:
- 4.3) amendments to the Budget Code of Ukraine in order to take into account in the budget process the interests of different categories of territorial communities on the basis of a differentiated approach;
- 4.4) creation of financial and logistical base for increasing the welfare of local communities, improving the quality of municipal services, including through the introduction of e-government;
- 4.5) reform of housing and communal services, creation of social infrastructure of territorial communities and regions, which could ensure the provision of public services in the system of local self-government at a level that meets European standards;
- 4.6) introduction of effective mechanisms to stimulate the development of depressed territorial communities and regions, state support for local and regional development in general;
- 4.7) ensuring the implementation of Article 13 of the Law of Ukraine "On Local Self-Government in Ukraine", which provides for mandatory public discussions of decisions of local self-government bodies;
- 4.8) establishment of effective guarantees of organizational and financial independence of territorial communities, local self-government bodies and their officials, clear definition of the procedure for judicial protection of the rights and legitimate interests of local self-government;
- 4.9) improvement of the system of training, retraining and advanced training of officials of self-government bodies, employees of public utilities, wide introduction into the practice of self-government of innovative technologies of municipal management;
- 4.10) increasing the role of local self-government associations, representatives of territorial communities in their relations with higher and central state authorities, consolidating local self-government associations, coordinating their efforts to more effectively exercise local self-government powers, protecting the legitimate interests of territorial communities.
- 5. In order to ensure the effectiveness of local self-government reform in Ukraine, the implementation of measures aimed at its implementation must be completed.
- 6. Stages of implementation of local self-government reform should be determined taking into account:
- 6.1) peculiarities of the constitutional process of adopting amendments to the Constitution of Ukraine and legislative during the adoption of the Municipal Code of Ukraine;
 - 6.2) features of budget planning;
- 6.3) implementation of state and legal experiments in reforming local self-government and administrative-territorial organization;
- 6.4) conducting a broad information and educational campaign, expert analysis of local government problems and ways to solve them;
- 6.5) public discussion and consideration of public initiatives, scientific and expert approaches.

7. Given that every citizen of Ukraine is a member of the relevant territorial community, the reform of local self-government in Ukraine should ensure the improvement of the quality of life in our country.

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COMMUNITY FOUNDATION AS A MODEL OF INSTITUTIONAL CHARITY ON LOCAL TERRITORIES

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ФОНД МЕСТНОГО СООБЩЕСТВА КАК МОДЕЛЬ ИНСТИТУЦИОНАЛЬНОЙ БЛАГОТВОРИТЕЛЬНОСТИ НА ЛОКАЛЬНЫХ ТЕРРИТОРИЯХ

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Abstract

The article deals with the problems of issues related to the creation and functioning of funds of local communities. As a result of the analysis of the activities of non-profit charitable organizations in different parts of the world, a model has been identified that allows accumulating donations and providing grants to improve the social situation of residents in local territories.

Аннотация

В статье рассматривается проблематика вопросов, связанных с созданием и функционированием фондов местных сообществ. В результате анализа деятельности некоммерческих благотворительных организаций в разных частях мира выделена модель, позволяющая аккумулировать пожертвования и предоставлять гранты для улучшения социального положения жителей на локальных территориях.

Keywords: community foundation, charitable foundation, private investment funds, municipal government. **Ключевые слова:** фонд местного сообщества, благотворительный фонд, частные фонды инвестиций, местное самоуправление.

Во всех регионах мира сильные общественные благотворительные организации могут играть ключевую роль в процессе развития, расширяя права и возможности граждан, содействуя участию и перенося распределение власти на места.

В мировой практике работы некоммерческих организаций, которые осуществляют свою деятельность на определенной территории, получили развитие т.н. «фонды местных сообществ» или «community foundation» (далее – Φ MC).

ФМС представляют собой форму местных благотворительных грантодателей, которые аккумулируют финансовые ресурсы от различных доноров (включая местных частных лиц и компании, население диаспоры, правительственные органы и международных спонсоров). Там, где это возможно, ФМС стремятся объединить ресурсы в форме пожертвований.

В основе прочной основы сообщества лежит идея о том, что местные жители и инициативные группы лучше всего знают местные проблемы. Поэтому предоставление грантов является ключевым инструментом развития местного фонда. Гранты местным инициативным группам позволяет удовлетворять целый ряд жизненно важных потребностей, включая образование, борьбу с бедностью,

молодежные и женские программы, здравоохранение и развитие сельских поселений.

В условиях кризиса ФМС может предоставить благотворителям, включая частных лиц и предприятия, способ конструктивного участия в решении местных проблем и прозрачный механизм, с помощью которого можно отслеживать взносы и оценивать их эффективность. В свою очередь, благотворительные взносы обеспечивают легитимность ФМС и служат основой для укрепления доверия как на местном, так и на региональном уровнях [1].

В мировой практике международные благотворительные фонды играют большую роль в развитии ФМС. Увеличивая местную донорскую базу, он может быть особенно эффективно использован для решения воспроизводящихся социальных проблем, которые, как правило, оказываются вне поля зрения благотворительных организаций и НКО. ФМС позволяет обеспечить «согласованное финансирование» взносов, собранных на местах, в том числе для инвестирования в институциональное развитие.

Для международных доноров ФМС и другие грантодатели могут обеспечить «горизонтальный», экономически эффективный способ получения ре-

сурсов для более широкого круга местных партнеров с помощью небольших грантов, которым для крупных организаций будет недостаточно.

ФМС играют важную роль для обеспечения эффективного управления грантами и достижения целей благотворительных проектов. Хотя основной функцией ФМС является предоставление грантов, они могут выполнять и другие функции, связанные с процессом развития территории. Эти роли могут включать консультационную поддержку, а также установление деловых контактов между бизнесом и властью.

Сфера общественных фондов сегодня является одним из самых быстрорастущих секторов филантропии в Соединенных Штатах. ФМС создают и укрепляют местные общины множеством способов, включая предоставление средств широкому кругу доноров для создания постоянных фондов для удовлетворения важнейших потребностей. Хотя первый фонд местных сообществ был основан в 1914 г. более 100 лет назад в США, сегодня в Соединенных Штатах насчитывается более 700 ФМС [2].

Эта концепция распространилась по всему миру, и в настоящее время ФМС существуют в таких странах, как Австралия, Канада, Германия, Италия, Япония, Мексика, Новая Зеландия, Польша, Россия, Словакия, Южная Африка и Соединенное Королевство. Было подсчитано, что за пределами Соединенных Штатов и Канады существует по меньшей мере 1,5 тыс. таких фондов.

ФМС в Соединенных Штатах расположены почти в каждом регионе и штате страны. Общественные фонды выделяют средства на самые разнообразные цели – городские дела, искусство, образование, экологические проекты, здравоохранение и помощь в случае стихийных бедствий. ФМС предлагают донорам множество услуг и льгот. Они регулярно работают с семьями, частными лицами, адвокатами и специалистами по недвижимости и финансовому планированию для разработки планов подарков, которые соответствуют каждой экономической ситуации, гарантируя, что доноры получают максимальную выгоду от своих благотворительных взносов и что их филантропические доллары используются в полной мере.

ФМС принимают подарки различных размеров и типов от частных лиц, местных корпораций, других фондов и правительственных учреждений. Почти все виды подарков – недвижимость, акции, произведения искусства и страхование – могут быть переданы в ФМС. Дары делаются из завещаний и живыми донорами через различные типы фондов и отсроченных средств дарения. По данным центра Фонда, в 2012 г. ФМС получили около 7,5 млрд долл. в виде подарков, дали 5 млрд долл. в виде грантов и владели общими активами в размере 65 млрд долл. Фондовый Центр также сообщает, что, хотя ФМС составляют всего 1% от более чем 82 000 фондов в Соединенных Штатах, их подарки составляют 9% от общего объема пожертвований [3].

Технология объединения ресурсов местных сообществ и решение местных задач оттачивалась десятилетиями. Денежные средства в основном

формируются за счет средств и пожертвований различных доноров, в среде которых коммерческие и некоммерческих организации, частные лица и поступления от органов публичной власти.

Для реализации уставных целей фонды организуют конкурсы, через которые денежные средства распределяются между грантополучателями — некоммерческими организациями и инициативными группами. Процедура выделение средств предполагает принятие решения грантовым комитетом, а также экспертным советом, в состав которых, кроме отдельных экспертов, могут входить представители частного бизнеса, некоммерческих организаций и местных органов власти [4].

Управление фондами местных сообществ осуществляется на принципах паритетного управления через представительство акторов из сфер бизнеса, местной власти и некоммерческой сферы. Это позволяет обеспечить прозрачность работы организации, в том числе за счёт раскрытия показателей финансово-хозяйственной деятельности.

Фонды местных сообществ — это глобальное явление, их насчитывается 1700 по всему миру. Их количество в США превышает 700 единиц, причём активы первой десятки фондов превышают 1 млрд. долл. США [5].

Фонды местных сообществ зарекомендовали свою эффективность с позиции модели институциональной благотворительности. Большая часть всех фондов местных сообществ образована сравнительно недавно в последние четыре десятилетия.

По мере накопления ресурсов фонды стали увеличивать значимость как инструмент решения актуальных социальных задач. Через деятельность фондов можно обеспечить повышение уровня качество жизни местного населения.

В российской практике существуют разные подходы к выделению средств на гранты и ресурсов для реализации собственных программ ФМС. Присутствуют как модели, более ориентированные на выдачу грантов, так и ориентированные на собственные программы развития. При введении поправок в действующее законодательство, регулирующее деятельность благотворительных организаций, модели финансирования ФМС могут меняться.

В России впервые технологии создания фонда местных сообществ впервые были применены только в 1998 г. в г. Тольятти. Городской благотворительный фонд «Фонд Тольятти» учрежден 19 марта 1998 года для финансирования социальных, благотворительных, культурных и иных общественно полезных инициатив.

Основными принципами функционирования «Фонда Тольятти» стали нормы и правила деятельности передовых зарубежных благотворительных организаций. В состав Совета учредителей Фонда, кроме основателей, вошла Торгово-промышленная палата г. Тольятти и благотворительный фонд «Чаритиз Эйд Фаундейшн» [6].

Основным направлением деятельности «Фонд Тольятти» стало развитие институтов гражданского общества и улучшение качества жизни местного населения.

Фонд является благотворительной некоммерческой негосударственной организацией, деятельность которой основывается на принципах добровольности, равноправия, самоуправления и законности

Основной целью фонда является предоставление на конкурсной основе целевых безвозмездных пожертвований на осуществление социально значимых для города проектов.

Городской благотворительный фонд «Фонд Тольятти» является первым российским фондом, который ввел практику конкурсного финансирования некоммерческих проектов на территории присутствия. Сотрудники фонда имеют многолетний опыт работы и на практике отработали систему конкурсного распределения денежных средств, методику мониторинга и оценки реализации проектов.

Фонд участвует в разработке и реализации городской программы развития НКО. С Фондом Тольятти сотрудничают практически все СМИ города Тольятти.

Миссией фонда явилось улучшение качества жизни городского сообщества через выполнение роли катализатора благотворительной деятельности в обществе реализацию благотворительных программ в соответствии с изменяющимися потребностями общества создание механизма предоставления донорам различных услуг по воплощению их благотворительной деятельности создание неприкосновенного источника финансирования благотворительных программ фонда.

Ежегодно городским благотворительным фондом «Фонд Тольятти» реализуется более 5 конкурсов, более 12 благотворительных программ. Ежегодный Форум НКО, проводимый фондом, собирает более 800 представителей бизнеса, власти, НКО для решения проблем на территориях. Традиционный ежегодный конкурс «Благотворитель года» – это площадка, где подводят итоги благотворительной деятельности бизнеса и реализации социальных проектов некоммерческих организаций в содружестве с властью и бизнесом.

Специфика деятельности фондов, их организация, процедуры аккумуляции ресурсов и распределения грантов во многом способствуют эффективности решения задач местного сообщества. Однако после вступления в силу Федерального закона об НКО-иностранных агентов в 2012 г., возможность привлечения финансирования из-за рубежа резко сократилась.

По данным официального реестра, который ведет Минюст, в стране насчитывается свыше 200 тысяч НКО. При этом иноагентами числятся всего 68 (0,03% от общего числа) [7]. За годы действия закона в нем побывало гораздо больше НКО. Оспорить статус иноагента некоммерческая организация может через суд, однако еще ни одной НКО не удалось этого добиться. Последней возможностью

остается обращение в Европейский суд по правам человека, но поправки к Конституции закрепляют приоритет российского права над международным, а значит, дают возможность не исполнять постановления ЕСПЧ.

За счет того, что большинство процедур являются хорошо отработанными, а фонды прилагают усилия для достижения максимальной объективности решений, эффективность инициации и материальной поддержки социальных проектов на территории достаточно высока.

Говоря о роли фонда местных сообществ как института развития, можно выделить несколько реализуемых ими функций. Но прежде всего, фонд местных сообществ – это грантодающая организация, действующая на определенной территории. Российские фонды часто выполняют функции агентства развития. Среди действующих ФМС часто наблюдается ситуация совмещения нескольких функций. Однако чаще всего фонды действуют именно как грантодающие организации. Для сельских территорий ФМС может выступить как ресурсный центр для НКО. Как правило, на селе кроме совета ветеранов и женсоветов общественные организации отсутствуют.

Таким образом, технология ФМС является альтернативным механизмом для повышения результативности государственного и муниципального управления социальной сферой.

Вклад негосударственных субъектов в решение социальных проблем зависит не только от их активной деятельности, но и от возможностей институтов поддержки общественных инициатив на местном уровне. Среди таких институтов ведущая роль традиционно приписывается органам местного самоуправления, однако в последние годы в условиях ограниченности бюджетных средств в ряде российских городов на первый план все больше стали выходить фонды местных сообществ.

За счет вовлечения групп доноров и населения ФМС развивают формы общественной активности и гражданского участия, происходят процессы институционализации благотворительности. В условиях экономического кризиса повышается роль ФМС как инструмента поддержания на уровне конкретной территории качества жизни населения, ее экономических и социальных элементов.

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IMPROVEMENT OF INFORMATION SUPPORT FOR ORGANIZATIONAL AND ECONOMIC MECHANISM OF GRAIN MARKET FUNCTIONING

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УДОСКОНАЛЕННЯ ІНФОРМАЦІЙНОЇ ПІДТРИМКИ ОРГАНІЗАЦІЙНО-ЕКОНОМІЧНОГО МЕХАНІЗМУ ФУНКЦІОНУВАННЯ РИНКУ ЗЕРНА

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Abstract

The article clarifies the economic essence and role of information support of the organizational and economic mechanism of the grain market, outlines its state and problems, identifies areas for improvement based on digitalization, taking into account the challenges and demands of today.

Анотація

В статті з'ясовано економічна сутність та роль інформаційної підтримки організаційно-економічного механізму функціонування ринку зерна, окреслено її стан та проблеми, визначено напрями її удосконалення на основі діджиталізації з врахуванням викликів та запитів сьогодення.

Keywords: information support, grain market, organizational and economic mechanism of grain market functioning, digitalization, digital technologies.

Ключові слова: інформаційна підтримка, ринок зерна, організаційно-економічний механізму функціонування ринку зерна, діджиталізація, цифрові технології.

Постановка проблеми. Розвиток зернового ринку та його організаційно-економічного механізму потребує потужної сучасної інформаційної підтримки, оскільки їх результативність значною мірою залежить від своєчасності, об'єктивності та адекватності інформації. Нині, в умовах прискореного розвитку інформаційно-комунікаційних технологій, рівень інформаційної підтримки організаційно-економічного механізму функціонування ринку зерна істотно залежить від діджиталізації усіх виробничих і ринкових процесів, комунікацій та взаємодій. Використання переваг сучасних меседжерів, цифрових платформ, GPS-систем, 3-D друку, хмарних технологій, робототехніки, дронів, блокчейну, супутникових знімків, цифрової обробки інформації, біосенсорів, елементів штучного

інтелекту, поліваріантних Big Data, соціальних мереж, надійних технологій кіберзахисту інформації та діджиталізації усіх бізнес-процесів, дозволить перевести на принципово вищий рівень результативності інформаційну підтримку організаційно-економічного механізму функціонування ринку зерна. Усе це переконує щодо актуальності поставлених завдань та підтверджує необхідність даної розробки.

Важлива роль інформаційної підтримки організаційно-економічного механізму функціонування ринку зерна та необхідність її удосконалення на основі діджиталізації зумовили цінність, вагомість і актуальність даної наукової розвідки.

Аналіз останніх досліджень та публікацій. Теоретичною платформою дослідження проблем

інформаційної підтримки організаційно-економічного механізму функціонування ринку зерна є цінні наукові напрацювання, таких вагомих вчених, як: А. Андрійчук, Л. Вдовенко, Л. Гуцаленко, Г. Калетнік, С. Кваша, М. Кропивко, В. Мазур, Н. Правдюк, П. Саблук, І. Свиноуса, О. Шпикуляк, О. Ястремська та ін. Проте, бурхливий розвиток цифрових технологій, спровокував появу нових викликів пов'язаних із пандемією COVID—19 та запитів учасників зернового ринку, що зумовлює необхідність визначення напрямів удосконалення інформаційної підтримки організаційно-економічного механізму функціонування ринку зерна на основі діджиталізації.

Метою статті є уточнення економічного змісту та ролі інформаційної підтримки організаційноекономічного механізму функціонування ринку зерна, окреслення її стану та проблем, визначення напрямів її удосконалення на основі діджиталізації з врахуванням викликів та запитів сьогодення.

Виклад основного матеріалу. Особливої актуальності проблеми інформаційної підтримки організаційно-економічного механізму функціонування ринку зерна на основі діджиталізації набувають нині, оскільки традиційні механізми значно знижують свою результативність та виникає необхідність їх трансформації з урахуванням світових трендів використання цифрових технологій, інноваційних логістичних та агротехнологій, побудови нових екосистем, поглиблення глобалізаційних процесів. Використання сучасних цифрових технологій помітно змінює взаємодії, комунікаційні ланцюги та взаємозв'язки між всіма учасниками зернового ринку, що представляє сутність діджиталізації та передбачає кардинальну трансформацію усіх сфер та субсистем організаційно-економічного механізму функціонування ринку зерна. Багато дослідників визнавали важливість інформаційної підтримки, так Г.М. Калетнік зазначав, що "не одержана вчасно інформація, або її відсутність можуть стати основою краху не тільки запланованих заходів, а навіть фірми, наслідки цього можуть бути катастрофічні. В процесі аналізу, планування і управління, контролю постійно потрібна інформація"[5]. "Інформаційна підтримка реалізується в контексті формування інформації (про внутрішнє та зовнішнє середовище) як структурованої сукупності обліково-аналітичних процедур, яка включає в себе певну частину інформаційної бази, методи її рекласифікації, перегрупування, узагальнення та обробки, побудованої за принципом найбільшої адаптованості до специфіки діяльності суб'єкта господарювання, релевантності до прийняття рішень та інноваційності. При цьому інтеграція інформації з відповідними елементами проблеми та контекстом конкретного підприємства дозволяє виявити найбільш цінну для осіб, що приймають рішення, інформацію, в тому числі й оцінити альтернативні варіанти вирішення проблеми. інформація об'єднує уплюдей, процеси, технології, розглядаються як єдина система, а не тільки як окремі елементи"[4].

Вітчизняне зерновиробництво поступово прямує від традиційних до інноваційних ("розумних") агротехнологій, базисом яких виступають цифрові платформи, GPS-системи, 3-D друк, хмарні технології, робототехніка, блокчейн, біосенсори, елементи штучного інтлекту та Big Data. Сьогодні інтелектуальні цифрові рішення мають сприяти зернорізноманітними виробникам впоратися 3 виробничими та ринковими проблемами, забезпечити підвищення продуктивності та результативності діяльності, нарощення конкурентних переваг. Сучасні реалії, вимагають від зерновиробників гнучкого стратегічного мислення, адекватного прогнозування виробництва залежно від попиту, ціни і уподобань споживачів. "Прийняття правильного, виваженого, "розумного" управлінського рішення потребує володіння цифровими технологіями, такими як супутникові знімки, алгоритми диференційованої обробки поля, високотехнологічні датчики, мобільні додатки та GPS-системи [8]. Зерновиробники, які "на постійній основі використовують цифрові технології, зможуть скористатися можливостями конвергенції, при якій дані про продукт (процес) доступні на всіх етапах його життєвого циклу - від посіву культури до збору врожаю" [6].

Удосконалення інформаційної підтримки організаційно-економічного механізму функціонування ринку зерна на основі діджиталізації має відбуватися у зрізі гнучкості, якості, спрощення процедур, безпеки, швидкості та операційної ефективності через можливості впровадження інноваційних цифрових технологій у логістичні ланцюги, комунікаційні взаємодії, бізнес-комбінації тошо.

Для підвищення ефективності інформаційної підтримки організаційно-економічного механізму функціонування ринку зерна доцільно сформувати інформаційний загальнодоступний цифровий портал для координації взаємодій й обміну інформацією між усіма учасниками ринку, який буде наповнюватися різноманітною інформацією від усіх учасників ринку. Наявність такого інформаційного загальнодоступного цифрового порталу істотно полегшить, спростить й пришвидшить комунікації, розширить внутрішні та зовнішні взаємодії й логістичні можливості учасників ринку, покращить взаємозв'язок між сферами й субсистемами зернового ринку, дозволить вдосконалити методи взаємодій (за рахунок інформаційної підтримки) та зумовить еволюційний розвиток зернового ринку, що в сукупності стане міцним базисом його високоефективного функціонування.

Основною задачею інформаційної підтримки організаційно-економічного механізму функціонування ринку зерна ϵ усунення інформаційних диспропорцій та шумів, які можуть виникати при взаємодіях різних субсистем, що дасть змогу вчасно, комплексно та дієво вирішувати оперативні, тактичні та стратегічні задачі.

Отже, збереження стійкості організаційно-економічного механізму функціонування ринку зерна потребує якісної інформаційної підтримки на основі використання інноваційних цифрових технологій з метою забезпечення необхідної збалансованості між різними сферами й субсистемами, що сприятиме їх стабільності, позитивним зрушенням та розвитку.

Проривні, принципово нові інформаційно-комунікаційні технології виступили потужним поштовхом до удосконалення інформаційної підтримки організаційно-економічного механізму функціонування ринку зерна. Координація, регулювання, що здійснюється з широким використанням цифрових технологій, дає змогу обмінюватися інформацією всередині організаційно-економічного механізму функціонування ринку зерна (між окремими субсистемами та учасниками ринку) в режимі онлайн що значно пришвидшує взаємодії та бізнеспроцеси економлячи час та гроші.

Мобільне використання меседжерів, комп'ютерних програм, соціальних мереж, Інтернет-додатків сприяє оперативному маневруванню різноманітними ресурсами організаційно-економічного механізму функціонування ринку зерна тим самим полегшуючи взаємодію усіх учасників ринку на користь виконання спільних цілей, посилює оперативність та результативність, що сприяє сталому розвитку за мінімізації витрат різноманітних ресурсів

Діджиталізація бізнес-процесів суттєво розширює можливості інформаційної підтримки та посилює оперативність організаційно-економічного механізму функціонування ринку зерна. Застосування сучасних меседжерів, цифрових платформ, GPS-систем, 3-D друку, хмарних технологій, робототехніки, дронів, блокчейну, супутникових знімків, біосенсорів, елементів штучного інтелекту, Від Data, соціальних мереж – це неповний перелік інноваційних технологічних інструментів, які відкривають принципово нові горизонти перед організаційно-економічним механізмом функціонування ринку зерна у зрізі виконання його функцій за рахунок підвищення оперативності, забезпечення своєчасного та адекватного зворотного зв'язку.

Трансформаційні зміни організаційно-економічного механізму функціонування ринку зерна пояснюють необхідність комплексного та всебічного цифрового удосконалення інформаційної підтримки. У зв'язку з наростанням контрольних, регулюючих, та координуючих заходів, організаційно-економічний механізм функціонування ринку зерна неспроможний охопити весь спектр завдань, саме тому діджиталізація покликана підвищити результативність, оперативність, гнучкість та прозорість виконання функцій регулювання, контролю, координації задля генерування додаткових конкурентних переваг усіх учасників ринку.

Інтеграція сукупності цифрових технологічних рішень змінила сутнісні уявлення та базові принципи побудови організаційно-економічного механізму функціонування ринку зерна. Готовність трансформації бізнес-процесів на основі новітніх ІТ-трендів та комунікаційної цифровізації — важ-

лива умова удосконалення інформаційної підтримки організаційно-економічного механізму функціонування ринку зерна.

Цифровізація окремих бізнес-процесів, оцінки якості їх виконання та логістичних ланцюгів сприяє їх автоматизації, прозорості, структурованості та ефективності. Нові технологічні рішення дозволять учасникам ринку використовувати доступні цифрові технології, так зерновиробники за допомогою мобільних додатків, які аналізують дані з кожного поля (координати, площа, поживні речовини, вид зернових культур, динаміка урожайності, погоднокліматичні умови, дозування мінеральних добрив тощо) та ринкову ситуацію (попит, пропозиції, ціни, потужність і завантаженість елеваторів і зерносховищ, логістичні і транспортні можливості тощо) можуть отримати адекватні рекомендації щодо подальших своїх стратегій та дій з урахуванням аналізу різноманітних внутрішніх та зовнішніх чинників. Отримані дані учасники ринку зможуть співставляти з інформацією отриманою від високотехнологічних датчиків, GPS-систем, дронів, супутників інших інформаційних джерел для ухвалення "розумного" управлінського рішення. Зокрема, цифрові технології дозволяють зерновиробникам ретельно простежити весь шлях просування зерна від поля до переробки і споживача, що гарантує якість продукції і сприяє забезпеченню потреб й запитів клієнтів.

Інформаційна підтримка на основі діджиталізації виробничих, ринкових, управлінських та транспортно-логістичних процесів організаційно-економічного механізму функціонування ринку зерна має як незаперечні переваги, так і генерує нові виклики, які необхідно швидко вирішувати найближчим часом. Так серед ключових проблем варто виокремити:

- $-\,$ рівень впровадження цифрових технологій на ринку зерна України ε низьким, зрівняно із інноваційними трендами розвинутих країн;
- наявні великі цифрові розриви та дисбаланси у міських та сільських територіях;
- низький рівень широкосмугового покриття та сталого підключення до Інтернету, особливо у віддалених гірських і сільських районах;
- високий опір змінам пов'язаних із впровадженням нових цифрових технологій, трансформацією взаємодій, логістики тощо;
- дефіцит ІТ-фахівців, які готові сприймати вимоги та запити зерновиробників;
- брак спеціалістів, які мають цифрові компетенції, здатні користуватися комп'ютерними програмами, хмарними технологіями, високотехнологічними датчиками, дронами, мобільними додатками, елементами штучного інтлекту, GPSсистемами, технологіями блокчейну, мають навички аналізу Big Data;
- низька кваліфікація персоналу, які мають обслуговувати комп'ютери та цифрову архітектуру.

Одним із гострих викликів вважаємо те що, "незважаючи на те, що 4G стає найпоширенішим мобільним зв'язком у всьому світі і 90% мають доступ до Інтернету через мережу 3G або вищої якості, лише близько третини сільського населення отримують покриття мережами 3G [10], тобто, сучасний контент, потребує якісного Інтернету й значних ресурсів, а доступність до Інтернету в сільській місцевості є ще обмеженою, і смартфони вважаються головним інструментом доступу до більшості цифрових послуг і можливостей. За да-

ними міністерства цифрової трансформації України, понад 17 000 населених пунктів (60,7% від загальної кількості) не охоплені оптичними мережами жодного провайдера. 4 млн українців живуть у селах, де немає фіксованого інтернету, до нього не підключені 40% шкіл, 92% бібліотек, 37% лікарень. Динаміка розповсюдження Інтернету у розрізі сільських та міських населених пунктів України представлена рисунку 1.

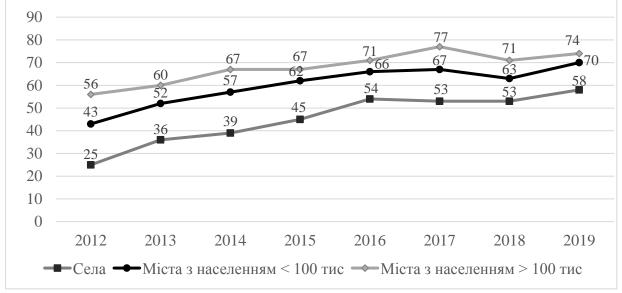


Рис. 1. Динаміка розповсюдження Інтернету у розрізі сільських та міських населених пунктів України, %

Джерело: побудовано на основі інформації Інтернет асоціації України [7]

Як демонструють дані рисунку 1 прослідковується сталий тренд цифрового розриву між сільськими та міськими територіями (від 31 до 16%), між малими та великими містами (від 13 до 4%). Для подолання такого цифрового дисбалансу необхідно впровадження широкосмугового (оптично-волоконного) Інтернету в сільських територіях, проте вирішення цієї проблеми гальмується фінансовими чинниками, оскільки кількість підключень в сільській місцевості помітно нижча ніж у великих містах і відповідно вартість Інтернет послуг і взагалі усіх цифрових послуг обернено пропорційно вища кількості користувачів (у великих містах абонементна середня місячна плата за Інтернет послуги знаходиться у контурі 120-200 грн, то у сільській місцевості вона коливається у межах 260-350 грн.), і навіть за такого стану, окупність покриття оптичноволоконними мережами може розтягнутись на десятки років.

Для удосконалення інформаційної підтримки організаційно-економічного механізму функціонування ринку зерна на основі діджиталізації необхідно виконати кілька обов'язкових умов, які забезпечать необхідну цифрову трансформацію:

- доступність цифрових технологій;
- використання швидкісного Інтернету;
- наявність інструментів комунікацій та зв'язку;
- використання мобільних телефонів (смартфонів);

- наявність пристроїв, механізмів, що дозволяють ефективно використовувати технології;
- широке використання соціальних мереж, медіа-меседжерів;
- наявність інформаційно-комунікативних технології;
- наявність цифрових компетентностей у персоналу;
- наявність хакатонів, техноінкубаторів тощо;
- наявність державних проектів (електронний уряд) для цифрових рішень і стратегій.

Удосконалення інформаційної підтримки організаційно-економічного механізму функціонування ринку зерна на основі діджиталізації це багатогранна, безперервна трансформація усіх бізнес процесів, логістичних і транспортних ланцюгів, насичення їх інноваційними інформаційно-комунікаційними технологіями зорієнтованими на високоефективні взаємодії, з метою досягнення стабільної результативності.

Удосконалення інформаційної підтримки організаційно-економічного механізму функціонування ринку зерна на основі діджиталізації ще й спровокує посилення загального синергетичного ефекту щодо підвищення результативності для усіх учасників ринку. Цю тезу підтримує й В. Воронкова, яка обгрунтовує, що "синергія посилюється у результаті ускладнення системи управління, появи в ній нових елементів (зокрема, науки, інформації, нововведень), їх комплексної взаємодії, розвитку

досконаліших форм господарського механізму, оптимального поєднання перелічених основних техніко-економічних відносин у цілісну економічну систему управління [2, с. 36].

Переконані, що важливим для удосконалення інформаційної підтримки організаційно-економічного механізму функціонування ринку зерна на основі діджиталізації є використання хмарних технологій, інструментів Інтернету речей та технології блокчейну.

Г. В. Дугінець стверджує, що "основним індикатором готовності прийняти та впроваджувати в практику господарювання концепцію «Інтернет речей» є інноваційно-технологічний розвиток України. Проте статистичні дані свідчать, що наша держава продовжує залишатися інтелектуальним донором інших країн, оскільки частка України у світовому експорті високотехнологічної продукції становить приблизно 0,3%" [3, с. 130].

Впровадження інструментів Інтернету речей в практичну площину організаційно-економічного механізму функціонування ринку зерна потребує стабільного покриття не лише мережею 3G-4G, а й 5G усієї території.

Блокчейн (англ. Blockchain, від block – блок, chain – ланцюг) це "ланцюжок блоків транзакцій – розподілена база даних, що зберігає впорядкований ланцюжок записів (так званих блоків), що постійно довшає" [1]. "Основними перевагами застосування блокчейна є безпека та миттєва перевірка достовірності та ідея децентралізації – відсторонення від таких структур, як уряди та фінансові установи" [9].

Використання технології блокчейну гарантує учасникам ринку надійність і якість трансакцій, унеможливлює втручання третьої сторони. Системи поставок зерна з використанням технологій блокчейну "здатна створити систему інформаційного обміну та підвищити ефективність операцій за рахунок поліпшення системи поставок, полегшення пошук інформації про походження товарів і скорочення витрат на ділову документацію. Використання блокчейн систем допоможе скоротити час розрахунків" [11]. Фактично, використання технологій блокчейну в процесах організаційно-економічного механізму функціонування ринку зерна дає змогу генерувати додаткові конкурентні переваги, забезпечує прозорість та відкритість контрактів. Водночас, слід зауважити, що для використання технологій блокчейну потрібні фахівці, які здатні працювати у криптографічній площині та здійснювати трансформацію логістичних ланцюгів, що може викликати певні труднощі.

Удосконалення інформаційної підтримки організаційно-економічного механізму функціонування ринку зерна на основі діджиталізації потребує вирішення наступних завдань:

- формування інформаційного загальнодоступного цифрового порталу для координації взаємодій й обміну інформацією між усіма учасниками ринку;
- формування умов щодо прозорого функціонування зернового ринку;

- широке застосування інноваційних цифрових та комунікаційних технологій (включаючи хмарні технології, штучний інтелект та технології блокчейну);
- розробка доступних цифрових продуктів (сервісних додатків), що враховують потреби та специфіку організаційно-економічного механізму функціонування ринку зерна;
- діджиталізація бізнес процесів, логістичних і транспортних ланцюгів та процедур організаційно-економічного механізму функціонування ринку зерна;
- налагодження сервісної підтримки учасників зернового ринку щодо використання інформаційної загальнодоступної цифрової платформи для координації взаємодій, комунікацій й обміну інформацією.

Удосконалення інформаційної підтримки організаційно-економічного механізму функціонування ринку зерна на основі діджиталізації, за рахунок поінформованості, швидкості інформаційних потоків та неупередженості інформації дозволить:

- знизити виробничі та ринкові ризики;
- мінімізувати інформаційні шуми;
- підвищити врожайність зернових культур;
- розширити базу інформаційних джерел;
- підвищити якість планування, прогнозування та стратегій для учасників ринку;
- запобігти дублюванню функцій різних інституцій;
 - знизити трансакційні витрати;
- сформувати систему інформаційної прозорості;
- підвищити оперативність координації взаємодій;
- оперативно здійснювати моніторинг індикаторів результативності організаційно-економічного механізму;
- зберігати та обробляти великі інформаційні масиви з використанням хмарних технологій;
 - забезпечити гнучкість ринкових рішень;
- проводити постійний моніторинг ситуації на ринку зерна.

Висновки. В статті з'ясовано економічна сутність та роль інформаційної підтримки організаційно-економічного механізму функціонування ринку зерна, окреслено її стан та проблеми, визначено напрями її удосконалення на основі діджиталізації з врахуванням викликів та запитів сьогодення. Зокрема, обгрунтовано, що удосконалення інформаційної підтримки організаційно-економічного механізму функціонування ринку зерна на основі діджиталізації потребує вирішення наступних завдань: формування інформаційного загальнодоступного цифрового порталу для координації взаємодій й обміну інформацією між усіма учасниками ринку; формування умов щодо прозорого функціонування зернового ринку; широке застосування інноваційних цифрових та комунікаційних технологій (включаючи хмарні технології, штучний інтелект та технології блокчейну); розробка доступних цифрових продуктів (сервісних додатків), що враховують потреби та специфіку організаційно-економічного механізму функціонування ринку зерна; діджиталізація бізнес процесів, логістичних і транспортних ланцюгів та процедур організаційно-економічного механізму функціонування ринку зерна; налагодження сервісної підтримки учасників зернового ринку щодо використання інформаційної загальнодоступної цифрової платформи для координації взаємодій, комунікацій й обміну інформацією.

Розроблені пропозиції щодо удосконалення інформаційної підтримки організаційно-економічного механізму функціонування ринку зерна на основі діджиталізації, за рахунок поінформованості, швидкості інформаційних потоків та неупередженості інформації дозволять: знизити виробничі та ринкові ризики; мінімізувати інформаційні шуми; підвищити врожайність зернових культур; розширити базу інформаційних джерел; підвищити якість планування, прогнозування та стратегій для учасників ринку; запобігти дублюванню функцій різних інституцій; знизити трансакційні витрати; сформувати систему інформаційної прозорості; підвищити оперативність координації взаємодій; оперативно здійснювати моніторинг індикаторів результативності організаційно-економічного механізму; зберігати та обробляти великі інформаційні масиви з використанням хмарних технологій; забезпечити гнучкість ринкових рішень; проводити постійний моніторинг ситуації на ринку зерна.

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FORMATION OF ORGANIZATIONAL STRUCTURE OF LOCAL SELF-GOVERNMENT IN THE MODERN CONDITIONS OF DECENTRALIZATION

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Abstract

Modern Ukraine is in a difficult economic and political situation, one of reasons of it there is inefficiency of the operating management system of state administration, and also administrative-territorial device, that is why reformation of country needs substantial changes, that must be sent to creation of political open system, and also development of civil society and increase of level of prosperity of every separate citizen. Decentralization became basis of reformation of state administration today, redistribution of plenary powers between the branches of power, change as between citizens and power, but the questions of decentralization go out on the first plan in the conditions of crisis period of development of the Ukrainian state system, as exactly this process is one of base terms of independent and effective activity of organs of local power.

Keywords: public policy, reformation, decentralization, development, regional programming, territorial society, management, self-government.

Introduction.

Local self-government - it the form of public power that will be realized by specific subjects - territorial collectives and organs formed by them has the special object - question of local value, and comes true on the basis of the use of separate type of public property - communal (municipal).

Local self-government comes true by territorial communities of villages, settlements, cities both directly and through village, settlement, municipal soviets and them executive branches, and also through district and regional soviets, that present general interests of territorial communities of villages, settlements, cities.

Legal practice and activity of city governments convincingly testify to the presence of considerable circle of unsolved practical problems, that is why the special actuality is today acquired by researches of theoretical and especially practical moments of activity of representative organs of local self-government in Ukraine.

The works of Ukrainian scientists had a significant influence on the development of this issue: Berezyuk S. [4], Goncharuk I.V. [5], Kaletnik G. [9,10], Kolesnik T. [14,15], Lutkovska S. [18,19], Mazur K. [21], Pronko L. [24, 25], Samborska O. [28, 29] in their works the greatest attention is paid to improving the institutions of local self-government, in particular the activities of local councils, the problem of local self-government as a form of democracy or the right of citizens to participate in local self-government of Ukraine, local referendums.

The purpose of this article is to clarify the problem areas of local government and the formation of legislative ways to improve it.

However, they are mainly based on the theory of legal positivism, which ignores (abstracts) the real state of these communities. Insufficient attention is paid to the critical analysis of the positive and negative aspects of the functioning of territorial communities of foreign countries, their interaction with other local governments.

Territorial organization of self-government in Ukraine is based on a combination of national and local interests. The essence of which is the state-guaranteed right of the territorial community, citizens and their bodies to resolve a significant part of local affairs and manage them, acting within the law.

Local self-government bodies are structurally organized groups of employees or one employee, endowed with power in the system of local self-government for the implementation of government decisions. The essence of local self-government is the state-guaranteed right of the territorial community, citizens and their bodies to resolve a significant part of local affairs and manage them, acting within the law, under their own responsibility and in the interests of the population [19].

Among the most important features of local governments are their legal, organizational, material and financial autonomy. Legal autonomy means that local governments are endowed with their own powers under the Constitution and current legislation of Ukraine.

Within these powers, local governments have complete freedom of action.

Organizational autonomy of local governments is manifested in their ability to independently determine and build their internal structure in order to meet local needs and ensure effective governance. Acting within the law, local governments are not subordinate to other bodies. Control over local governments is exercised only to ensure the legality of their actions.

Material and financial autonomy of local governments is manifested in their right to own and dispose of funds and property to perform their functions and powers [3].

Local self-government has its own system, consisting of the territorial community, village, settlement and city council, village, settlement and city mayor, executive bodies of village, settlement, city council, district and regional councils.

Local self-government is carried out by the territorial community both directly and through local selfgovernment bodies - village, settlement, city councils and their executive bodies.

In turn, village, settlement, city councils can allow on the initiative of residents to create house, street, neighborhood and other self-organizations of the population and give them part of their own competence, finances, property. Among the "other" bodies of local self-organization of the population, the Law of Ukraine "On Local Self-Government in Ukraine" of May 21, 1997, in addition to house, street, neighborhood, also names forms of direct expression of will - local referendums, general meetings, public hearings. Local self-government bodies of villages, settlements, cities for more active exercise of their rights and responsibilities may also unite in associations, other forms of voluntary associations [25].

The constitution of local self-government bodies, which represent the common interests of territorial communities of villages, settlements and cities, the Constitution of Ukraine and the Law of Ukraine "On Local Self-Government in Ukraine" include district and regional councils. The issue of organizing district management in cities belongs to the competence of city councils.

According to Art. 143 of the Constitution of Ukraine, territorial communities of villages, settlements, cities directly or through the local self-government bodies formed by them manage communally owned property, which consists of movable and immovable property, local budget revenues, other funds, land, natural resources, etc. They approve socio-economic and cultural development programs and monitor their implementation; approve the budgets of the relevant administrative-territorial units and control their implementation; establish local taxes and fees in accordance with the law; ensure the holding of local referendums and the implementation of their results; form, reorganize and liquidate utility companies, organizations and institutions, as well as exercise control over their activities; resolve other issues of local importance, referred by law to their competence [15].

Territorial communities of villages, settlements and cities may unite on a contractual basis objects of

communal property, as well as budget funds for joint projects or for joint financing (maintenance) of communal enterprises, organizations and institutions, create appropriate bodies and services.

On behalf of and in the interests of territorial communities, the rights of the subject of communal property are exercised by the relevant councils.

Regional and district councils approve programs of socio-economic and cultural development of relevant regions and districts and monitor their implementation; approve district and oblast budgets formed from the State budget for their appropriate distribution among territorial communities or for the implementation of joint projects and from funds raised on a contractual basis from local budgets for the implementation of joint socio-economic and cultural programs, and monitor their implementation; resolve other issues referred by law to their competence.

In accordance with Part 3 of Art. 143 of the Constitution of Ukraine, local governments may be granted by law certain powers of executive authorities. In this case, the state finances the exercise of these powers in full at the expense of the State Budget of Ukraine.

In turn, local councils (oblast and rayon) may delegate part of their powers to oblast and rayon state administrations, respectively, and monitor the implementation of these powers.

Local governments within the powers defined by law, make decisions that are binding on the territory (Article 144 of the Constitution of Ukraine) [8].

All this suggests that local governments have features that bring them closer to the executive branch, with which they work closely in addressing issues of local importance.

With regard to the exercise of the powers of executive bodies, local self-government bodies shall be under the control of the relevant executive bodies. Legal acts of local self-government bodies adopted in violation of the Constitution and legislation of Ukraine may be suspended until the issue of their legality is resolved in court. Damage caused as a result of illegal decisions, actions or inaction of local governments is reimbursed by them in full at their own expense [12].

Local councils are also under the control of the Verkhovna Rada of Ukraine, territorial communities, and courts. Thus, according to the Law of Ukraine "On Local Self-Government in Ukraine", the powers of a local council may be terminated by a local referendum if the council made a decision in violation of the Constitution and other laws of Ukraine, rights and freedoms, ignoring the requirements of competent authorities. on bringing these decisions in accordance with the law, as well as if the sessions of the council are not held without good reason within the period prescribed by law or the council does not resolve issues within its competence

In the presence of a court decision declaring the acts of the council illegal, the conclusions of the relevant committee of the Verkhovna Rada of Ukraine, the latter may call early elections of village, town, city, district in the city, district, regional council.

The composition of the village, settlement, city council includes deputies elected by the inhabitants of

the village, settlement, city on the basis of universal, equal, direct suffrage by secret ballot for a term of four years (Article 141 of the Constitution of Ukraine) [8].

Village, settlement, city councils and city district councils have their own executive bodies - executive committees. The Executive Committee is a legal entity. It is formed by the council for the term of its powers consisting of the chairman of the relevant council, deputy (deputies) of the village, settlement, city mayor on the activities of executive bodies of the council, managing affairs (secretary) of the executive committee, as well as heads of departments, offices and other executive bodies. other persons [25]. The executive committee of the village, settlement, city council also includes the secretary of the relevant council. The quantitative and personal composition of the executive committee is determined by the relevant council on the proposal of its chairman. The main structural subdivisions of the executive committee are departments and administrations.

In village councils representing territorial communities with up to 500 inhabitants, executive committees may not be established by a decision of the relevant territorial community or village council. In these cases, executive and administrative functions (except for the disposal of land and natural resources) are performed by the chairman of the council alone.

The Executive Committee of the Council preliminarily considers draft local programs of social, economic and cultural development, targeted programs on other issues, the local budget, draft decisions, which are submitted to the relevant council; coordinates the activities of departments, offices and other executive bodies of the council, enterprises, institutions and organizations belonging to the communal property of the respective territorial community, hears reports on the work of their heads; has the right to change or cancel the acts of its subordinate departments, offices, other executive bodies of the council, as well as their officials. The Executive Committee also exercises certain powers delegated to it by the state.

The current legislation gives significant powers to the heads of villages, settlements and cities. They are elected by the relevant territorial community for a term of four years. They chair the council and its executive committee. The village, settlement, city mayor ensures the exercise of the powers of executive bodies granted by law in the relevant territory, observance of the Constitution and laws of Ukraine, implementation of acts of executive bodies; organizes the work of the relevant council and its executive committee, appoints and dismisses heads of departments, offices and other structural units of the council, enterprises, institutions and organizations belonging to communal property and relevant territorial communities; convenes a general meeting of citizens at the place of residence; represents the territorial community, council and its executive committee in relations with other state and non-state bodies; appeals to the court to declare illegal acts of other local governments, local executive bodies, enterprises, institutions and organizations that restrict the rights and interests of the territorial community, as well as the powers of the council and its bodies; concludes agreements

on behalf of the territorial community, council and its executive committee in accordance with the legislation, and on issues referred to the exclusive competence of the council, submits them for approval to the relevant council; conducts personal reception of citizens.

The Council, within its powers, adopts normative and other acts in the form of decisions, acts of such form are also adopted by the executive committees of the council. Decisions of the council are made at its plenary session after discussion by a majority vote of deputies from the general membership of the council (except for some cases provided by current legislation). Decisions of the council of normative-legal character come into force from the date of their official promulgation, if the council has not established a later term of entry into force of these decisions.

Decisions of the executive committee are made at its meeting by a majority vote of the general membership of the executive committee and signed by the village, town, city mayor, chairman of the district council in the city.

The village, settlement, city mayor, the chairman of the district in the city, the district, regional council within the limits of the powers issues the order, therefore, the local council, in the person of constant deputy commissions, carries out control over execution of decisions of executive committee.

The council consists of deputies elected in the relevant local elections. The general composition of the council (number of deputies) is determined by law. The Council conducts its work in sessions. The session consists of: meetings of standing committees; plenary meetings of the council.

The session is open and public. Closed meetings of standing committees or closed plenary meetings of the council are prohibited.

The council adopts acts in the form of council decisions. The procedure for holding the first session of the council, the procedure for electing the chairman and deputy (deputies) of the district in the city, district, regional council, secretary of the village, settlement, city council, convening regular and extraordinary sessions of the council, appointing plenary sessions, preparation and consideration of plenary meetings, decision-making of the council on approval of the agenda of the session and on other procedural issues, as well as the order of the session are determined by the rules of procedure of the council. Prior to the adoption of the regulations of the council of the next convocation, the regulations of the council in force in the previous convocation shall apply.

The beginning of the rule-making process in the council begins with the introduction of draft decisions. Proposals on issues for consideration by the council may be submitted by the village, settlement, city mayor, standing committees, deputies, the executive committee of the council, the head of the local state administration, the chairman of the district, regional council, general meeting of citizens.

Almost all draft decisions (more than 90%) are submitted to the council by the mayor. In second place in terms of the number of submitted projects are deputies (parliamentary factions and groups). Next are the

standing committees. I am not aware of any cases where the executive committee has submitted a draft decision to the council. Draft decisions from citizens as a local initiative are just as rare.

A draft decision is a general form determined by the council (in fact or legally). Council regulations usually describe the mandatory requirements that a draft decision must meet (introductory, motivational, regulatory part).

Most local councils are required to submit an explanatory note to draft decisions, a practice that is justified and useful for both MPs and the public, but explanatory notes are often formalized and uninformative.

The vast majority of local councils have such a requirement for draft decisions as visas for council employees. The essence of the visa is that the employees of the council (profile deputy, relevant head of the executive body (bodies), legal service of the council, secretary of the council, head of the secretariat) put their signatures on the back of the draft decision, indicating their attitude to the project. It is clear that the draft decision, which is submitted by the mayor, quickly and easily obtains visas of subordinates of the mayor. Conversely, a draft decision prepared by a deputy, deputy group or faction has major problems with collecting signatures of officials.

There are two types of sights - "preliminary" and "notifying". Preliminary approval is an approval without which the project is not recognized as a project and is not accepted for consideration by the council. There are facts from the activities of some local councils, when visas were issued for two or three months. At the same time, it is impossible to appeal anything, because the law does not stipulate the obligation of an official to issue a visa at a certain time.

Notification approval is an approval that takes place in the period from the moment of submission of the draft decision until its consideration at the session of the council. Such a visa, although it simplifies the life of the authors compared to the previous visa, but often visas for council employees can have a negative impact on the project.

For example, council employees deliberately put negative conclusions (visas) on the project of a certain deputy or deputy faction (group). Then, during the consideration at the meeting of the standing commissions or the plenary session, this fact is pointed out by the chairman as a critical shortcoming, as if all the specialists of the council spoke negatively. Of course, rarely does anyone in the public pay attention to the fact that all these "specialists" are subordinates of the mayor and, perhaps, we have a political confrontation, corrupt interests or personal hostility. At the same time, this has a significant impact on the voting results. Yes, the mayor can show "who in the council is the owner" and to whom it is necessary to go for the decision of questions. Ineffective voting negatively affects the rulemaking activity of deputies, deputy factions (groups), standing commissions; reduces the initiative and effectiveness of activities.

The agenda of the session is formed on the basis of the submitted draft decisions by the mayor. There are

also frequent manipulations by the mayor. There are cases when certain draft decisions are not formally included in the agenda of the session. It is clear that this does not apply to the mayor's projects. The sequence of consideration of issues is also important, because at the beginning of the plenary session the public's attention is greater, there are more deputies in the hall and, accordingly, less opportunities for manipulation and a higher probability of project approval. Therefore, mayors often try to raise non-acute issues at the beginning of the agenda and place "unprofitable" or opposition issues at the very end of the agenda. Such simple tricks give "good results" for manipulators. The agenda is subject to approval at the beginning of the plenary session of the council, but often due to lack of cohesion or initiative among deputies, the agenda is approved by the mayor's office or with minor changes.

After the issuance of the mayor's order to convene a session, meetings of the standing deputy commissions are held, at which draft decisions are considered in advance. Based on the results of the review, the standing commission adopts a corresponding conclusion (support the project, speak negatively, etc.) [24].

The meetings of the standing commissions are an extremely important part of the council session, but the attention of the public and the media to this process is unjustifiably low. Often the community does not understand these processes. The issue is that the standing commissions are a kind of filter, the issues can be studied in more depth at their meetings, and the commissions themselves have a certain specialization (issues of education, legality, health care, budget, etc.). Deputies do not have a practical opportunity to study in detail all the draft decisions submitted to the session.

Also at the meeting of the standing committee you can get important information about the reasons for the decision, hidden motives, levers, stakeholders. Of course, all this depends on the normal and active work of deputies at the meeting of the standing commission, but the public can also participate in the work of the commission, because its meeting is open.

Procedural issues of the work of the standing commission are fixed in the Regulations on standing commissions, which are adopted by the decision of the council. The content of this provision may provide the public with additional rights to participate in the work of the standing committee, so the community must fight for the right to participate in the meeting of the standing committee, participate in the discussion, etc. It is necessary to have a negative attitude to the commission's attempts to meet closed or semi-closed, to vote in the absence of the public, to hide the commission's minutes.

The Standing Commission is authorized provided that at least half of its members are present and makes decisions by open voting of the members of the Commission. The decision of the commission is considered adopted if more than half of the total membership of the commission voted for it. The course of the meeting is recorded. The minutes of the commission meetings are subject to mandatory publication.

After the meetings of the standing commissions, a plenary meeting of the council takes place. This is a

meeting in which all deputies of the council take part. The plenary session is authorized provided that a majority of the general membership of the council is present. The plenary session is chaired by the mayor. After resolving the procedural issues (approval of the agenda, determination of the mode of work, etc.), the chairman proceeds to consider the issues on the agenda on the merits.

Consideration of issues begins with a speech by the speaker (co-speaker). After that, deputies have the right to ask questions to the speaker and the author of the project (if they are different people). The discussion ends with a short concluding remarks by the speaker. After that, the chairman of the meeting puts the question to a vote.

After the decision is made, it is signed by the mayor and made public. Publication is provided by the mayor, and the personal responsibility for timeliness and completeness of publication is borne by the mayor and the secretary of council.

The mayor has the right to suspend (veto) the council's decision. In accordance with the law, the decision of the village, settlement, city council within five days from the date of its adoption may be suspended by the village, settlement, city mayor and submitted for reconsideration to the relevant council with justification of comments. The council is obliged to reconsider the decision within two weeks. If the council rejects the remarks of the village, settlement, city mayor and confirms the previous decision by two thirds of the votes of the deputies from the general membership of the council, it enters into force.

It should be noted that in practice, deputies rarely manage to collect 2/3 of the votes to overcome the veto of the mayor. Therefore, a suspended decision usually means "cancellation" of the decision. Draft council decisions and council decisions are usually published on the local council's website. Particularly important decisions can be published in the print media. Publication of the decision is mandatory.

The control over the implementation of the council's decisions is entrusted to the standing deputy commissions. The issue of control is defined in the text of the decision. There is a practice where the control over the implementation of the decision is entrusted to the mayor or his deputies, it is a gross violation. The essence of this violation is discussed in the previous chapter.

Acts of the council, village, settlement, city mayor, chairman of the district council in the city, executive committee of the village, settlement, city, district council in the city (in case of its creation), adopted within the powers granted to them, are binding on all located in the relevant territory of executive authorities, associations of citizens, enterprises, institutions and organizations, officials, as well as citizens who permanently or temporarily reside in the relevant territory.

When making decisions, the local council must comply with the requirements of the law and not exceed its powers. Bodies and officials of local self-government are responsible for their activities to the territorial community, the state, legal entities and individuals. Bodies and officials of local self-government shall be

liable in case of violation of the Constitution or laws of Ukraine. Damage caused to legal entities and individuals as a result of illegal decisions, actions or inaction of local governments is reimbursed from the local budget, and as a result of illegal decisions, actions or inaction of local government officials - at their own expense in the manner prescribed by law.

The powers of the village, settlement, city, district in the city, district, regional council may be terminated ahead of schedule in the following cases:

- if the council made a decision in violation of the Constitution of Ukraine, laws, rights and freedoms of citizens, ignoring the requirements of the competent authorities to bring these decisions in line with the law;

- if the sessions of the council are not held without good reason within the time limits established by this Law, or the council does not resolve issues related to its jurisdiction.

If there are grounds provided by law, a court decision declaring acts of the council illegal, conclusions of the relevant committee of the Verkhovna Rada, the Verkhovna Rada of Ukraine may call early elections of village, town, city, district in the city, district, regional council. The issue of calling early elections of village, settlement, city, district in the city, district, regional council by the Verkhovna Rada of Ukraine may be raised before the Verkhovna Rada of Ukraine by the village, settlement, city mayor, regional, Kyiv, Sevastopol city state administration [18].

Implementation of local self-government reform is impossible without updating the regulatory framework. The modern system of legislation on local self-government needs to be improved on the basis of strengthening the organizational, legal, financial, material, administrative independence of local self-government, building a European model of administrative-territorial organization and the principles of decentralization, universality, subsidiarity, system unity.

Regional approaches to the management of economic processes are becoming increasingly relevant and are increasingly being discussed by scholars and representatives of public authorities and local governments. The task of creating effective mechanisms of territorial management systems should solve the problem of balancing the interests of state and regional economic policy and ensure appropriate regulation of economic development.

The optimal management process should ensure an ever-increasing standard of living based on the efficient use of local resources.

The system of local self-government in structural and organizational terms is a set of local governments, self-organization of the population and organizational forms through which the relevant territorial community or its components carry out tasks and functions of local government, address issues of local importance.

The process of managing the socio-economic development of the region is a special type of activity carried out by central authorities, local state executive bodies and local governments.

Central public authorities are responsible for implementing regional economic development strategies and their compliance with the strategic development of the state as a whole in order to ensure the most effective use of the region's potential on the one hand and national needs on the other. In addition to the task of the central government is to regulate relations between the regions and ensure the implementation of national programs, which involve several regions.

At the same time, the central bodies of state executive power provide [31]: compliance with current legislation throughout the country and a particular region, the functioning of a single monetary, budgetary and customs systems, infrastructure development of national importance, management of national property, creating conditions for social-economic development of the region.

Regional bodies of state executive power carry out: formation and execution of local budgets, management of objects of communal property, creation of conditions for development of business, social protection of the population, maintenance of environmental protection.

Local self-government in Ukraine is carried out on the principles of: democracy; legality; publicity; collegiality; combination of local and state interests; election; legal, organizational and material-financial independence within the powers defined by this and other laws; accountability and responsibility to territorial communities of their bodies and officials; state support and guarantees of local self-government; judicial protection of the rights of local self-government.

According to Art. 5 of the Law, the system of local self-government includes: territorial community; village, settlement, city council; village, settlement, city mayor; executive bodies of village, settlement, city council; district and regional councils representing the common interests of territorial communities of villages, settlements, cities; bodies of self-organization of the population [25].

In cities with district division, district councils may be formed in the city by the decision of the territorial community of the city or the city council. District councils in cities form their executive bodies and elect the chairman of the council, who is also the chairman of its executive committee.

Territorial community - residents united by permanent residence within a village, town, city, which are independent administrative-territorial units, or a voluntary association of residents of several villages that have a single administrative center.

In paragraph 1 of Art. 6 of this law clearly enshrines the principle of the status of the territorial community. In particular, it is noted that the territorial community of the village, settlement, city is the primary subject of local self-government, the main bearer of its functions and powers.

The territorial community is endowed with a specific legal personality, namely: the right to form relevant bodies; the right to hold local referendums; the right to manage local budgets and communal property.

A representative body of local self-government is an elected body (council) consisting of deputies and, in accordance with the law, is given the right to represent the interests of the territorial community and make decisions on its behalf. Taking into account the peculiarities of the administrative-territorial structure of our state, the system of representative bodies of local self-government consists of two levels: village, settlement, city councils (hereinafter - local councils); district and regional councils.

Village, settlement, city councils are bodies of local self-government that represent the relevant territorial communities and perform on their behalf and in their interests the functions and powers of local self-government defined by the Constitution of Ukraine, this and other laws.

Regional and district councils are local governments representing the common interests of territorial communities of villages, settlements, cities, within the powers defined by the Constitution of Ukraine, this and other laws, as well as the powers delegated to them by village, settlement, city councils.

Thus, local councils as representative bodies: these are elected bodies consisting of deputies elected directly by the territorial community; accumulate the interests of territorial communities and have the right to represent them; have the exclusive right to make decisions on behalf of the territorial community.

In accordance with paragraph 2 of Art. 5 of the Law "On Local Self-Government in Ukraine" in cities with district division by the decision of the territorial community of the city or city council may be formed district councils in the city, which, in turn, form executive bodies and elect the chairman of the council committee [25].

Bodies of self-organization of the population are representative bodies created by residents who legally reside in the territory of a village, settlement, city or their parts to solve the tasks provided by the Law "On bodies of self-organization of the population". Bodies of self-organization of the population are: house, street, quarter committees; neighborhood committees; district committees in cities; village, settlement committees. One example of the creation of such bodies of self-organization are condominiums.

Executive bodies of local self-government - bodies which, in accordance with the Constitution of Ukraine and the Law of Ukraine "On Local Self-Government in Ukraine", are created by village, settlement, city, district councils in cities (in case of their creation) to perform executive functions and powers of local self-government. implementation of decisions adopted by territorial communities, relevant councils within the limits set by law.

The executive bodies include the executive committee of the council, as well as departments, administrations and other executive bodies that may be created by the village, town, city, district council in the city within its approved structure and staff, to exercise powers within the competence of councils (Article 54).

Another element of the system of local self-government is the village, township, mayor, who in accordance with Art. 12 of the Law "On Local Self-Government in Ukraine" is the main official of the territorial community, respectively, the village (voluntary association of residents of several villages into one territorial community), settlement, city [31].

Local government official - a person who works in local governments, has the appropriate official powers in the implementation of organizational and administrative and advisory functions and receives a salary from the local budget.

The powers of local self-government are the rights and responsibilities of territorial communities, local self-government bodies for the implementation of tasks and functions of local self-government defined by the Constitution and laws of Ukraine, other legal acts.

In general, the most important issues referred to local government, defined by the Constitution of Ukraine, Art. 143 which stipulates that territorial communities of villages, settlements, cities directly or through the local self-government bodies formed by them manage the property that is in communal ownership; approve programs of socio-economic and cultural development and control their implementation; approve the budgets of the relevant administrative-territorial units and control their implementation; establish local taxes and fees in accordance with the law; ensure the holding of local referendums and the implementation of their results; form, reorganize and liquidate utility companies, organizations and institutions, as well as exercise control over their activities; resolve other issues of local significance, referred by law to their com-

The powers of local self-government are detailed and specified in the Law "On Local Self-Government in Ukraine", in sectoral legislation and other legal acts [18].

According to its structure, the powers of local self-government include: own (self-governing) powers, the exercise of which is related to the solution of issues of local importance, the provision of public services to the population; delegated powers (certain powers of executive bodies are provided by law to local self-government bodies), the exercise of which is related to the performance of executive functions on the ground.

Territorial communities, as the primary subjects of local self-government, have the right to directly consider and resolve any issue related to self-government powers.

The Law "On Local Self-Government in Ukraine" defines groups of local self-government powers in the following spheres and branches:

- socio-economic and cultural development, planning and accounting;
 - budget, finance and prices;
 - management of communal property;
- housing and communal services, household, trade services, public catering, transport and communications:
 - construction;
- education, health, culture, physical education and sports;
- regulation of land relations and environmental protection;
 - social protection of the population;
 - foreign economic activity;
 - defense work;
- solving issues of administrative-territorial organization;

- ensuring law and order, protection of rights, freedoms and legitimate interests of citizens;
- awarding state awards, honors of the President of Ukraine and awarding honorary titles of Ukraine.

The local state administration, within the limits of its powers, exercises executive power on the territory of the respective administrative-territorial unit, as well as exercises the powers delegated to it by the relevant council. Local state administrations operate on the basis of: responsibility to the person and the state for their activities; rule of law; legality; human rights priorities; publicity; combination of state and local interests.

The powers of an executive body are the rights and responsibilities assigned to it. The scope of powers assigned to each body of executive power in accordance with the tasks and functions assigned to it expresses their competence.

The own powers of local state administrations in terms of content and degree of coverage of management objects, in turn, are classified into general (as a body of general competence) and special (sectoral), which relate to a particular area of public life [10].

The responsibility of local state administrations within the limits and forms determined by the Constitution and laws of Ukraine is to resolve issues.

- 1) ensuring the rule of law, protection of the rights, freedoms and legitimate interests of citizens;
- 2) socio-economic development of the respective territories;
 - 3) budget, finance and accounting;
- 4) property management, privatization, promotion of entrepreneurship and implementation of state regulatory policy;
- 5) industry, agriculture, construction, transport and communications;
- 6) science, education, culture, health, physical culture and sports, family, women, youth and minors;
- 7) use of land, natural resources, environmental protection;
 - 8) foreign economic activity;
 - 9) defense work and mobilization training;
- 10) social protection, employment, labor and wages.

Local state administrations also resolve other issues referred by law to their powers [23].

The competence of local state administrations includes ensuring, within the relevant administrative-territorial unit, the implementation of the Constitution, laws of the country, acts of the President of Ukraine, the Cabinet of Ministers of Ukraine, and other executive bodies; law and order, observance of the rights and freedoms of citizens; implementation of state and regional programs of socio - economic and cultural development, environmental protection programs, programs of national - cultural development of minorities; preparation and implementation of relevant budgets; management of legally transferred objects of state property; implementation of state control within the limits set by law; interaction with local governments and the implementation of other powers granted by the state.

Delegated powers of local state administrations are powers acquired by administrations by transferring

them for execution from other entities at the discretion of the latter or by law.

The concept of administrative reform provides for the gradual reform of local state administrations, taking into account the general trends of transformation of structural and functional principles of executive bodies. The purpose of reforming local executive bodies is:

- increasing the effectiveness of government policy at the territorial level;
- directing their activities to ensure the realization of the rights and freedoms of citizens, expanding the types of public (administrative) services and improving their quality;
- harmonious combination of national and local interests taking into account the peculiarities of territorial development;
- promoting the formation and development of local self-government on the basis of its clear functional demarcation with the powers of the executive branch [22].

Public administration and local government, establishing legislative and regulatory support of economic processes in the region form a regional regulatory policy to promote stable economic development of the region, the main task of regional regulatory policy is to achieve the best indicators of regional economic development with the most efficient use of resources and environment.

According to the law, local self-government is a state-guaranteed real ability of a territorial community to decide cases of local significance independently or under the responsibility of elected bodies and officials within the limits set by the Constitution and laws of Ukraine.

The activities of the local council should not create obstacles to the direct management of the city by citizens through the use of such tools as public hearings, local initiative, citizens' meetings, referendum, e-petition. However, in practice, newly elected deputies and mayors often forget to take care of this.

The local council is a system of administrative and power formations, which consists of:

- the mayor and his patronage service;
- executive bodies (departments, administrations, departments);
 - utilities (schools, kindergartens, hospitals, etc.);
 - utilities;
- executive committee (a body established by the council on the proposal of the mayor);
- councils and permanent and temporary control commissions (as collegial bodies consisting of elected deputies).

All bodies of the local council form a "three-branch system of checks and balances".

The branch of the mayor is formed according to the principles of the power vertical (he appoints and dismisses the heads of executive bodies, utilities and enterprises; exercises current control over their activities; determines the main directions and powers).

The branches of the council and the executive committee are built as free collegial bodies (the decision is made by the collegial body, which includes persons working in it on a voluntary basis. Decisions are made through open discussion by voting). It is important to understand that the legislator has given the right to make decisions that are binding on the territory of the local council, only the council and the executive committee. The mayor is endowed only with administrative and administrative functions, so his acts (instructions) relate only to procedural issues - to appoint, dismiss, send, authorize, convene, submit for consideration and so on.

At the same time, all three branches of the local council are under mutual control. The council creates an executive committee, but deputies do not have the right to nominate. This right belongs to the mayor. The council can only support or reject certain candidates. The mayor convenes and chairs the meetings of the council and the executive committee, forms their agenda, submits draft decisions for consideration. The mayor has the right to suspend (veto) draft decisions of the council and the executive committee. The council has the right to dissolve the executive committee and prematurely terminate the powers of the mayor. The executive committee is endowed with the functions of both a local government body and the powers of an executive body (for example, education, health). The Executive Committee coordinates and monitors the activities of the "mayor's team", hears the reports of the heads of utilities and enterprises, executive bodies.

It is extremely important to maintain competitiveness (discussion, mutual control, alternative views) in the activities of the local council system. It should be understood that the executive committee is a collegial body, the main purpose of which is to make government decisions "instead of" subordinates of the mayor. At the meeting of the executive committee, the mayor has only one vote.

Due to the lack of understanding of these mechanisms, the executive committee often becomes one of the mayor's departments [18], this usually happens due to the inclusion of council employees (subordinates of the mayor) - heads of executive bodies, school principals, heads of kindergartens, heads of health care facilities. 'I. Sometimes you can meet executive committees, which are fully formed of council employees. It is clear that the work of such an executive committee is predictable, and its decisions turn into a legalization of the mayor's plans. In such a situation, the meetings of the executive committee are unquestionable, pass quickly, and sometimes formally, this situation is extremely dangerous for the system of checks and balances, which must be performed by three branches of local government.

It is not uncommon for the mayor to submit to the will of council deputies. This influence occurs in several ways - hiring deputies or their relatives to work in executive bodies, utilities and businesses, business deputies on budget funds (supply of goods, works or services from the budget or utilities), deputies or their relatives receive land, property. Sometimes the subordination of deputies (destruction of the competitiveness of branches of government) occurs through direct bribery.

If time is needed to activate the community and political education, then the normative introduction of simple mechanisms that will promote the competitive functioning of local authorities requires only the willful decision of local council deputies. In the future, there should be control by activists and the media over the implementation of local laws of government [9].

The key documents in the issues described above are the Charter of the territorial community and the Regulations of the local council.

The charter of the territorial community and the Regulations of the council should provide for:

- a simple and clear procedure for holding public hearings, meetings of citizens, local initiatives, petitions:
- the presence of a mandatory procedure for direct annual reporting of the mayor, his deputies, heads of executive bodies, utilities and institutions, chairmen of standing committees, deputies;
- openness of meetings of the council, standing committees, executive committee;
- promulgation of draft decisions, decisions and voting results and minutes of meetings of the council and its bodies:
- a ban on deputies and their relatives to combine their status with work in the council, public utilities and enterprises;
- a ban on the council to make any decisions regarding deputies and their relatives, to conclude agreements on the sale, lease of community property, on the sale of works, services, goods for budget funds with enterprises established by deputies or their relatives;
- restriction of inclusion in the executive committee of council employees in the amount of not more than 10%;
- mandatory public hearings when the city receives loans or concludes agreements for significant amounts [17].

The village, settlement, city mayor is a key official of the territorial community, respectively the village (voluntary association of residents of several villages into one territorial community), settlement, city. The village, settlement, city mayor is elected by the relevant territorial community on the basis of universal, equal, direct suffrage by secret ballot and exercises his powers on a permanent basis. The village, settlement, city mayor heads the executive committee of the relevant village, settlement, city council, chairs its meetings [37].

The village, settlement, city mayor may not be a deputy of any council, combine his official activity with another position, including on a voluntary basis, engage in other paid (except for teaching, scientific and creative activities, medical practice, instructional and judicial practice with sports) or business activities.

Village, settlement, city mayors are subject to the powers and guarantees of council deputies provided by the law on the status of council deputies, unless otherwise provided by law, the powers of village, settlement, city mayors may be temporarily entrusted to the head of the relevant military-civil administration in accordance with the Law of Ukraine "About military-civil administrations".

The concentration of permanent (real) power is in the hands of the mayor. This official has the appropriate conditions for the exercise of powers (office, money, transport, patronage service), title, the right to initiative (convening meetings of the council, its executive committee and other bodies, submitting draft decisions, chairing meetings, etc.) and administrative instructions (acceptance, dismissal, transfer, transfer of funds, transfer of property, etc.).

The powers of the mayor are mostly defined in Part 4 of Art. 42 of the Law of Ukraine "On Local Self-Government in Ukraine". According to this norm of the law the village, settlement, city mayor: organizes within the limits determined by this Law, work of the corresponding council and its executive committee. Manages the staff of the council and its executive committee; signs the decisions of the council and its executive committee. Ensures the implementation of the decisions of the relevant council, its executive committee; submits to the council for consideration a proposal for candidacy for the position of council secretary; submits to the council proposals on the quantitative and personal composition of the executive committee of the relevant council; submits to the council proposals on the structure of the executive bodies of the council, the staff of the council and its executive committee, their staffs, established in accordance with the standard staffs approved by the Cabinet of Ministers of Ukraine; convenes sessions of the council, makes proposals and forms the agenda of sessions of the council and chairs the plenary sessions of the council; provides preparation for consideration by the council of draft programs of socio-economic and cultural development, target programs on other issues of self-government, local budget and report on its implementation, decisions of the council on other issues within its competence; publishes the programs, budget and reports on their implementation approved by the council; appoints and dismisses heads of departments, divisions and other executive bodies of the council, enterprises, institutions and organizations belonging to the communal property of the respective territorial communities, except for heads of preschool, secondary and out-of-school educational institutions; is the manager of budget funds, uses them only for the purpose determined by the council; represents the territorial community, council and its executive committee in relations with state bodies, other local governments, associations of citizens, enterprises, institutions and organizations regardless of ownership, citizens, as well as in international relations in accordance with the law; concludes agreements on behalf of the territorial community, council and its executive committee in accordance with the law, and on issues referred to the exclusive competence of the council, submits them for approval to the relevant council.

The orders of the chairman are acts of individual action. According to legal practice, legal acts of individual action concern specific persons and their relations. A common feature that distinguishes individual acts of management is their pronounced law enforcement nature.

The main feature of such acts is their specificity, namely: clear formulation of specific legal expressions of will by the subjects of administrative law that issue such acts; solving with their help specific, namely indi-

vidual, cases or issues arising in the field of public administration; clear definition of the addressee - a specific person or persons; the emergence of specific administrative and legal relations due to these acts.

The procedure for preparing draft regulations is not defined by law. In practice, there are different approaches.

The process of preparing the chairman's orders is a closed procedure. The community learns about the orders upon signing and promulgating them. Therefore, the only source of information on these issues is the council staff.

Often the chairmen take over the powers of the executive committee and issue orders to start or end the heating season, to limit the supply of hot water, to overcome emergencies, to accommodate displaced persons, etc., this is illegal, but the issuance of such orders are often political acts head as a strong manager, as a leader, as a wise politician.

The right to submit proposals for nomination to the executive committee belongs to the mayor. The Council may support or reject a particular candidate (s).

For deputies of the local council (except for the secretary of the council) there is a direct ban on membership in the executive committee. In this case, the executive committee must include the mayor, secretary of the council and the mayor.

The number of members of the executive committee is determined by the council itself in the decision on its formation. The number of seats on the executive committee is a debatable issue. As a rule, the number of positions is correlated with the political demands of the main players who influence the decision-making of the council (parliamentary factions and groups, the chairman, financial groups, etc.).

The executive committee is headed by the village, settlement, city mayor, respectively, the district council in the city - the chairman of the relevant council.

The executive committee of the council is accountable and under the control of the council that formed it, and on the exercise of its powers of executive bodies - also under the control of the relevant executive bodies.

The Executive Committee carries out its activities in the form of meetings, which usually take place twice a month, the law obliges to hold meetings of the Executive Committee at least once a month. There are quite frequent cases of convening extraordinary meetings of the executive committee to address urgent issues.

Executive Committee of the Council:

- preliminarily considers draft local programs of socio-economic and cultural development, targeted programs on other issues, the local budget, draft decisions on other issues submitted to the relevant council;
- coordinates the activities of departments, offices and other executive bodies of the council, enterprises, institutions and organizations belonging to the communal property of the respective territorial community, hears reports on the work of their heads;
- has the right to change or cancel the acts of its subordinate departments, offices, other executive bodies of the council, as well as their officials.

The beginning of the rule-making process is the preparation and submission of draft decisions for consideration by the executive committee. The specific executors of the draft decision should be distinguished from the author of the decision (the subject of the project). The performer can be any person with the appropriate skills and ideas. As a rule, these are employees of executive bodies (departments, offices, departments), public institutions (schools, hospitals, kindergartens) and enterprises.

By analogy, established by law for the session of the council, you can identify the following subjects of draft decisions: village, town, mayor; members of the executive committee; standing deputy commissions; deputies; head of the local state administration; chairman of the district, regional council; general meeting of citizens (for example, as a local initiative).

In practice, almost all draft decisions are submitted by the mayor (or on behalf of the mayor), members of the executive committee and deputies are almost inactive in initiating issues [18].

Information about the author of the draft decision and the direct executor is useful for finding out the intentions of the authorities, hidden motives, possible corruption dangers. Gathering such information and communicating with performers often reveals a lot of interesting things.

The Executive Committee adopts acts in the form of decisions of the Executive Committee. Decisions are made by a majority of the general membership of the executive committee (majority of the number of elected members). The draft decision is discussed before the vote. In practice, the process of discussing the draft decision at the meeting of the executive committee is purely formal. Often the report is missing altogether or looks like a reading of the title of a draft decision. There are many cases of voting "by silence", the chairman asks if there are objections and if all members of the executive committee are silent, moves on to the next question. Voting also often takes place in "packages", several (several dozen) questions at a time. Such a negative practice violates the rights of the community to proper and open consideration of issues by the authori-

It is clear that in such a persecution and package voting it is very difficult to establish the personal responsibility of the authors of decisions or the position of members of the executive committee, but the members of the executive committee are out of the process, forced to vote "by faith".

After the decision is made, it is signed by the mayor and made public. It is from this time that the decision of the executive committee comes into force if the executive committee does not set a later date for its entry into force. The mayor has the right to suspend (veto) decisions of the executive committee. According to the law, the mayor in case of disagreement with the decision of executive committee can stop it and bring this question for consideration of local council. To do this, a corresponding reasoned order of the mayor must be issued [12].

Draft decisions of the executive committee and decisions of the executive committee are usually published on the website of the local council. Particularly important decisions can be published in the print media.

Conclusions

Thus, the beginning and basis of public administration reform was decentralization, redistribution of powers between branches of government, change in relations between citizens and government, today issues of decentralization come to the fore in a crisis period of Ukrainian statehood, as this process is one of the basic conditions of independent and effective operation of local authorities, so local governments within the powers defined by law, make decisions that are binding on the territory. All this suggests that local governments have features that bring them closer to the executive branch, with which they work closely in addressing issues of local importance.

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REASONS FOR THE STAGNATION OF THE RUSSIAN ECONOMY ADJUSTED TO THE GLOBAL COVID 19 ECONOMIC CRISIS

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ПРИЧИНЫ СТАГНАЦИИ ЭКОНОМИКИ РОССИИ С УЧЕТОМ КРИЗИСА COVID 19

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Abstract

This publication describes some of the known economic problems in Russia and partial successes in their resolution. The article also assesses the impact of the crisis, the COVID-19 pandemic and a number of other events on these problems and the corresponding measures of the state.

Аннотация

В этой публикации описываются некоторые известные экономические проблемы России и частичные успехи в их разрешении. Также оценивается влияние кризиса, пандемии COVID-19 и ряда других событий на эти проблемы и соответствующие меры государства.

Keywords: crisis, COVID-19 pandemic, economic reforms, economic problems, statistics, Europe, econometrics, economics, globalization.

Ключевые слова: кризис, пандемия COVID-19, экономические реформы, экономические проблемы, статистика, Европа, эконометрика, экономика, глобализация.

Актуальность

Возможно, что с начала 2020 года мировая экономика столкнулась с самым затяжным глобальным кризисом за всю историю развития рыночной экономики. Устойчиво растущее количество долговых обязательств западных рынков, повсеместное закрытие границ и фабрик, падение акций компаний и рекордное падение цен на нефть сопровождали пандемию. Таким образом, можно с полной уверенностью сказать, что распространение коронавируса в этом году станет «самым черным» лебедем в экономике, усугубив старые и создав новые

проблемы. Фактически, последствия ощущаются во всех секторах экономики, включая финансовые рынки, индустрию туризма, авиаперевозок, промышленное производство, продажи и инвестиции, индустрию гостеприимства и т. д. Согласно заявлениям Всемирного банка, падение экономического роста в этом году может составить порядка 5%, но скорей всего, данный прогноз будет еще пересматриваться в сторону понижения (Табл.1)(Robb, G.2020).

	2017	2018	2019e	2020f	20211
Мир	3.3	3.0	2.4	-5.2	4.2
Страны с развитой экономикой	2.5	2.1	1.6	-7.0	3.9
Страны с формирующимся рынком и развивающиеся страны	4.5	4.3	3.5	-2.5	4.6
Восточная Азия и Тихоокеанский бассейн	6.5	6.3	5.9	0.5	6.6
Европа и Центральная Азия	4.1	3.3	2.2	-4.7	3.6
Латинская Америка и Карибский бассейн	1.9	1.7	8.0	-7.2	2.8
Ближний Восток и Северная Африка	1.1	0.9	-0.2	-4.2	2.3
Южная Азия	6.5	6.5	4.7	-2.7	2.8
Африка к югу от Сахары	2.6	2.6	2.2	-2.8	3.1

Табл.1, прогноз роста ВВП на 2020 и 2021 годы

Что касается России, то еще зимой ЦБ предполагал рост экономики на 1,5-2% в 2020 г., но теперь ЦБ ожидает падения экономики на 4-6%. В 2021 г., по базовому прогнозу ЦБ, должен произойти отскок, и экономика должна начать восстанавливаться: ожидается, что ВВП вырастет от 2,8 до 4,8%, а затем вернется к более умеренному росту в 1,5-3,5%. Хотя внешние события и оказывают значительное влияние на экономику, новый кризис обострил давние нерешенные внутренние проблемы России. Это своего рода барьеры, мешающие успешному продвижению и восстановлению экономики России. Впрочем, именно благодаря новому кризису возник прогресс в разрешении некоторых из этих проблем. Рассмотрим некоторые из них.

Барьеры экономического роста России

Россия изменилась до неузнаваемости за последние 30 лет, но во многих отношениях экономические проблемы, с которыми сталкивается страна, по-прежнему напоминают проблемы советской эпохи. Обильные природные ресурсы поддерживают уровень жизни населения, однако экономике, в которой доминируют крупные и неэффективные

государственные предприятия, не хватает конкурентоспособности и инноваций. У России мало технологически продвинутых экспортных товаров, а уровень жизни значительно ниже, чем в более развитых западных странах. Чрезмерные расходы на оборону отвлекают ресурсы от более экономически продуктивных инвестиций, и, хотя Россия гораздо более интегрирована в мировую экономику, чем когда-либо был Советский Союз, кризисы, происходящие все чаще, побуждают страну еще раз взглянуть внутрь себя.

Другие проблемы отражают более недавние исторические события. Хаотические 1990-е годы привели к повсеместной бедности и неравенству, которые с тех пор уменьшились, но в некоторой степени все еще сохраняются. Катастрофы постсоветского периода также привели к резкому падению рождаемости, последствия которого теперь начинают ощущаться в виде демографического кризиса.

1.Превалирование крупных государственных компаний в экономике

По данным Аналитического центра при правительстве РФ, уровень производительности труда в

государственных компаниях ниже, чем в частном секторе: более чем на 20% ниже, чем в среднем по стране, не в последнюю очередь потому, что важные решения часто служат политическим, а не ком-

мерческим целям (например, скидка на газ, предлагаемая Газпромом Армении после ее вступления в Евразийский экономический союз). По некоторым из оценок, в 2012 году на государственный сектор приходилось до 70% экономики.

Название компании	Выручка 2019 (млрд)	Сектор	Вид собственности
Газпром	8224	Нефть и газ	Государственная
Лукойл	7479	Нефть и газ	Частная
Роснефть	6850	Нефть и газ	Государственная
Сбербанк	3160	Финансы	Государственная
РЖД	2413	Транспорт	Государственная

Табл.2, почти все крупные компании под контролем государства; ист.: RBC.ru

Частично в ответ на расширяющиеся западные санкции Россия запустила программу импортозамещения [1]. В результате, общее количество юридических лиц в государственной собственности с 2016 по 2019 сократилось на 9%, в том числе компаний с госучастием — на 30% (расчеты РБК на основе данных Росстата), таким образом, доля госсектора в экономике уменьшилась до 33%(МВФ,2019). Впрочем, в условиях пандемии крупные компании и холдинги имеют свое преимущество в виде большего запаса прочности по сравнению с малым бизнесом. В условиях кризиса этим предприятиям стали доступны кредитные ставки от 0,1% и отсрочка налоговых платежей, хотя большая ставка по выходу из кризиса делается на реализацию инвестиционных планов крупных компаний.

2. Управление и финансы

Компания PricewaterhouseCoopers составила статистику, в которой показала, какие налоги в 189 странах и где они ниже и выше всего. Россия в рейтинге занимает 47 место с общей ставкой в 46%. Довольно высокие налоги не новая проблема, но огромные убытки из-за закрытия магазинов и уменьшенного спроса вследствие пандемии (только недельный простой из-за «карантинных каникул» обошелся российским предприятиям примерно в 917,1 миллиарда рублей) серьезно ударили по бизнесу. Впрочем, это подтолкнуло власть к некоторым изменениям в области налогообложения: были приняты законы об освобождении компаний от уплаты налогов, рассрочки, скидки и кредитные каникулы.

Насколько сильно это помогло малому и среднему бизнесу на сегодня трудно оценить, но на фоне гигантских объемов помощи, которые принимают западные страны, это выглядит довольно скромно. Ровно в день обращения президента РФ в США согласовали правительственный комплекс мер по поддержке экономики на \$2 трлн, в Германии уже объявлен пакет мер на \$500 миллиардов, в Великобритании малому и среднему бизнесу, вынужденно сократившему свою деятельность в период карантина, обещают компенсацию и процентов, и тела по кредитам в первые 12 месяцев.

3. Природные ресурсы России

Изобилие природных ресурсов – это и проклятие, и благословение для экономики. В период с 2000 по 2008 год Россия процветала благодаря росту цен на сырье. К сожалению, зависимость

страны от экспорта углеводородов означает, что неустойчивость мировых нефтяных рынков угрожает экономическому росту России - по оценкам, падение цены на 10 долларов США за баррель сырой нефти снижает ВВП России на 0,8 % [2].

Поэтому были предприняты некоторые усилия по уменьшению воздействия на государственные финансы волатильности цен на нефть: применяется новое налоговое правило, согласно которому дополнительные поступления от налогов на добычу нефти и газа, возникающие в результате цен на нефть, превышающих 40 долларов США за баррель, будут откладывать. Это даст правительству больше резервов, когда цена на нефть упадет ниже порогового уровня в 40 долларов. МВФ приветствовал это правило [3], и, если оно сохранится, это станет первым шагом на пути к уменьшению влияния экспорта углеводородов на экономику.

Кроме того, кризис 2014—2015 гг. частично опроверг главный тезис о нефтяной игле: на фоне снижения цен на нефть доля углеводородов в экспорте РФ сильно снизилась в долларовом объёме, однако масштаб экономических трудностей оказался сравнительно небольшим относительно 2009 года — 3,7 % падения ВВП по сравнению с 7,8 % падения во время кризиса 2009 г., и это с учётом санкций и других сложностей.

Заключение

Можно заметить положительную тенденцию в разрешении некоторых важных экономических проблем. Опасность рецессии действительно заставила правительство если не полностью, то хотя бы частично разрешить важнейшие экономические проблемы России. Так, объем неэнергетического экспорта увеличился благодаря повышению ценовой конкурентоспособности на товары российского производства [4]; малому бизнесу стали доступны столь необходимые ему для преодоления кризиса и падения спроса кредитные каникулы и частичное освобождение от уплаты налогов; крупный бизнес, несмотря на рост выручки, занимает всю меньшую долю российской экономики. Хотя последовательность и методичность этих мер некоторые эксперты ставят под сомнение, это действительно привело к успеху: по последним оценкам [5], падение ВВП РФ в 2020 году составит только 4% в отличие от мировой, падение которой составит в текущем году около 5-7%. Среди причин подобного успеха также называются меньший масштаб заболеваемости, оперативность карантинных мер и значительно

меньший удельный вес сферы услуг в России относительно Европы. Впрочем, если реформирование экономики «завязнет», то долгосрочные последствия потенциально предельно серьезны. Для продвижения в решении вышеописанных проблем необходимы долгосрочные инвестиции в реальный сектор экономики. Это включает в себя понижение общей налоговой ставки и поддержку малого бизнеса, развитие конкуренции (уменьшение кол-ва торговых барьеров, снятие санкций, дальнейший отказ от госмонополий) и стимулирование внутреннего спроса (прямые и косвенные мероприятия по увеличению покупательной способности домохозяйств: регулирование ставок оплаты труда, обеспечение социальной защиты, мероприятия по кредитованию спроса). Последнее особенно важно: согласно многочисленным опросам, россияне все больше склонны сберегать деньги, покупая лишь самые необходимые товары. Понижение кредитных ставок с большой вероятностью может начать процесс оздоровления российской экономики.

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PRACTICE OF USING DIGITAL TECHNOLOGIES IN WAREHOUSE LOGISTICS

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ПРАКТИКА ИСПОЛЬЗОВАНИЯ ЦИФРОВЫХ ТЕХНОЛОГИЙ В СКЛАДСКОЙ ЛОГИСТИКЕ

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Abstract

The article discusses the introduction of digitalization and innovations in the field of warehouse logistics on the example of a brewery in Russia. Optimization of warehouse logistics management by implementing the Solvo. WMS system.

Аннотация

В статье рассматривается внедрение цифровизации и инновации в области складской логистики на примере пивоваренного завода в России. Оптимизация управления логистикой склада с помощью внедрения системы Solvo. WMS.

Keywords: digitalization, logistics, software, warehouse.

Ключевые слова: цифровизация, логистика, программное обеспечение, склад.

Цифровизация уже трансформирует сегменты транспорта и складской логистики, по прогнозам в ближайшие годы она будет самой существенной тенденцией, которая коренным образом изменит весь бизнес. Цифровые решения влияют на бизнеспроцессы, а их применение обусловлено изменениями поведения потребителей, доступностью технологий и экономическим эффектом. Современные потребители уже полностью адаптировались к цифровой среде, для них вполне естественно быть в онлайне и они все чаще готовы делиться своими данными. Таким образом, цифровые технологии продолжают расширять свое влияние на все сферы бизнеса, включая транспортно-складскую логистику. Базовая инфраструктура цифрового мира

обеспечивает широкополосным доступом в интернет миллиарды пользователей. При этом экономические выгоды от цифровизации вполне реальны. В связи с этим компании вкладывают значительные средства в развитие новых цифровых технологий и их использование в своих сферах бизнеса.

Российские власти продолжат создавать благоприятные условия для ведения IT-бизнеса в стране, несмотря на непростую ситуацию в мире.

Премьер-министр РФ Михаил Мишустин заявил, что в рамках нацпрограммы «Цифровая экономика» должны сформироваться понятное регулирование и доступная информационная инфраструктура для цифровой среды. Также было отмечено, что разработки в области сквозных цифровых тех-

нологий позволяют по-новому организовать производственные процессы, финансовые услуги и логистику [1].

Компания ООО «СОЛВО» является одним из лидирующих российских разработчиков программного обеспечения SCE (Supply chain execution или исполнение цепей поставок в режиме реального времени): системы класса WMS (Warehouse Management System) и TOS (Terminal Operating System) для автоматизации процессов на складах, контейнерных, балкерных и прочих портовых терминалах, грузовых дворах железнодорожных станциях и др [2].

Организация «СОЛВО» располагает обширной партнёрской сетью по всему миру, имеет официальных дистрибуторов в Голландии с офисом в Гааге (Solvo Europe B.V.), Италии (Solvo Italia), Dubai (ОАЭ) и Sao Paulo (Бразилия).

Компания «СОЛВО» предлагает следующие программные продукты для автоматизации складской логистики:

Solvo WMS (Относится к классу конфигурируемых систем управления для складов любого типа и назначения);

Solvo. Yard Управление складским двором (Yard Management позволяет автоматизировать процессы управления обработкой транспортных средств на территории складского двора, в т.ч: регистрировать автовизиты, планировать занятость двора, распределять машины по докам и площадкам и т.д.);

Solvo.WEB для клиентов склада (Модуль, подключаемый к системе Solvo.WMS, который предоставляет поклажедателям WEB доступ к информации о своих товарах, хранимых на складе, а также возможность подавать заявки на приемку и отгрузку в режиме real time);

- Solvo.WCS Интеграция с оборудованием (Модуль подключается к Solvo.WMS и предназначен для передачи команд складскому оборудованию и получения обратной связи. Реализует сценарии действий, оптимизирующих работу данного складского оборудования. Работает со складами-автоматами, конвейерами);
- Solvo.Billing (Позволяет автоматизировать расчёт стоимости услуг ответственного хранения для коммерческих, логистических операторов, ведения договоров и подготовки ведомостей для оформления счетов за оказанные услуги. Может интегрироваться с любой ERP или WMS);
- Solvo.KPI (Модуль KPI предназначен для представления статистических и динамических данных о работе портов, терминалов и складов в графическом виде).

AB InBev Efes — пивоваренная компания, созданная в результате объединения российских активов AB InBev и Efes, выбрала WMS систему от «СОЛВО» среди всех решений представленных на рынке для автоматизации складских процессов.

Большой опыт «СОЛВО» в работе со складами пивоваренных компаний позволил AB InBev Efes принять решение в пользу Solvo.WMS.

Система Solvo.WMS в конфигурации для складов при производстве была внедрена на объектах в Омске, Клину, Волжском, Саранске, Иваново. Там же в связке с Solvo.WMS и ERP от SAP продуктивно работает система Solvo.Yard для управления взаимодействием склада с пребывающим внешним автотранспортом. На 5 складах в разных регионах России — Московской области, Перми, Тюмени, Санкт-Петербурге — была установлена Solvo.WMS Light на базе проводных терминалов сбора данных для упрощенного учёта SSCC кодов при отгрузке заказов.

Основные задачи, которые ставил Заказчик перед будущей WMS системой:

- Упрощение процесса инвентаризации;
- Ускорение и повышение эффективности работы персонала;
- Осуществление отгрузки по принципу FEFO;
- Четкое отслеживание движения грузов по складу;
- Своевременное перемещение продукции в зону отбора;
- Ускорение и контроль погрузки в автотранспорт;
- Снижение вероятности пересортицы при сборке заказов;
- Сокращение ручных рутинных операций по управлению складом;
- Необходима была система, способная работать с принтерами-аппликаторами.

После внедрения и настройки системы, обучения персонала, а также разметки склада и маркировки всей продукции склад был готов к работе на новом уровне. Были автоматизированы все зоны (приемки, штабельного, стеллажного хранения, коробочного отбора, зона сборки и отгрузки) и все основные операции, осуществляемые на складе: оприходование продукции, её перемещение, размещение согласно АВС анализа, отгрузка, пересчет.

Кроме того, в рамках проекта была реализована интеграция Solvo.WMS с действующей на складе ERP системой M3.

Благодаря внедрению Solvo.WMS на складе теперь применяются следующие технологии:

1) Автоматизированная приемка с производства: информация о готовящихся к выходу товарах с линий розлива поступает в ERP-систему M3 и оттуда в Solvo.WMS. Тем временем готовые кеги и бутылки поступают с линии розлива на паллетайзер, где упаковываются и размещаются на паллете. Далее упакованные паллеты двигаются на склад по конвейерной линии. По пути следования специальные световые датчики автоматически фиксируют прохождение паллет и передают информацию в систему Solvo.WMS, где формируется новый груз. Solvo.WMS передаёт данные о грузе на аппликатор, который создаёт соответствующую грузовую этикетку со штрих-кодом и наносит её на проходящую паллету. В зоне приёмки на складе водитель погрузчика с помощью сканера штрихкода, фиксирует приход паллеты на склад, и Solvo.WMS автоматически создаёт задания на размещение новых паллет

на складе в соответствии с правилами и стратегиями размещения.

- 2) Автопланирование размещения товара в зоне хранения: Solvo.WMS ищет оптимальное место на складе, исходя из состава партии, заполненности штабеля, группы товара, класса ABC. Планирование заказов на отгрузку осуществляется на основе анализа партий. Заказы определенных типов планируются автоматически сразу после загрузки из ERP.
- 3) Автопланирование работ на погрузку: Solvo.WMS ищет оптимальное место для размещения груза, исходя из соответствия партии, класса ABC, количества принимаемых грузов. Менеджер (кладовщик) запускает заказ в работу, указывает имя дока. Заказ планируется в соответствии с партиями M3 (ERP). Водитель автопогрузчика регистрируется на доке, видит заявку в терминале. Solvo.WMS показывает, из какой ячейки и какое количество продукции нужно отвезти в док. Далее водитель сам выбирает, в каком порядке ему ставить грузы в машину.
- 4) Автоматизированное пополнение зоны коробочного отбора: Сборка заказов в зоне коробочного отбора происходит с учетом хрупкости и остаточных сроков годности продукции, FEFO и др. После окончания сборки автоматически печатается упаковочный лист. По мере отгрузки из зоны коробочного отбора водителю погрузчика поступают работы на пополнение зоны (комиссионирование) с учетом требуемых партий
- 5) Автоматизированный процесс инвентаризации: Solvo.WMS формирует как бумажные инвентаризационные ведомости, так и задания на пересчет на ТСД операторов.

Внедренная система позволяет создавать грузы в системе в автоматическом режиме без участия человека, что обеспечивает:

- Исключение возможности перепутать сорт (например, пива);
- Полную прослеживаемость каждого груза на каждом этапе: от момента приёмки на склад и до

попадания на полки магазина, в том числе покоробочно:

- Простоту сверки с розливом;
- Оптимизацию выдачи работ водителю погрузчика.

Благодаря Solvo.WMS удалось оптимизировать процесс кросс-докинга, когда система по заранее настроенным правилам сама определяет, размещать ли выходящую с линий продукцию в ряды или везти на отгрузку. При этом Solvo.WMS учитывает приоритеты на тот или иной способ кросс-докинга: на транспортёр (транзит на второй склад), с использованием автомашины, на железнодорожные вагоны и так далее.

Кроме того, благодаря Solvo.WMS стало возможным планирование заказов в автоматизированном режиме с учетом ограничений по остаточному сроку годности (ОСГ), FEFO и других требований клиентов.

Склады компании AB InBev стали одними из первых в практике «СОЛВО», работающими по технологии IAAS (Infrastructure as a service), которая предполагает использование виртуальных серверов во внешнем ЦОДе. Так, например, складские комплексы в Омске и Клину используют виртуальный сервер на базе VMware vSphere 5 в датацентре компании Capgemini (Амстердам, Нидерланды), связь осуществляется через MPLS-туннель. При этом на складах с использованием клиентских приложений работает более 30 менеджеров и 50 операторов с мобильными терминалами сбора данных.

Автоматизация складского хозяйства необходима для любой компании. С ее помощью получается значительно ускорить обработку заказов и минимизировать издержки, сократится количество ошибок по вине персонала, а приемка будет занимать меньше времени.

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THEORETICAL AND METHODOLOGICAL ASPECTS OF LABOR MARKET DEVELOPMENT UNDER THE INFLUENCE OF DESTABILIZING FACTORS

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Abstract

The article is devoted to the study of the theoretical foundations of the formation and development of the labor market, the analysis of the basic methodological principles of labor market regulation in the context of labor support of the economy. The genesis of economic theories of the labor market is developed, the structural scheme of functioning of the labor market is offered, the global factors of influence on the development of the labor market

are systematized. It is concluded that the labor market needs mechanisms to increase the competitiveness of the labor force and create incentives to encourage the population to work productively.

Keywords: labor, labor market, human resources, factors, economy.

Socio-economic development of the state is determined by the state of the labor market as an important element of a market economy, which through ensuring the use and reproduction of labor affects the dynamics of economic development. In today's world, the labor market is significantly influenced by the growing dynamics of technical, technological and organizational innovations that are constantly changing the structure of national industries, vectors of labor markets, quantitative and qualitative needs of industries in the labor force.

The situation in the modern labor market of Ukraine is due to the influence of many factors, including the violation of functional links between the needs of the economy in labor and the system of vocational training. The result is an unstable state of labor supply of the economy with a pronounced imbalance of supply and demand of labor in quantitative and qualitative characteristics. This is labor volatility.

In the labor market, labor volatility is a serious problem, demonstrating an imbalance between labor supply and demand for jobs, while emphasizing the availability of unused labor in its shortage, which leads to lower industrial production, creating constraints on national economic growth.

Under these conditions, the study of conceptual views on the patterns of formation and development of the labor market from the standpoint of the latest trends in labor supply. This involves a meaningful analysis of the relevant theoretical and methodological foundation in order to determine areas for counteracting labor volatility.

Theoretical and applied aspects of the functioning of the labor market have developed under the influence of fundamental research of such representatives of economics as: J. Galbraith, J. Keynes, K. Marx, W. Petty, D. Ricardo, J.B. Say, A. Smith, R. Harrod and others. Modern economists - S. Bandur, D. Goddess, V. Vasilchenko, O. Volkova, V. Druzhinina, A. Kolot, E. Libanova, S. Kalinin, L. Lisogor, Y. Marshavin, V. Savchenko and others ., - studied the problems of ensuring equilibrium in the labor market, regulating its supply and demand, efficient use of labor, achieving full employment.

Given that there is a lot of scientific work on this topic, emphasis should be placed on addressing practical issues related to leveling the impact of labor volatility on the labor market, which requires the study and rethinking of economic theories relating to the functioning and development of the labor market.

In a market economy, the labor market is an indicator, the state of which allows us to assess the effectiveness of socio-economic transformations. Modern views on the labor market were formed by a long process of evolution of economic thought on the formation and development of this market.

The first scientific research in this area was devoted to the role of labor in the economic system of the

state. They highlighted the problems of labor use in the spontaneous, unregulated market economy of England.

Economic theory of the XVIII-XIX centuries. was based on the doctrine that the source of the country's wealth is land and other natural resources. In economics, a discussion has begun about the need and possibility of state intervention in the economy. A. Smith was confident in the perfection of market regulators. He denied the expediency of state regulation, believing that a market economy free from state regulation is able to ensure the full use of productive resources, including labor [14, p. 60].

Unlike A. Smith, D. Ricardo stated the existence of multidimensional types of work that create its value. D. Ricardo argued that the cost of labor also includes the cost of past labor, which is spent on tools, instruments and buildings.

According to D. Ricardo, value cannot consist of income, because it is the product of labor. He first introduced the concept of "natural wage rate", which corresponds to the physiological minimum necessary for the normal reproduction of labor [14, p. 66].

The scientific views of the classical school were formed at a time when there was free competition and the market system did not experience economic crises. This situation has contributed to the formation of scientific thought, according to which the market system is able to ensure full use of labor resources. The classics interpreted labor as one of the factors of production, in fact considering it as a commodity. Their theory assumed that full employment ensured a balance of supply and demand in the labor market.

The transition from manual, handicraft and largescale machine production (industrial revolution - the second half of the XVIII century.) Contributed to the expansion of the range of research on labor and human labor.

Representative of French economic thought Zh.B. This, developing the theory of A. Smith, in his own works "Treatise on Political Economy" (1830) and "Course of Political Economy" (1829-1830) studied the role of the market in terms of opportunities to meet human needs. J.B. This substantiated the idea that a person produces and sells goods in order to purchase other goods, ie production creates its own demand [16, p. 70].

At the end of the XIX century. labor market theory was formed in the form of various concepts and schools. The evolution of classical political economy has contributed to the formation of fundamentally new views on the emergence, formation and development of the labor market. In accordance with the basic economic requirements of the time, there were gradual changes in the interpretation of terms.

K. Marx first introduced into scientific circulation the category of "labor force" - a set of physical and spiritual abilities possessed by the organism [3, p. 23]. Thus, a person becomes a carrier of labor, using their own labor in the process of labor.

The most influential trend that opposed Marxism in economic theory in the nineteenth century was marginalism. The theoretical opinion of the representatives of marginalism confirmed that the value of any product is determined by its marginal benefit to man, rather than labor costs for its production [14, p. 15].

In the last third of the XIX century. Classical and Marxist economic theories were replaced by neoclassical theory, the main idea of which was the thesis of free competition and non-interference of the state in the regulation of the economy. The neoclassicists attached great importance to investment in the development of human capital, considering it a driver of economic growth. According to this area of economics, the processes of economic and mathematical analysis, statistical study of trends and indicators of labor market development, the impact of quantitative and qualitative indicators of the labor market on the dynamics of capital markets, labor, innovation.

J. Keynes proved that insufficient effective demand is the basis of negative economic phenomena - economic crises, low growth rates of production, unemployment and more. He recognized unemployment as the most acute socio-economic problem and pointed to certain levers of regulation of processes occurring in the labor market. J. Keynes paid primary attention to the components of effective demand - consumption and savings (investment), as well as the factors that determine the movement of these components [7, p. 168]. The conclusions and proposals of the Keynesian school substantiated the idea of the need for state regulation of the market economy.

The change of emphasis in economic research led to the emergence of a new school, which was later called the Neo-Keynesian. English scholars R. Harrod and O. Domar played an important role in the formation of neo-Keynesianism.

In particular, to ensure equilibrium in the labor market, R. Harrod's theory involved the study of aggregate indicators that proved the need for full use of available resources and systematic government regulation of the economy. In turn, O. Domar expressed the opinion that the dynamic balance of aggregate demand and aggregate supply is determined by the dynamics of investments, which form new capacity and new income [6, p. 166-170].

In the theory of M. Friedman, the founder and leading theorist of monetarism, the supply of labor and the supply of labor, as well as the demand for labor and the demand for labor were divided. According to the scientist, the supply of labor means the supply of jobs, in turn, the supply of labor - the unemployed economically active population. M. Friedman emphasized the need to achieve a balance between the labor market and the labor market [8, p. 10].

At the beginning of the XIX-XX centuries one of the directions of modern economic thought became institutionalism. Scholars in this field, in particular T. Veblen, J. Dunlop, J. Galbraith, W. Claire Mitchell, L. Ullman, considered the driving force of human society institutions, paid attention to the analysis of professional and sectoral differences in the structure of the workforce and, accordingly, in wage levels [1, p. 26]. According to W. Claire Mitchell, institutions are the embodiment of certain boundaries that directly create society, structuring political, economic and social interactions.

In the second half of the 1970s, as a reaction to the crisis of 1973-1975, the theory of "supply economy" emerged. Proponents of this theory were A. Laffer, R. Mandel, M. Feldstein, M. Boskin. They believed that excessive taxation reduced incentives to work and restricted freedom of enterprise.

A retrospective study of the category "labor market" allowed to develop the genesis of economic theories of the labor market (Fig. 1).

Economic theories of labor market formation

Classic XVII-XIX c.

W. Petty, A. Smith, D. Ricardo, J.B. Sei, F. Bastia, J.S. Mill

- "labor" is defined as the object of purchase and sale
- · market system self-regulating, able to ensure full use of labor resources
- the presence of the dependence of labor market development on the population
- human behavior is determined by personal interests, and full employment by the balance of supply and demand

Marxism XIX - XX c.

K. Marx, F. Engels

- · the category "labor force" was introduced for the first time
- the labor market is subject to general market laws
- technical progress contributes to the growth of the mass and cost of means of production per employee, which leads to a deviation of labor demand from the rate of capital accumulation

Institutionalism XIX - XX c.

- T. Veblen, J. Dunlop, J. Gelbraith, W. Claire Mitchell, L. Ullman
- • attention is paid to the study of legal and social causes of labor market imbalances
- · · analysis of occupational and sectoral differences in the structure of the workforce and the corresponding jobs and wage levels
- · reforming institutions solving employment problems

Marginalism XIX - XX c.

K. Menger, F. Wieser and E. Bem-Bawerk, W.S Jevons, D.R. Clark

- the value of any product is determined by its marginal benefit to man
- labor costs are not crucial in determining the value of goods

Neoclassicism XX c.

W. Jevans, W. Walras, W. Pareto, D. Gilder, W. Hall, A. Laffer, K. Menger, F. Wieser, A. Marshall

- provide full employment;
- the value of "labor" is determined by the value of its usefulness
- importance of meeting needs and the degree of their saturation
- ment, which is not opposed by the state
- of analysis in the study of economic processes

spontaneous market economy - able to

- the dependence of labor costs on the
- the presence of voluntary unemploy-
- introduction of mathematical methods

Monetarism XX c.

M. Friedman, E. Phelps, K. Brunner, A. Melzer, R. Kagan, R. Selden, and others.

- the hypothesis of several independent markets: the labor market and the labor market
- emphasizing the need to achieve a balance between the labor market and the
- the functioning of the labor market sets the natural rate of unemployment
- monetary policy is a tool to combat unemployment

Keynesianism XX c.

J. Keynes

- · imperfection of labor market self-regulation is proved
- the basis of crisis phenomena insufficiently effective demand
- unemployment an acute socio-economic problem that requires government intervention
- identified components of effective demand - consumption and savings (investments)

Neo-Kevnesianism XX c.

R. Harrod and O. Domar. The theory of R. Harrod, J. Stiglitz

- ensuring the balance in the labor market contributes to the full use of available resources
- dynamic balance of aggregate demand and aggregate supply, determined by the dynamics of investment
- current asymmetric information in the labor market contributes to unemploy-

Theory of "supply economy" XX c.

A. Laffer, R. Mandel, M. Feldstein, M. Boskin

- · an obstacle to expanding the supply of the labor market is an excessive level of taxation, which reduces incentives to work, restrictions on the freedom of enterprise
- high amount of social benefits due to unemployment, encourages low motivation to work

Neo-institutionalism XXc.

R. Coase

- activities of individuals and organizations in the labor market from the standpoint of legal, social and political "rules of the game"
- denial of the universal ability of the labor market to overcome internal and external contradictions
- · property rights affect individuals in the labor market
- · the need for state regulation of the labor market

It should be noted that the peculiarity of domestic economic thought (A. Antonovych, A. Kaminka, I. Vernadsky, D. Pikhno, M. Tugan-Baranovsky, G. Tsekhanovetsky, M. Tsytovych, etc.), which was formed on the postulates of Western economic theories, is its social orientation.

In a general sense, the labor market as a component of a market economy is a system of public relations to reconcile the interests of employers and hired labor; the set of economic links between supply and demand of labor; the place of intersection of different economic and social interests and functions; place of relations of an individual enterprise and its employees, potential or actual, but interested in moving to a new place of work within the organization [15, p. 30].

The main components of the labor market include an individual offer, which has certain features that are closely related to the needs of the employee and the needs of his family. In turn, labor is a special commodity, which is a set of spiritual, physical, intellectual abilities of man, expressed as the labor potential of the individual.

Traditionally, in labor market theory, the demand for labor is determined by the amount of labor that can be purchased at a certain price and at a certain time. Demand in the labor market is formed by the number of vacancies in enterprises of all forms of ownership. It depends on the level of labor productivity and technical equipment of production.

Vacancies are closed by hiring specialists with the appropriate level of education and qualifications. In this way, a relationship is formed between the employee and the employer, which contributes to the unification of labor and means of production, thereby satisfying the needs of the former in labor and wages, and the latter in production and profit. At the same time, the state ensures the balance of interests of the labor market, acts as an intermediary between the employer and the employee, creating conditions for the full realization of the right to work by citizens, thus ensuring the necessary social balance.

Thus, the system of relations of subjects in the labor market is built on several components: first, the relationship between employees and employers; secondly - between the subjects and their representatives; third, between the subjects and the state.

At the same time, the labor market is constantly under the influence of a significant number of external and internal environmental factors. Systematization of factors influencing the development of the labor market allows to combine them into three groups: global, institutional and local. Using the results of systematization of factors of direct and indirect influence on the development of the labor market, a structural scheme of the labor market is developed (Fig. 2).

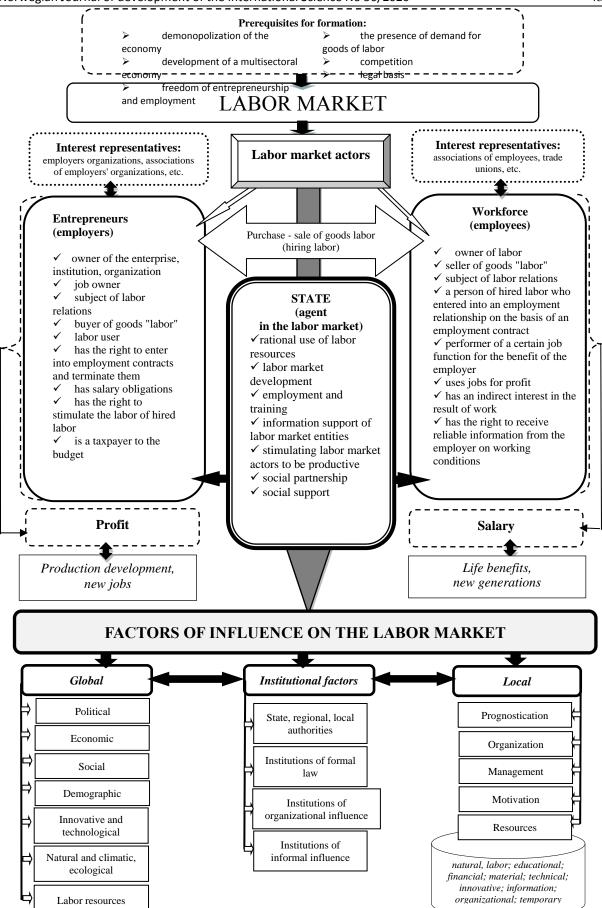


Fig. 2. Block diagram of the labor market

Constructed and supplemented by the author on the basis of generalization of sources

[4; 3; 5; 9; 10;11]

Thus, institutional (authorities of different levels, legal institutions, etc.) and local (management, resources, organization, etc.) factors are aimed at ensuring the formation of labor supply of appropriate number and quality.

Under conditions of globalization, the instability of the labor market and the mechanisms of its formation - the general supply of labor and the creation of general demand (Fig. 3).

It should be noted that among the factors of direct and indirect influence on the development of the labor market, the leading role belongs to the labor factor. It provides:

- management of the process of formation of labor resources in quantitative terms;
- providing professional training of labor resources:
- management of distribution and redistribution of labor resources;
- ensuring full and efficient use of available labor resources.

Thus, the labor market under external influence is constantly deformed, acquiring signs of volatility. It is, first of all, expressed by the imbalance between professional and qualification requirements for the labor force and its real condition.

The presence of labor volatility becomes a direct factor restraining the ability to economic development. This is because the increase in the number and quality of labor resources is one of the factors of economic growth, which determines the scale of real volume and efficiency of production.

This allows us to conclude that in order to form the economic potential of the state, the leading importance should belong to the spatial and labor aspect of labor market regulation. A sustainable system of labor support provides for the advance formation of appropriate quantitative and qualitative characteristics of labor resources that meet the needs of the economy of a particular area in a certain period of time. The formation of this system should be considered as a set of methods and tools of institutional and organizational influence, through which the state performs interrelated functions for the formation of a targeted system of labor support in order to continuously improve the efficiency of the economy.

Thus, labor volatility affects the transformation of labor market regulation mechanisms in the direction of dominance of the spatial-labor aspect of the regulatory influence of the state on the state of the labor market. This determines the decisive role of the advanced formation of the balance of the labor market in terms of vocational and educational component.

THE INFLUENCE OF OTHER MARKETS ON THE MACROECONOMIC DEVELOPMENT OF THE LABOR MARKET

- world labor market consumer market
- information market
- financial market
- market of household and social services
- market of means of production
- market of educational and scientific services healthcare market
- market of cultural and spiritual services real estate market
- market of innovations



GLOBAL FACTORS OF IMPACT ON THE LABOR MARKET

POLITICAL

- political security and stability
- foreign policy strategy
- $\bullet\ reputation\ of\ political\ leaders$
- corruption component
- consistency between all branches of government
- external or internal military conflicts
- international politics, etc.

ECONOMIC

- increase the volume and improve the quality of fixed assets
- demand for products
- export-import relations
- fluctuations of the national currency
- tax policy, sectoral structure of the economy
- inflation, the shadow economy
- growth of entrepreneurial activity, etc.

DEMOGRAPHIC

- demographic crisis
- demographic explosion
- population reproduction
- mortality
- life expectancy
- gender and age structure
- health status
- · migration movement, etc.

SOCIAL

- social institutions
- social structure of society
- labor potential
- intensity and structure of labor mobility
- level of education and professional training
- · motivational mechanisms of economic behavior
- financing of social programs
- cultural orientation of the population, etc.

INNOVATIVE TECHNOLOGICAL

- energy efficiency of production
- innovative technologies
- innovative activity
- innovation potential
- innovative culture
- scientific and technological progress
- development of Internet technologies, etc.

NATURAL AND CLIMATE, ECOLOGICAL

- geographical coordinates
- local neighborhood political and geographical position
- natural resource potential of the territory
- cataclysms, natural disasters, catastrophes
- man-made accidents, anthropogenic catastrophes
- degradation of the natural environment under the influence of the results of production activities, etc.

LABOR RESOURCES

- management of the process of formation of labor resources in the quantitative aspect, identification of their additional reserve
- providing training of labor resources, including vocational guidance, maintaining competitiveness throughout life
- management of distribution, redistribution of labor resources
- ensuring full and effective use of the existing labor force and its promising component

Fig. 3. Global factors influencing the development of the labor market

Constructed by the author on the basis of generalization of these sources [12, p. 137-139; 4, p. 223; 3, p. 37]

Under such conditions, the Ukrainian labor market needs to find mechanisms to increase the competitiveness of the labor force and create incentives that can encourage the population to work productively. The solution of specific tasks on the formation and development of the labor market in conditions of labor volatility should be carried out by the regulatory policy within the framework of the national target employment strategy, taking into account the structural features of matching supply and demand at the regional level. This

strategy, firstly, should be aimed at a harmonious combination of state and market regulators, secondly, should be aimed at the strategic development of the workforce by bringing the characteristics of the latter in line with demand, and thirdly, should be able to effectively implement the staffing function at the micro level.

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ON THE ISSUE OF ANTI-CRISIS MANAGEMENT OF HUMAN RESOURCES: THEORETICAL AND METHODOLOGICAL ASPECT

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ДО ПИТАННЯ ПРО АНТИКРИЗОВЕ УПРАВЛІННЯ ЛЮДСЬКИМИ РЕСУРСАМИ: ТЕОРЕТИКО-МЕТОДОЛОГІЧНИЙ АСПЕКТ

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Завідувачка відділу навчально-методичної роботи, ліцензування та акредитації освітньої діяльності, Інститут підготовки кадрів державної службі зайнятості

Abstract

The article analyzes different approaches to the definition of the term "cyclicity". The definition of the category "crisis" is systematized. Own definitions of cyclicity and crisis are given. The classification of crisis phenomena and situations on various grounds is given.

Анотація

У статті проаналізовано різні підходи до визначення терміну «циклічність». Систематизовано визначення категорії «криза». Надано власні визначення циклічності та кризи. Наведено класифікацію кризових явищ і ситуацій за різними ознаками.

Keywords: cyclicality, cycle, crisis, human resource management.

Ключові слова: циклічність, цикл, криза, управління людськими ресурсами.

Функціонування національної економіки в сучасних умовах економічної нестабільності викликає необхідність перегляду системи управління, зокрема, системи управління людськими ресурсами. В даний час у більшості суб'єктів господарювання виникає комплекс протиріч структурного, організаційного, технологічного та управлінського характеру, які викликані істотним впливом динамізму зовнішнього і внутрішнього середовища, однією з характеристик якого є циклічність. Така ситуація вимагає врахування методологічних основ циклічності економічного розвитку в процесі управління людськими ресурсами, що підтверджує актуальність обраної теми.

Метою статті ϵ дослідження теоретико-методологічного аспекту антикризового управління людськими ресурсами.

Викладення основного матеріалу. Економічний розвиток – це багатофакторний процес, який відображає як еволюцію господарського механізму, так і зміну на цій основі економічних систем. Разом з тим, це суперечливий і складний процес, який не може здійснюватися прямолінійно. Розвиток відбувається нерівномірно, має періоди зростання та спаду, кількісні та якісні зміни в економіці характеризується позитивними та негативними тенденціями [1].

Загалом, економіці властиві два стани:

- 1. Стан рівноваги, коли суспільне виробництво (пропозиція) і суспільне споживання (попит) достатньою мірою збалансовані.
- 2. Стан нестабільності, коли порушуються нормальні зв'язки і пропорції в економіці, і наступає її кризовий стан.

З економічної точки зору, поняття «нестабільність» означає, що розвиток економіки супроводжується відхиленнями від нормального процесу еволюційних змін. Нестабільність економіки не є випадковим явищем, вона характеризується певними закономірностями прояву, властивими

економічній системі, спричиненими циклічним розвитком економіки [2].

Існує значна кількість визначень терміну «циклічність», що дозволяє всебічно вивчити сутність даного поняття.

На думку І.Ф. Комарницького циклічність – це форма руху національної економіки та світового господарства в цілому, яка припускає зміну революційних і еволюційних стадій розвитку економіки, економічного прогресу [2].

Дзюбик С.Д., Ривак О.С. пояснюють циклічний розвиток економіки як закономірне явище господарського життя в умовах ринку. Коливання фаз (піднесення, спад) супроводжуються суттєвими змінами у структурі економіки, динаміці цін, обсягах виробництва, співвідношенні продуктивності праці і доходів, нагромадженні та споживанні [3].

А.С. Бебело вважає, що циклічність – це об'єктивна форма розвитку національної економіки і світового господарства як єдиного цілого, закономірний рух від однієї макроекономічної рівноваги в масштабі економіки в цілому до іншої [4, с. 328].

На думку В.Г. Федоренка, циклічність – це закономірність економічного розвитку, об'єктивні основи якої лежать у розвитку матеріальних умов виробництва, у взаємодії еволюційних і революційних форм прогресу продуктивних сил [5, с. 383].

С.В. Мочерний звертає увагу на те, що циклічність виробництва – це рух виробництва від моменту порушення рівноваги економічної системи на одному рівні до формування якісно нового рівня рівноваги та її порушення. Поняття «виробництво» вживається в цьому випадку в широкому контексті – не зводиться лише до безпосереднього виробництва, а охоплює обмін, розподіл і споживання [6, с. 881].

Існують й інші визначення даної категорії (табл.1)

Таблиця 1

Визначення категорії «циклічність»

N₂	Визначення	Джерело
1	Циклічний характер економіки характеризується періодичним настанням економічної кризи та відображає закономірність розвитку відтворення, чергування зниження та підвищення обсягів виробництва.	Коротков Е. М. [7, с. 13]
2	Циклічність характеризується періодичним зростанням та падінням ділової активності, що виявляються у невідповідності сукупного попиту та сукупної пропозиції.	Базилевич В. Д. [8, с.344]
3	Циклічність економічного розвитку – це безперервні коливання ринкового розвитку, коли зростання виробництва змінюється зниженням, зростання ділової активності – зниженням.	Сажина М.А. [9, с.285]
4	Циклічний розвиток економіки — це чергування піднесень і спадів в економіці, яке призводить до того, що її розвиток має не прямолінійно зростаючий, а хвилеподібно зростаючий характер.	Савченко А. Г., Пухтаєвич Г. О., Тітьонко О. М. [10, с. 56]
5	Циклічність – це об'єктивна форма розвитку національної економіки і світового господарства як єдиного цілого.	Калініченко О. В., Плот- ник О. Д. [11, с. 408]
6	Циклічність в економіці – це система циклів з жорсткими причинно-наслідковими зв'язками, і саме ця система має стати об'єктом прогнозування.	Донченко В. Ф. [12, с. 165]

На нашу думку, категорію «циклічність» можна визначити як закономірні коливання (зростання, спад) функціонування економічних систем, які повторюються з певною періодичністю та викликані спричинені, природними, науково-технічними, соціально-демографічними, нормативноправовими чинниками.

Економічною теорією цикл розглядається як період розвитку економіки від початку однієї кризи до наступної. У класичному трактуванні економічний цикл включає такі фази: кризу, депресію, пожвавлення та піднесення, яке знаходить своє остаточне відображення у новій кризі. Тобто будьякий цикл має свій пік, коли ділова активність найвища (виробництво працює на повну потужність) і найнижчу точку падіння (коли ділова активність та виробництво знижуються до найнижчого рівня). В період між цими полюсами цикл проходить певні

фази, ознаками яких ε стан ділової активності, який проявляється у вигляді: рівня завантаженості виробничих потужностей; величини сукупних обсягів виробництва; загального рівня цін; рівня зайнятості населення (безробіття) та обсягу його доходів; прибутків та курсів акцій найбільших корпорацій; динаміки попиту на товари тривалого користування; інвестицій у нове будівництво тощо [13, с. 554].

Отже, зважаючи на те, що циклічність як форма руху ринкової економіки має своєрідний епіцентр – кризу – в якому знаходяться як межа, так й імпульс зростання економіки [9, с.287], можна стверджувати, що кризі, яка починає і завершує цикл, належить визначальна роль в економічному циклі. Криза — це переламний етап у функціонуванні будь-якої системи.

Систематизацію визначень кризи наведено в таблиці 2.

Таблиця 2

Визначення дефініції «криза»

№	Визначення	Джерело
1	Криза – різкий перелом, спад, який характеризується різким скороченням ділової активності (зниження цін, скорочення капіталовкладень, виробництва, зайнятості).	Бункина М. К., Семенов А. М., Семенов В. А. [14, с. 160, с. 149]
2	Криза – це переломний етап у функціонуванні будь-якої системи, в процесі якого вона підлягає впливу зсередини, що потребує якісно нового реагування з її сторони.	Прядко В. В. [15, с. 251]
3	Криза — це різке порушення існуючої економічної рівноваги внаслідок диспропорцій у процесі відтворення, що різко зростають.	Бебело А. С. [4, c. 328].
4	Криза – це різке порушення існуючої економічної рівноваги внаслідок диспропорцій, що зростають.	Федоренко В. Г. [5, c. 384]
5	Криза – найважливіший елемент механізму саморегулювання ринкової економіки, який дає початок переважно інтенсивному розвитку економіки.	Сажина М.А. [9, с.287]
6	Криза – остаточне загострення протиріч у соціально-економічній системі (організації), яке загрожує її життєздатності в навколишньому середовищі.	Коротков Е. М. [7, с. 13]
7	Криза – головна фаза економічного циклу, що супроводжується різким скороченням обсягів виробництва, зростанням виробництва, накопиченням товарів в сфері торгівлі тощо і продовжується до встановлення відносної ринкової рівноваги	Костюк В. С. [16, с. 100]
8	Криза виявляється у перевиробництві товарів, скорочені кредитів і підвищенні рівня позичкового відсотка.	Донченко В. Ф. [12, c. 162]
9	Криза — складний, загострений стан економіки країни. Характеризується скороченням виробництва, розладом грошових і кредитних відносин, інфляцією, банкрутством фірм і підприємств, банківської системи, зростанням безробіття, різким зниженням життєвого рівня основних категорій населення	Гончаров С. М., Кушнір Н. Б. [17, с. 121]

На основі систематизації наявних визначень можна стверджувати, що криза — це економічна категорія, яка відображає визначальний етап розвитку економічної системи, який надає позитивний або негативний напрямок розвитку ситуації на ринку та

сприяє оновленню існуючої системи господарювання.

Кризові явища і ситуації можуть бути класифіковані за певними ознаками (рис. 1)



Рис. 1. Класифікація проявів криз за ознаками [побудовано на основі 18, с.543-546]

Висновки. Таким чином, як свідчить практика в процесі нівелювання наслідків циклічних коливань суттєво зростає значення людських ресурсів як найважливішого фактору сучасного соціально-економічного розвитку. Тому можна стверджувати, що для запобігання кризовим явищам або зменшення їхніх наслідків на соціально-економічний розвиток в цілому, необхідно враховувати в системі управлінні людськими ресурсами циклічні особливості

економічного розвитку. Основою антикризового регулювання мають стати високорозвинуті, високоінтелектуальні людські ресурси, що дасть можливість мінімізувати втрати в період економічного спаду.

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ACCOUNTING AND ANALYTICAL INFORMATION AS A TOOL OF DIAGNOSTICS OF ECONOMIC SECURITY OF AGRICULTURAL ENTERPRISES

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Abstract

The article examines formation of accounting and analytical information, the main purpose of which is to identify internal and external threats to economic security of the enterprise. The interference of factors with the accounting system and the state of economic security of agricultural enterprises is determined. The requirements for the information and analytical support of the financial component of the system of economic security of the enterprise are characterized. A system-targeted approach to the formation of economic security indicators for assessing the level of economic security of the business entity is proposed and the methodology for determining the level of security by the algorithm is formulated.

Keywords: accounting, analysis, economic security, information, agricultural enterprises, threats.

Formulation of the problem. The current period of economic relations in Ukraine is accompanied by the transformation of forms and methods of state regulation, decentralization and diversification of production, changing economic conditions and increasing competition between enterprises, increasing the impact on the activities of economic entities, the main feature of which is uncertainty. These processes cause the loss of markets for domestic enterprises, the outflow of highly

qualified personnel and scientific and technical developments, the deterioration of their financial condition (sometimes to complete bankruptcy). Given the need to strengthen control over the activities of agricultural enterprises, there is an urgent need to modernize the system of ensuring their economic security, able to manage the risks of fraud within the enterprise and abuse by contractors. The core element of such modernization should be the introduction of accounting and analytical

technologies to meet the information needs of the diagnosis of economic security of the enterprise.

Analysis of researches and publications. O. Arefieva, V. Bilous, I. Binko, N. Vavdiyuk, V. Geets, Z. Gerasymchuk, M. Yermoshenko, J. Zhalilo, T. paid a lot of attention to the theoretical development of issues related to the diagnosis of economic security. Kuzenko, O. Kuzmin, A. Kirienko, T. Kovalchuk, B. Kravchenko, L. Melnyk, I. Mykhasyuk, V. Muntian, N. Nyzhnyk, G. Pasternak-Taranushenko, S. Pokropivny, A. Revenko, O. Tereshchenko, S. Shkarlet, V. Shlemko, V. Yarochkin, and others.

The following scientists made a significant contribution to the study of the problem of accounting and analytical information as a management tool: F. Butynets, G. Kireitsev, J. Krupka, L. Gnylytska, O. Hudzynsky, M. Demyanenko, M. Pushkar, P. Sabluk, V. Samochkin, M. Chumachenko, and others.

Paying tribute to the scientific and practical significance of the works of these scientists, it should be noted that domestic and foreign literature has not yet adequately reflected some important aspects of accounting and analytical information as a tool for diagnosing the economic security of the enterprise.

Formulation of aims of the article. The purpose of the article is to determine the role and place of accounting and analytical information as a tool for diagnosing the economic security of agricultural enterprises and develop ways to improve it.

Exposition of basic material of research. The integration of Ukraine's economy into the world economic space, ensuring the efficiency of functioning and development of domestic enterprises depend on the effectiveness of the management process.

In order to make management decisions, accounting is a priority for the development of domestic economics. Responding to new tasks and conditions of activity, to meet the information needs of growing users, there is a search for new forms and methods of forming information and analytical information.

In a modern enterprise that wants to succeed in business, the overall accounting system must have a strategic orientation. Researchers studying the problems of economic security in the field of management, finance, banking, components of strategic management of economic security of the enterprise consider structure, finance, risks, marketing, logistics, accounting [1, 2, 3].

In order to meet the information needs of stakeholders not only to reflect the facts of economic activity, economic analysis of the enterprise, but also early detection and warning of the causes and conditions that may contribute to the emergence of signs of threats, information and analytical support of economic security.

Currently, the information economy is changing the philosophy of accounting. In view of this, accounting should be considered not as a way of recording the facts of business transactions, but as an element of the information system for management decisions not only in the system of economic security but also the enterprise as a whole. Taking into account this approach, the accounting system gets the ability to observe, record, process, accumulate, display information about a set of disparate objects (facts, events, phenomena) in the complexity of their relationships within a common system of interconnected elements.

Schematically, the impact of the accounting system on the set of interconnected elements of the financial component of the economic security system is shown in Fig. 1.

The financial component of the economic security of the enterprise

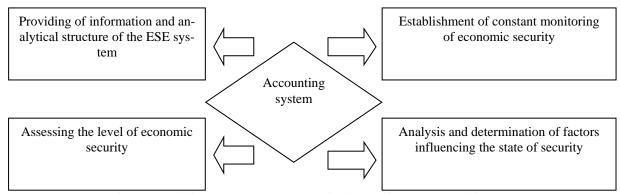


Fig. 1. The impact of the accounting system on the financial component of the ESE system Source: author's development

The study found that due to the consistency between the elements of accounting, analysis and control systems with the needs of enterprise management systems, bringing information flows to the requirements of international accounting and reporting standards, corporate governance, accounting information, reflecting all actions or events of business both external and internal factors influencing financial security and creates information conditions for the implementation of basic man-

agement functions. Therefore, timely detection and prevention of threats in the accounting system, assessment of their possible consequences, selection of the most effective methods to minimize them is the key to the effective operation of the enterprise. This is justified by the fact that accounting minimizes information risks, eliminates the possibility of theft of assets without the consequences established by law.

However, given the need to strengthen control over the activities of domestic enterprises, there is a need to modernize the traditional accounting system and ensure reliable protection of accounting data from the impact of threats to reduce information risks, fraud risks both within the enterprise and the external environment.

In the process of studying the issue of the impact of external and internal factors of threats to the financial component of the ESE, the interaction of factors on the accounting system and the state of economic security of agricultural enterprises was determined (Fig. 2).

In order for the accounting system to provide reliable and up-to-date economic information on the efficient use of enterprise resources, cash flows, and end results, it is necessary to neutralize

	Internal	External		
Ineffective application of methodological principles of accounting methods	Violations in the inventory of assets and liabilities	Violation of the requirements of current legislation in the formation of source information at the levels of financial and tax reporting	Legislative changes that negatively affect the economic activity of enterprises	Organization of accounting outside the company (outsourcing)
Absence or imperfection of document circulation, organization of internal control, internal standards	Failure to comply with the require- ments for storage and protection of in- formation Insufficient qualifi- cation of accounting staff	Unlawful actions of the company's per- sonnel leading to the theft of property	Leakage of confidential information of the enterprise	Cybercrime

Fig. 2. Destructive factors that pose a financial threat component of the ESE system Source: supplemented by the author

internal sources of threats arising from non-compliance with accounting technology, namely in the absence or imperfection of paperwork. organization of internal control, inventory of assets, and liabilities.

Particular attention should be paid to the technical processing of information using the software. Failure to comply with the requirements for the preservation and protection of information can lead to certain negative consequences associated with partial or complete loss of information.

When forming the initial information at the level of financial and tax reporting, there may be threats at the level of non-compliance or violation by management, the staff of the requirements of the legislation of Ukraine due to fraud, errors, low level of qualification.

One of the external threats is the leakage of confidential information of the enterprise. Disclosure of the information contained in the accounting system may result in the loss of confidential information and, as a result, the disclosure of trade secrets. Experts have found that the loss of 20% of the information, which is a trade secret, leads to bankruptcy within a month in sixty cases out of a hundred [4].

Among the external sources of threats to the economic security of the enterprise should be noted outsourcing of accounting. In modern scientific papers and dictionaries, the term "outsourcing" is interpreted as the transfer of traditional non-key functions of the organization (such as accounting, advertising, IT services) to external contractors - outsourcers, subcontractors, highly qualified third-party specialists [5].

Accounting outsourcing is a special case of business process outsourcing and one of the ways of accounting for the company's activities. Provides for the

removal of functions related to the organization, accounting and reporting at the enterprise outside the company, their transfer to the outsourcer.

The accounting outsourcing market in Ukraine is growing rapidly. Along with the advantages of accounting outsourcing (saving resources, highly qualified specialists, improving the objectivity of financial and tax information, efficiency and mobility), there are certain problems that are associated with the restructuring of business processes. First of all, we are talking about the economic security of the enterprise, given that the outsourcing company receives complete information about financial flows, their sources, customer base, assets, and liabilities.

Managers need to identify, analyze, rank, and neutralize the threat factors of the enterprise.

One of the prerequisites for the successful operation of the enterprise in market conditions is the existence of a system of economic security, the tasks of which are not only to ensure the safe operation of the enterprise but also to predict significant events, respond and prevent threats [6, 7, 8].

In view of this, the accounting system as a component of information and analytical support of the economic security of the enterprise faces the task at the level of operational, tactical, and strategic performance. Sampling, analysis by accounts, grouping, generalization, and appropriate interpretation of available information in conjunction with data on the external environment (inflation rate, the regulatory framework of the industry, forecast sales volumes) lay the foundations for SWOT-analysis. The information provided by the accounting system is "a source for overcoming the strategic gap - the difference between the state in which the

company is now and the state it wants to achieve", serves as a basis for developing a way to achieve the goals of the enterprise [9].

Taking into account the possible formats of valuation of assets and liabilities: historical value, the present value of future cash flows, fair value, economic security professionals can use accounting information both in the current period and in the future, acting on the lead.

Determining the state of economic security is based on financial and tax reporting, calculation of financial and economic indicators, based on information from the accounting system. Quantitative assessment to determine the level of economic security at these rd businesses and does not apply.

That is, the accounting system, in this case, creates information conditions for the implementation of the basic functions of economic security management.

It is substantiated that the introduction of information and analytical support of the financial component of the ESE system at all levels: methodological, technical, technological, and organizational, requires consideration of the quality of the information provided by the system, as it affects the ability to prepare reliable financial and management reports, plans and forecasts. and quantitative values of financial security indicators (Table 1).

Table 1
The content of accounting data in the system of information and analytical support of the financial component of the ESE system of the enterprise

Accounting data of information and analytical support	Sources
of the financial component of the ESE system	
Definition of financial security strategy, financial plan-	Financial reports, credit histories, plans and forecasts
ning (budget)	that are the result of operational, tactical and strategic
	planning, analysis, control, budgeting
Substantiation of financial interests and determination	Statistical and sectoral reports on analogues and
of their realization	contractors
Qualitative and quantitative values of financial security	Data of accounting, operational and statistical
indicators	accounting of the enterprise, financial statements
Qualitative and quantitative parameters of the use of	Identification of threats to financial security - by
financial resources, the volume and sources of their	severity, probability, scope and source, feasibility,
income	nature of impact, duration, type of damage, degree of
Qualitative and quantitative parameters of potential	development, etc.
threats and risks of financial activity of the enterprise	

Source: suggested by the author

Internal management reporting systematically provides information about the state of the enterprise, individual operations, and activities, is intended for internal use, is confidential. The main user of management reporting - the company's management.

The management of agricultural enterprises uses analytical and synthetic data from the accounting system, operational, data and financial and tax reporting data to make management decisions on the choice of alternative scenarios. However, individual divisions of the enterprise form management reporting independently. In the absence of a unified methodology, there is a contradiction of information. Therefore, the company needs to develop internal regulations: regulations, rules, instructions, methods.

One of the important internal documents of enterprises is the provisions on accounting policies. The constant (from year to year) application of the chosen accounting policy by the enterprise requires an approach that takes into account all aspects of the enterprise. In this regard, the specialists of the economic security service need to coordinate the process of formation of accounting policies, development of technological and technical characteristics. Given the financial situation, industry, type of activity, etc., each company is unique and needs individual development to provide information to the economic security system.

Since accounting is a component of the management system, and accounting policy is one of the elements of the accounting system, in this case, it must be

considered in conjunction with management [10]. A perfectly constructed accounting policy allows the emergence of a "synergistic effect in the use of various tools and methods of accounting and management of the enterprise" [8].

The construction of accounting policy is based on a systematic approach, the essence of which is determined by the need to subordinate accounting information to the general interests of the corporate information system in order to create conditions for effective information and analytical support of the financial component of ESE in enterprise management.

Analyzing the activities of LLC Kurland, it should be noted that in practice the order on accounting policy is partially formal and performs at the best part of the organizational function in the accounting system at the enterprise.

Given that accounting information is unique to the object of management, interconnected and interdependent both within the object and with the external environment, there is a need to use modern techniques in the process of forming information and analytical support of the financial component of the ESE system through search and exclusion of causes of errors or defects in business processes, clear use of facts, data and statistical and analytical methods, adhering to certain criteria (Table 2).

Table 2

Criteria for information support of the financial component of the economic security system of LLC Kurland

	Characteristics of the requirements for information and analytical support of the
Criteria	financial component of the ESE system
ъ.	Ability to provide information in the dynamics of management decisions to
Dynamism	implement the innovative strategy of the enterprise
Efficiency	Ability to provide timely operational information to management to control actual
Efficiency	costs and optimize costs and make decisions about future costs
Mobility	Ability to use tools for collecting and processing, analysis of financial and non-
Mobility	financial information on the external and internal environment
	Research of the structure, content, and nature of own costs in order to optimize
Analytical	them; analysis of investment income; analysis of the provision of fixed assets and
Analytical	the efficiency of their use; analysis of settlements with counterparties, analysis of
	financial indicators
Functionality	Ability to respond clearly to the moment of cessation of growth in sales; monitoring
Tunctionality	receivables and determining the share of doubtful and bad debts
	Identification, control, and analysis of human resources for decision-making
Control	through optimization; identification, control, and analysis of the marketing compo-
Control	nent for decision-making through optimization; control of the level of profitability
	of production, activity

Source: suggested by the author

Compliance with these criteria will make it possible to use tools for collecting and processing information about customers, consumers, analyze financial and non-financial information; timely provide operational information to management on the control of actual costs and decisions on future costs, etc.

In order to provide information on the financial component of the economic security system, for the planning, organization, and implementation of accounting technology, it is necessary to have the appropriate level of specialists. When it comes to personnel of the economic security system, it should be borne in mind not only employees of the regular economic security service of the enterprise but also specialists of other structural units that may be involved in solving tasks in accordance with their competencies [11].

But at the same time, it is necessary to apply a high level of responsibility to all professionals who are involved in the information process at each stage and each workplace. After all, the quality and reliability of the information, first of all, is formed from the very beginning of the information chain. Analysis of the practice of organizing the protection of trade secrets in the system of economic security at Ukrainian enterprises shows that this activity is not complex, the structure of enterprises does not create units (or appoint officials), whose functional responsibilities include the organization of trade secrets [12, 13].

Therefore, in the appendix to the internal standards, special attention should be paid to identifying all structural units and positions that are involved in the process of forming financial and non-financial information. In addition, job descriptions must include paragraphs on the role and responsibilities of professionals in the process of creating information flows. Given that information, security is a competitive advantage, and the protection of intellectual property makes it possible to preserve market volumes and monetary resources, it is important to note the importance of this indicator and to provide certain procedures for security measures to

reduce risks. Such procedures should include qualification training for hired employees and annual attestation training for compliance with the position, information security (protection of user data, password changes, non-disclosure of trade secrets, etc.), systematic review of "Regulations on departments" and "Job descriptions" [14].

Investigating the significant impact of the accounting system in the information support of the financial component of the economic security of the enterprise, we consider it appropriate to introduce into the economic security of the enterprise accounting and finance specialists who would carry out operational, tactical, and strategic information processing. Their tasks, in addition to the accounting function, should include responsibilities that include the functions of planning, organizing, coordinating, controlling, and stimulating the work of the company's staff. Such experts may be analysts on financial and economic security.

First of all, the analyst on financial and economic security performs the function of management.

The importance of the role of the financial and economic security analyst in the economic security service of the entity is that it should focus accounting information to determine the cost of production in the centers of responsibility. In addition, having received and analyzed the necessary financial and non-financial information on the nature of the enterprise, the analyst on financial and economic security should determine the priorities and main directions of action for the planning period; to carry out the financial analysis of the purposes and plans of all heads. The financial and economic security analyst should be responsible for the organizational structure that would cement the system, hold meetings at which managers at different levels could exchange views and interact between different departments, consider drafts of project decisions.

That is, the presence in the economic security service of an analyst on the financial and economic security of the appropriate level, which coordinates information,

liaises with all services of the enterprise, participates in planning, analysis, and control will give the economic security system flexibility and mobility.

Thus, in the planning process, the analyst on financial and economic security participates in the development of long-term plans by providing information for decision-making on: what types of products to sell; in which markets; what are the main trends in pricing policy, as well as to assess alternative uses of resources. In this case, the analyst on financial and economic security should be guided by the methods of operational accounting, financial analysis, and financial planning.

He then summarizes all the tasks in the overall financial plan of the entire organization, which he submits for approval to senior management.

To carry out the process of control and regulation, data on the implementation of the plan by each responsibility center are used, which provides a comparative analysis of the planned and achieved results. At the same time, the reasons for discrepancies between actual and planned indicators come to light. The reports prepared by the analyst on financial and economic security allow, on the one hand, to objectively assess the activities of the heads of responsibility centers, and on the other - inform managers and management about which areas failed to achieve targets [15]. In this way in the control phase is provided simultaneously assistance to the heads of responsibility centers, feedback, and preparation of recommendations for correcting the situation.

Thus, the analyst on financial and economic security, exercising management control in the organization, combines a holistic financial and economic system.

Specialists of the ESE service, using accounting tools, will be able to ensure the reliability and reliability of the information of the financial component through continuous and continuous monitoring and control of the enterprise, monitoring the internal control system, business analysis, application of measures.

Given the dualistic nature of the category of economic security, namely, staticity, characterized by the achieved level of economic security of the enterprise and dynamism, defined as the result of processes to ensure the achieved state of security, the task of developing an actual model of economic security. However, the systemic and multivariate category of economic security is determined not only by quantitative but also qualitative indicators, so the use of one of the methods of financial diagnostics to assess its level is not objective.

Analysis of agricultural enterprises proves that a necessary condition for reducing information risks and, consequently, efficiency in assessing the state of economic security is the formation of a corporate information system of the enterprise, taking into account the impact of the external and internal environment.

In order to increase the level of diagnosing the economic security of LLC Kurland on the basis of the ranking of the components of the ESE system, a methodical approach to assessing its level is proposed. It is to determine the level of each area on the basis of a number of indicators and analysis of the level of economic security of the enterprise by areas (prospects), which allows taking into account the relationship between quantitative

and qualitative indicators, strategic and tactical levels of management, past and future results, between internal and external aspects of the enterprise.

The company's management needs tools that would fill the decision-making process with adequate and sufficient information. Such tools are key performance indicators (KPIs).

A system of key performance indicators (KPIs) is a system of financial and non-financial indicators that affect the quantitative or qualitative change in results in relation to a strategic goal (or expected result). The application of directions (perspectives) from a balanced scorecard will allow the company to determine the necessary strategy (including processes for economic security), a balanced assessment of the results of its implementation. Obtaining information on the relevant indicators of all areas should provide the company's accounting system.

The use of a balanced system of indicators, in our opinion, will allow a set of models and approaches to assessing the state and level of economic security to form a dynamic basis for assessing the security of enterprises [16]. The works of such scientists as K. Burko [15], T. Mostenska, Yu. Bilan [17], L Strigul, O. Kirichenko [18]. Researchers, using the principles of a balanced scorecard, interpret their vision of assessing the level of economic security of the enterprise in different ways.

To assess the level of economic security of the business entity, we use a system-targeted approach to the formation of indicators of economic security and formulate a method for determining the level of security by such an algorithm.

Stage I. Determining the information base for diagnosing the level of economic security (internal business processes, relationships with staff and contractors, determining the planned financial indicators that characterize the financial condition, and future development.

At the first stage, the information base for the study is determined. The system of economic security is individual at each enterprise, so the choice of groups of indicators depends on a unique set of internal and external factors and a vision of the potential risks of probable losses. The sources of information should be the balance sheet, statement of financial performance, statement of cash flows, statement of use of equity, report on labor, analytical data of the corporate information system, and so on.

Given the causal nature of the relationship between goals and indicators of their achievement, the following requirements should be met when forming a system of balanced scores:

- a) the adequacy of the system of indicators to the objectives of the study;
- b) the ability to clearly define the algorithm for calculating the performance of the enterprise, which ensures the identity of understanding the economic essence and interpretation by experts;
- c) coverage of indicators of the most important characteristics of the enterprise;
- d) the presence of a corporate information system for determining indicators, conducting dynamic and

comparative analysis within one enterprise (industry, region), and the accuracy of the calculation method;

e) the optimal number of indicators.

We think that the conditional indicators (indicators of economic security) that can be used in this method should include: coverage ratio (total solvency ratio), absolute solvency ratio, autonomy ratio, return on capital, return on assets, productivity ratio, coefficient labor turnover ratio, personnel potential ratio, provision of the enterprise with labor resources and efficiency of their use, profitability of production, cost, profitability of fixed assets, provision of the enterprise with fixed assets and efficiency of their use security company raw materials and their effective use, rate the suitability of fixed assets adequacy ratio of net cash flow businesses, critical turnover rate the attractiveness of products, the proportion of doubtful and uncollectible accounts receivable in the amount of accounts receivable, the share of regular customers in the structure realization enterprises, the share of irregular deliveries in the total amount of deliveries of the enterprise, the coefficient of profitability of sales.

Stage II. The choice of a system of indicators of the enterprise in each direction.

At the second stage, among the indicators that characterize the financial and economic activities of the enterprise, those related to its security are determined and calculated. The level of weight, which characterizes the importance of a separate ratio in the context of each prospect for an objective assessment of financial and non-financial conditions, can differ significantly depending on the type of activity of the enterprise and other features. Moreover, for the same enterprise in different periods, the weight (a) of separate coefficients can change. For each enterprise for a certain period, it is recommended to determine the level of the weight of individual coefficients by expert assessments of specialists, with the total value of specific weights (Σa) coefficients is equal to 1. Thus,

$$\Sigma a = 1, a = 1 \dots n, \qquad (1)$$

where a - the proportion of a single coefficient (indicator) of economic security,

n - the number of coefficients (indicators).

Stage III. Substantiation of reference (limit values) of these indicators in accordance with the development strategy of the enterprise. Development of a scoring system for calculating the indicators of economic security of the enterprise.

Substantiation of reference safety indicators at each enterprise is developed in accordance with the development strategy, type of economic activity, and other factors of the business entity.

It should be noted that to assess the state of the economic security system, a key role is played not only by the indicators selected for calculation but also by their limit values, we believe that difficulties arise with individual indicators that are not generally accepted. In order to establish the limit values of indicators, the experts of the economic security service analyze their values over several periods and determine the best option. The task of the economic security system is not only to re-

spond and prevent threats but also to predict significant events. The highest degree of safety is achieved provided that the whole set of indicators is within the allowable range of its limits. Values and the limit values of one indicator are reached independently of the others.

The scoring system is the most popular among the methods used by specialists of the economic security service of domestic enterprises.

Using the method of scoring, the company develops a scale for assessing the level in economic security from 0 to 1 (maximum, high, sufficient, critical) by determining the score provided that a certain value of the economic security indicator is achieved as follows:

- the maximum level (0,8-1,0 points), if the actually achieved indicator exceeds the reference value;
- high level (0,5-0,8 points), if the actually achieved indicator is within the reference value;
- sufficient level (0,2-0,5 points), if the actually achieved indicator does not differ significantly from the reference value;
- critical level (0-0,2 points), if the actual indicator differs significantly from its reference value.

Stage IV. Comparison of actual and reference (threshold) values of indicators and their distribution by safety zones using the method of scoring. Interpretation of the achieved level of evaluation criterion.

In the fourth stage, the compliance of actual indicators with their reference values is determined, a generalizing indicator of economic security assessment in a particular area (Uf) taking into account the selected in the second stage of individual coefficients and their weight (a). For the generalizing indicator of each direction (perspective) we consider expedient use of the indicator offered by S. Ilyashenko [19, p. 156] - the weighted average level of individual factors. At the same time, we consider it expedient to use a specific weight vector for non-financial indicators.

The summary indicator (Uf) in each of the directions is defined as the result of dividing the sum of the values of an individual indicator taking into account its specific weight (a), defined in points (P), which characterizes its compliance with the maximum value for the maximum possible number of points. indicators (n) of a particular direction by the formula:

Uf=
$$\Sigma$$
 a × P: n, (2)

where P - the value of a single indicator defined in points;

a - specific weight and - that factor;

 Σn - the maximum possible amount of points (depending on the number of indicators).

Stage V. Determination of the average score in each direction (perspective) of economic security of the enterprise.

If the value of the indicator corresponds to the normative level in the zone of normal safety, then it can be given 3 points, in the zone of unstable safety - 2 points, in the zone of critical safety - 1 point and in the crisis zone - 0 points.

VI stage. Interpretation of the achieved level of evaluation criteria in terms of acceptable safety zones.

The value of the score can be taken as the central value of the interval. That is, if the value of the unstable level of security was estimated at 2 points, the zone of the permissible level of security can be taken in the interval (1,5-2,5), the zone of the critical level of security with the center 1 point - in the range (0,5-1,5), the zone of normal security level - in the interval (2,5,-1,0) and the zone of crisis level - in the interval (0,5-0).

VII Stage. Determination of a complex security indicator.

To determine the complex security indicator (CSI) calculate the sum of the products of the summary indicators for each area (perspective) and the share of areas (prospects) of economic security. Complex enterprise security indicator (CSI) is calculated by the formula:

$$CSI = \Sigma Uf \times p \times d, \tag{3}$$

where Uf - summary indicator (Uf) for each of the areas of economic security;

- d the share of areas (prospects) of economic security, and Σ d = 1;
 - p the number of functional components.

Experts assigned a score to each area by interviewing managers, managers of different levels of LLC Kurland.

Stage VIII. The final stage is the analysis of functional indicators of the general level of security of the enterprise. These indicators are analyzed in the dynamics of the last 3-4 years and compared with the level of security in competing companies.

If the actual or projected indicators do not significantly exceed the reference (threshold) values, the company is in the zone of economic security. If the complex safety indicator is in the zone of critical and crisis level of safety, it means that the enterprise is in the dangerous zone. In this case, it is necessary to take measures to remove the company from the danger zone and compensate for the negative consequences. Possible solutions may include, for example, the sale of short-term investments, the sale of investments, the sale of surplus inventories, staff reductions, and other measures.

To assess the state of ESE LLC Kurland identified the main internal and external threats, formed a list of indicators and formulated a methodology for assessing the level of security. The main source of information was financial and statistical reporting, information directories, economic literature, etc. For the analysis of the financial and economic activity of LLC Kurland for the period, 2017 -2019 years and the calculation of a comprehensive safety indicator by the author calculated the main financial and economic indicators (table 3).

Table 3
The main indicators that determine the financial
and economic condition of LLC Kurland for 2017-2019 years

Indianton	Normative	2017	2018	2019	Deviation,		
Indicators	value	year	year	year	(+,-)		
1	2	3	4	5	6		
1.1. General indicators of enterprise activity							
1. Net income from sales of products (goods, works, services), thousand UAH		227744	291288	362366	134622		
2. Gross profit (loss), thousand UAH		36360	25680	52382	16022		
3. Net profit (loss), thousand UAH		25558	77731	77466	51908		
4. Average number of employees, pers.		75	64	65	- 10		
5. Remuneration fund, thousand UAH		7827	6866	6885	- 942		
6. Equity, thousand UAH		(201924)	(99234)	(116697)	85227		
7. Non-current assets, thousand UAH		91111	105465	180104	88993		
8. Long-term liabilities, thousand UAH		-	-	62982	62982		
9. Short-term loans and borrowings, thousand UAH		324774	304121	515642	190868		
10. Accounts receivable for goods, works and services, thousand UAH		36256	`10047	10740	- 25516		
11. Inventories, thousand UAH		111229	116923	67101	- 44128		
12. Own current assets, thousand UAH		- 293120	- 204699	-233819	59301		
13. Operating capital, thousand UAH		- 293035	- 204699	- 233819	59216		
14. Labor productivity, UAH		3036587	4551375	5574861	2538274		
15. Cost of goods sold (goods, works, services)		191384	265608	309984	118600		
16. Accounts payable for goods, works and services, thousand UAH		8655	6987	6086	- 2569		

1.2. Liquidity indicators							
17. Current ratio	1,5	0,4501	0,6279	0,5809	0,1308		
18. Rapid liquidity ratio	0,6 - 0,8	0,2387	0,4118	0,3892	0,1505		
19. Absolute liquidity ratio (solvency)	0,2 - 0,35	0,0003	0,0037	0,0875	0,0872		
20. Coefficient of maneuverability of working capital	0 - 1	- 0,0005	- 0,0097	- 0,2088	- 0,2083		
21. Coefficient of financial autonomy	0,5	- 0,614	- 0,223	- 0,231	0,383		
	dicators of fina	ncial stabil	ity				
22. Equity concentration ratio	> 0,5	- 0,614	- 0,223	- 0,231	0,383		
23. Coefficient of financial dependence	= 2	- 2,63	- 4,48	- 4,32	-1,69		
24. Equity maneuverability ratio	> 0,1	1,45	2,06	2,0	0,55		
25. Debt capital concentration ratio	< 0,5	1,61	1,22	1,23	- 0,38		
26. Coefficient of long-term investment	> 0,5,						
structure	growth	-	-	0,35	0,35		
27. Long-term borrowing ratio	0,4 - 0,5	-	-	- 1,17	- 1,17		
28. Debt capital structure ratio		-	-	0,10	0,10		
29. Ratio of borrowed and own funds	1:1	- 2,63	- 5,48	- 5,32	- 2,69		
30. Ratio of own funds	0,1	- 1,23	- 0,60	- 0,72	-,51		
31. Financial leverage ratio	< 0,25	-	-	- 0,54	- 0,54		
32. Duration of the financial cycle, days		-	-	-	-		
33. Beaver coefficient	> 0,2	0,01	0,15	0,09	0,08		
1.4. Profitability indicators							
34. Product profitability,%		118,99	109,67	116,89	- 2,1		
35. Profitability of the main activity,%		11,22	26,68	21,38	10,16		
36. Return on assets,%		7,76	20,09	16,32	8,56		
37. Return on share capital,%		- 11,78	- 51,61	- 71,75	- 60,01		
38. Profitability of sales,%		15,96	8,82	14,45	- 1,51		

Source: calculated by the author according to the research society

The risk factor is also a significant depreciation of fixed assets, the need to modernize production. Agriculture and enterprises belong to the sphere with a long investment cycle, which requires the attraction of significant investment resources. Given the significant depreciation of fixed productive assets, lack of funds could cause a decline in production.

Growing competition in the markets makes new demands to improve product quality while reducing prices, it is essential today to find ways to reduce production costs through the introduction of new technologies, saving fuel and energy resources, modernization and renewal of machines and mechanisms, reconstruction of existing facilities. projects. Therefore, the following areas are a priority in the program of technical re-equipment and reconstruction of the company:

- modernization of existing facilities;
- development and implementation of the latest resource-saving and energy-saving technologies;
- development of new means of efficient use of material and labor resources;
- creation of effective product quality management systems.

Analysis of economic indicators of economic activity of LLC Kurland for the period 2017-2019 (Table 3 and Fig. 3) illustrates the significant increase in net income from sales of products (goods, works, services)

during these years, the increase in the cost of goods sold, which affected the growth of net profit of the enterprise.

Negative should be considered a decrease in net profit compared to 2018 by 265 thousand UAH, although positive is the profit during 2017-2019. Such a performance indicator as gross profit increased by 16022 thousand UAH.

Analysis of the amount and structure of current liabilities indicates an increase in their value by 27,100 thousand UAH. and a relative reduction in their share by almost 50%, respectively. The increase was due to an increase in short-term loans by UAH 190,868 thousand, from advances received by UAH 10,313 thousand, which can be considered a negative trend.

LLC Kurland during 2017 - 2019 is characterized by a critical level of financial independence, which has changed slightly over the past 3 years and is explained by the high level of retained earnings of previous years, due to which it has negative equity. During 2017-2018, the company did not use long-term borrowed funds, and only in 2019 has other long-term liabilities, which affected the increase in the value of borrowed capital.

A positive factor can be considered the increase in the value of the concentration of equity in LLC Kurland over the past 3 years, although with a negative value. As a result of the presence of equity in the LLC, there is a negative value of working capital, and the dynamics of this amount decreased. Thus, at the end of 2019, LLC has a shortage of its own sources of working capital in the amount of 233819 thousand UAH, which is 59301 thousand UAH. more than the level of the base year.

The coefficient of maneuverability of equity shows what part of working capital is in circulation, ie in the form that allows free maneuvering of these funds, and which is capitalized. To ensure flexibility in the use of the company's own funds, it is necessary that the coefficient of maneuverability in its value was high enough.

A separate group consists of liquidity ratios. Among the analyzed indicators, the level of all liquidity ratios in LLC Kurland increased during the period under study. In 2019, the value of the absolute liquidity ratio increased slightly due to an increase in the company's cash by 0, 0872 points, but much less than the recommended level (0.2-0.35). At the same time, fast and current liquidity also remain quite low and do not reach the recommended value.

In general, it is possible to state the unstable financial condition of the company.

The analysis of profitability indicators of the enterprise indicates an increase in the coefficients of return on assets and core business. This growth is due to an increase in the amount of net profit with a significant increase in assets and fixed assets. The presence of retained earnings had a negative impact on the loss of equity.

Having identified shortcomings in the analysis of profitability, we must actively develop possible ways to improve production, increase the competitiveness of products, which in the future will contribute to the growth of profits and profitability of the enterprise.

The management of LLC Kurland needs to take possible measures to improve financial and economic activities. To this end, it is advisable to conduct constant monitoring and operational analysis of financial stability and liquidity [22, 23].

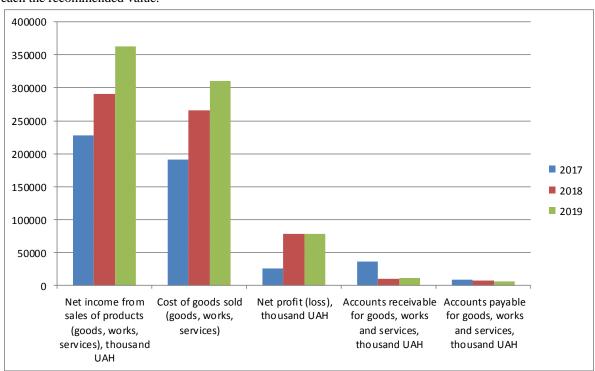


Fig. 3. Dynamics of the main indicators of economic activity of LLC Kurland for the period 2017-2019 Source: calculated by the author according to the research LLC

Having analyzed the indicators of financial and economic activity of LLC Kurland for the period from 2017 to 2019 (table 3), as well as the system of accounting of the company, we can identify the main threats to the external and internal environment of the enterprise.

Among the undesirable external influences on the economic security of LLC Kurland, in our opinion, special attention needs to be paid to the problem of information and analytical support of the financial component to provide accounting information for management decisions and the proper level of protection of property from various users.

Since information technology in the management of a modern enterprise plays one of the most important

roles, and the accounting process takes place using communication tools, the accounting data related to the economic activity of the enterprise, in terms of production and technological information, management and financial should be under reliable protection. Given that the subject of trade secrets of the enterprise includes documents on commercial negotiations of the enterprise and pricing methods, documents related to market research, information on the organization of work and selection of employees, information on the conditions of storage of documents, ie information that has commercial value, the management of the enterprise independently determines the list of information related to trading secrets [20].

Given the above, the external threats of LLC Kurland, in our opinion, should include threats in the accounting system:

- leakage of confidential information from information carriers and conditioned communication channels:
- unauthorized access to confidential information that constitutes a trade secret;

• imperfection of the system of organization of storage and protection of accounting information.

Thus, in our opinion, the main threats to the internal and external environment of LLC Kurland are as follows (Table 4).

Table 4

The main threats to the external and internal environment of LLC Kurland

Environmental threats	Threats to the internal environment
Legislative and legal framework	Violation of internal regulations
Rising prices for material resources	Disruptions and late delivery, breach of contract
Fluctuations in prices in the market of agricultural	The significant depreciation of fixed assets
products	
Rising prices for fuels and lubricants	Quality and structure of natural resources
Leakage of confidential information from infor-	Rising production costs
mation carriers and conditioned communication	
channels	
Unauthorized access to confidential information con-	Investment climate at the enterprise (low investment
stituting a trade secret	attractiveness)
Imperfection of the system of organization of storage	Wrong choice of pricing strategy
and protection of accounting information	
Adverse weather and climatic conditions	Lack of systematic implementation of innovations

Source: formed by the author for [8, 16]

On the basis of the considered system-target approach to the formation of indicators of economic safety and the formulated technique of an estimation of the level security according to the above algorithm, determine the level of economic security of LLC Kurland.

The calculations for the reference value were taken as financial-economic indicators in the 2019 year due to the fact that they are the most positive in this period. Based on the principle of comparability of data, the level of economic security of LLC Kurland for 2017-2019 was determined.

Attaching special importance to investment in the component of internal business processes, in determining the significance of the prospects (directions) of economic security of the enterprise on the basis of expert assessment was set the share:

- finances 25%;
- personnel component 20%;
- component of internal business processes 30%;
 - marketing component 25%.

For each of the above areas, we have chosen indicators of economic security (indicators) and calculated the summary indicator using the method of scoring.

To calculate the general indicator of the direction (prospects) of "Finance" were selected five indicators of financial and economic activity of LLC Kurland for 2019, namely the level of total solvency of the enterprise, the level of absolute solvency, autonomy ratio, Beaver ratio [21, 22, 23], the rate of return on assets, and determined the actual and reference values of indicators.

The level of total solvency of the enterprise (coverage ratio) (z) is 0, 4501, taking into account the reference value of 2.5. The level of security is 0,1 point.

The level of absolute solvency (absolute solvency ratio (p) is 0.0003, taking into account the reference value of 0.2. The level of security is 0.0 points.

Coefficient of autonomy (w) of (-0.614) with the reference value of 2. The level of security is 0,0 points.

The level of use of profit for development (Beaver coefficient) (b) is 0,01 at a reference value of 0.45. The level of security is 0,0 points.

The return on assets (r) is 7,76, taking into account the reference value of 8. The level of security is 0,7 points.

The total sum of points $(\Sigma),$ which is equal to 0,8 points, is determined. The generalized direction indicator (Uf) is calculated as the ratio $(\Sigma \ / \ max \ \Sigma \ n)$ of the actual sum of points to the maximum possible sum of points ($max \ \Sigma n$) ($\Sigma \ / \ max \ \Sigma n$) is 0.16 points.

$$Uf = \Sigma / \max \Sigma n, \tag{4}$$

where Uf - a generalized indicator of the direction;

 Σ - the sum of points;

 $\label{eq:sigma} \begin{array}{l} \text{max} \; \Sigma \; n \; \text{- the maximum possible sum of points.} \\ \text{Thus, the summary indicator of the direction "Finance" is:} \end{array}$

0.16 = 0.8/5 (points).

In this way, the generalized indicators of other perspectives (directions) (Uf) were determined, namely:

- the generalized indicator of the direction (prospects) "Personnel component" makes 0,66 points;
- the generalized indicator of the direction (prospects) "Component of internal business processes" makes 0,6 points;
- generalizing indicator of the direction (prospects) "Marketing component" is 0, 5 6 points:

Comprehensive enterprise safety indicator (KPIs) is calculated by the formula:

$$KPIs = \Sigma Uf \times p \times d, \tag{5}$$

where Uf - summary indicator (Uf) for each of the areas of economic security;

d - the share of areas (prospects) of economic security, and = 1;

p - the number of functional components. KPIs = $(0.16 \times 25\% + 0.66 \times 20\% + 0.6 \times 30\% + 0.56 \times 25\%) = 0.492$.

The comprehensive safety indicator of LLC Kurland for 2017 is at a sufficient level.

Calculations to determine the comprehensive safety indicator of LLC Kurland in a similar manner were conducted for 2018-2019.

KPIs $2018 = (0.2 \times 25\% + 0.64 \times 20\% + 0.72 \times 30\% + 0.57 \times 25\%) = 0.536;$ KPIs $2019 = (0.24 \times 25\% + 0.68 \times 20\% + 0.77 \times 10^{-2})$

 $30\% + 0.82 \times 25\%$) = 0.632. Thus, the comprehensive safety indicator of LLC "Kurland" for 2018-2019 is at a sufficient level.

As can be seen from our calculations and provided in Table 5 calculations, the comprehensive safety indicator of LLC Kurland in 2017 is 0.492, in 2018 - 0.536, in 2019 - 0.632. Graphic display of the level of economic security of LLC Kurland for 2017-2019 given in fig. 4.

Table 5

Comprehensive safety indicator of LLC Kurland for 2017-2019, (points)

Year	Comprehensive safety indicator	Summary indicator of the direction "Finance"	Summary indi- cator of the di- rection "Person- nel component"	Summary indicator of the direction "Component of internal business processes"	Summary indi- cator of the di- rection "Mar- keting compo- nent"
2017	0,492	0,16	0,66	0,60	0,56
2018	0,536	0,20	0,64	0,72	0,57
2019	0,632	0.24	0.68	0.77	0,82

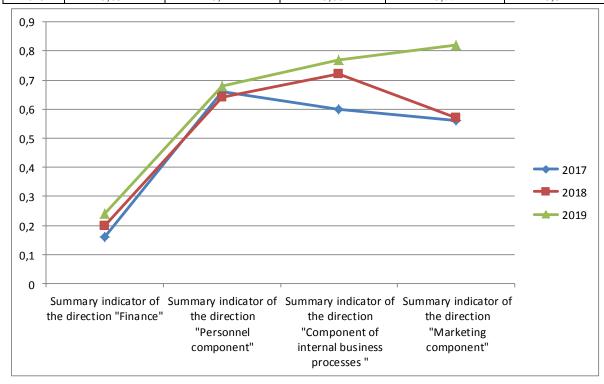


Fig. 4. Graphic representation of the level of economic security of LLC Kurland for 2017-2019 Source: formed by the author according to the studied LLC

The values of the indicators correspond to the critical in 2017 in terms of the financial component and sufficient levels of economic security of the enterprise, and in 2019 there is a growing trend. Correspondence to the levels is as follows: critical zone - 0.18; security zone of sufficient level - 0.18-0.5; high level security zone - 0.5-0.85; safe zone - 0.85-1.0.

The proposed approach to assessing the state of the economic security system in an automated mode in each area helps to ensure the reduction of current costs, future development of the enterprise, and forecasting significant events in the enterprise. This, in turn, will allow taking measures aimed at optimizing production processes and product sales. The set of financial and

non-financial indicators covers those indicators that have a significant impact on the enterprise.

The calculation of the forecast parameters of crisis situations determines the possibility of carrying out the activities of the enterprise outside the threshold values. That is, to determine the crisis minimum that may occur at the enterprise with the threat of cessation of activities. It is important to determine the number of indicators outside the threshold values, the impact of which may lead to the cessation of activities. Taking into account such calculations, the company's management implements a set of measures to prevent threats or bring the company out of crisis [8].

Conclusions. Thus, the application of the proposed approach, in contrast to others, made it possible to take into account the impact of financial and nonfinancial indicators, internal and external aspects of the enterprise, to determine the level of each direction and complex indicator on the basis of all directions. has a significant impact on the indicator "Investment inflows (development of capital investments)". The calculations can to some extent be used in the disclosure of financial and non-financial information in the financial statements to accurately and fully reflect the state of assets and liabilities and future development of the enterprise, which not only will increase the objectivity of the ESE assessment but will also have a positive impact on the quality of the information in the management report and the taxonomy of financial statements. This approach does not introduce significant additional costs to ensure the system of economic security, as the information sources of the corporate information system are used.

Thus, the calculations give grounds to conclude that the objective determination of the level of ESE is the result of effective implementation of information and analytical support of the financial component of the ESE system, which contributes to an objective assessment of the level of economic security of the enterprise as a whole.

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JURISPRUDENCE

CRIMINOLOGICAL CONDITIONS OF COMMISSION CONTRABAND IN UKRAINE

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КРИМІНОЛОГІЧНІ УМОВИ ВЧИНЕННЯ КОНТРАБАНДИ В УКРАЇНІ

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Abstract

The article analyzes the conditions in Ukraine that facilitate the commission of smuggling. Six main groups of conditions conducive to smuggling in Ukraine were identified: the lack of regulation of the legal status of the State border of Ukraine, as well as its insufficient equipment; Insufficient training for law enforcement officials in combating smuggling; corruption and misconduct among customs officers; Low level of interaction and coordination between customs and law enforcement authorities; gaps in legislation; Inter-State cooperation in combating smuggling is underdeveloped.

Анотація

У статті проаналізовано наявні в Україні умови, що сприяють вчиненню контрабанди. Виділено шість головних груп умов, що сприяють вчиненню контрабанди в Україні: неврегульованість правового статусу державного кордону України, а також недостатнє його обладнання; недостатній рівень професійної підготовки працівників правоохоронних органів стосовно боротьби з контрабандою; корупційні вияви й службові зловживання серед митників; низький рівень взаємодії й координації між митними і правоохоронними органами; наявність прогалин у законодавстві; недостатньо розвинене міждержавне співробітництво в боротьбі з контрабандою.

Keywords: smuggling, prevention, counteraction, criminalization, corruption, state border, customs rules. **Ключові слова:** контрабанда, запобігання, протидія, криміналізація, корупція, державний кордон, митні правила.

Постановка проблеми. Контрабанда завжди сприймалась суспільством як явище протиправне й суспільно небезпечне, що несе загрозу для економічних інтересів країни, громадської безпеки, норм моралі, безпеки життя, здоров'я населення та національної безпеки держави загалом.

З огляду на це діяльність органів державної влади має бути націлена на розробку механізмів запобігання та протидії контрабанді, зокрема шляхом посилення відповідальності, створення належних правових механізмів сприяння легальному переміщенню через державний кордон товарів, валюти, цінностей, іншого майна.

Причиною вчинення одиничного злочину слід вважати ті негативні соціальні явища і процеси, під впливом яких у винної особи виникають глибокі і стійкі антигромадські погляди, звички, які внаслідок криміногенної мотивації зумовлюють її внутрішню готовність учинити злочинне посягання [1, с. 84].

Такі явища і процеси можуть взаємодіяти лише опосередковано, відображуючись у свідомості людини, взаємодіючи з її внутрішніми установками й переконаннями. Тому для з'ясування причин й умов вчинення суспільно небезпечних діянь необхідно звернутися, в першу чергу, до мотивації особи, яка вчинила злочин. Слід зауважити, що для

ринкової економіки є органічним приватний інтерес, приватна власність і приватне корисливе мотивування підприємницької діяльності; зрештою, все це є природним для людського суспільства. «Приватний інтерес людини, — відзначає В. Селіванов, — користь, зиск — це певні рушії суспільного буття. Інтерес керує світом» [2, с. 35]. Проте внаслідок дії негативних суб'єктивних і об'єктивних чинників свідомість особи деформується, через що приватновласницький інтерес породжує корисливе антисуспільне мотивування на вчинення злочину.

Стан дослідження проблеми Питанням запобігання і протидії контрабанді присвятили свої праці такі вітчизняні вчені, як А. І. Берлач, Ю. П. Битяк, С. М. Гусаров, Є. В. Додін, Ф. Л. Жорін, Р. А. Калюжний, Т. О. Коломоєць, В. К. Колпаков, А. Т. Комзюк, Б. А. Кормич, Д. М. Лук'янець, О. М. Музичук, В. Я. Настюк, Д. В. Приймаченко, О. С. Проневич, Р. Б. Шишка, В. К. Шкарупа, М. Г. Шульга та інші, а також деякі зарубіжні вчені: А. І. Бойко, Т. О. Диканова, О. В. Дранников, Г. А. Русанов, О. Г. Степановой, П. С. Яні, D. Arnott, L. Joossens, J. Keiler, D. Roef та інші. Водночас окремі важливі питання, зокрема, зарубіжного досвіду запобігання контрабанді, залишились поза увагою науковців і потребують додаткових досліджень.

Мета і завдання дослідження. Метою статті є визначення основних умов вчинення контрабанди в Україні, що дозволить у майбутньому визначити заходи запобігання і протидії контрабанді в Україні.

Виклад основного матеріалу. Жодне злочинне посягання, і контрабанда не виняток, не вчиняється при відсутності відповідних умов, що надають причинам певного розвитку, полегшують їхнє формування й реалізацію. Зокрема, нами визначено, що такими ϵ :

1. Неврегульованість багатьох питань правового статусу державного кордону України з країнами СНД, а також недостатнє обладнання державного кордону України з цими державами сучасними засобами прикордонного контролю. Так, 20 % опитаних нами працівників Державної фіскальної служби (далі – ДФС) України відносять ці обставини до найбільш визначальних чинників контрабанди. Необладнаність і нечітка визначеність кордонів України з суміжними країнами не лише дозволяють контрабандистам безперешкодно вчинювати незаконне переміщення культурних цінностей через митний кордон, а й надають їм змогу уникати відповідальності за вчинене. Наприклад, не встановлення місця незаконного перетинання державного кордону України за умов не завершення делімітації й демаркації державного кордону між Україною і Республікою Молдова призвело до закриття за реабілітуючими підставами (п. 2 ч. 1 ст. 284 КПК України) низки кримінальних проваджень.

2. Недостатньо високий рівень професійної підготовки працівників митних та інших правоохоронних органів, завданням яких ϵ боротьба з контрабандою. Так, перевіркою ДФС України було встановлено, що в митних органах із 1229 осіб, персональні справи яких були вивчені, 400 не мали базової юридичної освіти, або не проходили професійне навчання, або своєчасно не підвищували свою кваліфікацію, що складає 32,5 % [3, с. 93]. Наше дослідження показало таке співвідношення у межах 18 %, що вказує на поступове вирішення цього питання. Крім того, заважає накопиченню досвіду й обміну ним також плинність кадрів у цих органах, що є, зокрема, наслідком недостатньо високого матеріального забезпечення працівників зазначених державних установ. Загальним недоліком підготовки майбутніх митників у відповідних закладах є відсутність можливості досліджувати, аналізувати та узагальнювати реальні помилки органів дізнання та слідства при порушенні й розслідуванні кримінальних проваджень.

Недостатній рівень підготовки та подекуди недбале ставлення до виконання професійних обов'язків характерне для працівників усіх видів правоохоронної діяльності. Обмаль спеціальних знань у митників не дозволяє їм на відповідному рівні здійснювати митне оформлення вантажних і поштових відправлень, у результаті чого значна кількість товарів незаконно вивозиться за кордон. Так, наприклад, тільки протягом 2018 р. серед митників проведено 206 службових розслідування і 482 пере-

вірки, за результатами яких до дисциплінарної відповідальності притягнуто більше 150 працівників ДФС України, зокрема оголошено догани 91 особі, 29 працівників попереджені про неповну службову відповідність, звільнено з митних органів — 24 особи [4, с. 93].

3. Корупційні вияви й службові зловживання серед митників. Корумпованість окремих ланок місцевих органів влади, правоохоронних і митних структур дає можливість організованим групам контрабандистів уникати прикордонного контролю й сплати митних платежів. Протягом 2013–2016 рр. в ДФС України було проведено 588 службових розслідувань, до правоохоронних органів направлено 430 матеріалів для порушення кримінальних проваджень за фактами службових зловживань. Водночас до кримінальної відповідальності було притягнуто лише 35 митників, а щодо 39 були складені протоколи про корупцію. Результати опитування громадян свідчать про високий рівень корумпованості працівників митних структур. Зокрема, 27,1 % від опитаних респондентів, які мешкають в прикордонних районах, стикалися з проявами корупції в митних органах [5, с. 115]. Незважаючи на заходи, що вживаються, рівень корупції в митних органах все ж залишається досить високим.

Зовсім іншим питанням стає участь окремих працівників митних та правоохоронних органів в організованій злочинності. Лідери організованих злочинних угруповань втягують у контрабандну діяльність посадових осіб з метою використання їх для прикриття контрабандних операцій. Контрабандисти отримують професійні консультації окремих працівників ДПС України, ДФС України та інших спеціалістів, яким добре відомі прогалини у здійсненні прикордонного та митного контролю і лакуни чинного законодавства, які сприяють ухиленню злочинців від кримінальної відповідальності. За оприлюдненими даними ДФС України в середньому щорічно порушується приблизно 25-30 кримінальних проваджень проти окремих працівників митниць, які всупереч інтересам служби діяли на користь контрабандистів [6, с. 138].

Організовані злочинні угруповання зацікавлені у розквіті корупції в державних органах для забезпечення безперешкодного вчинення контрабанди. Участь правоохоронців суттєво підвищує ефективність діяльності організованих злочинних угруповань завдяки, зокрема, особистим зв'язкам таких осіб у правоохоронних та інших державних органах; застосування досвіду слідчої або оперативної роботи для протидії дійову розслідуванню й розкриттю злочинів. Це підтверджується і нашим опитуванням, в якому 9,5 % опитаних працівників вважають, що у вчиненні значної частини контрабанди найчастіше беруть участь колишні і нині працюючі правоохоронці. Інколи працівники правоохоронних органів не лише приймають участь у діяльності організованих злочинних угруповань, але й особисто їх створюють та очолюють. Про поширеність цього явища свідчать матеріали опитувань, судова практика та інформація ЗМІ. Отже, корупція, службові злочини, організована злочинність тісно пов'язані, що багаторазово підвищує їх небезпеку й викликає чималу стурбованість керівників держави..

4. Недостатньо розвинений рівень взаємодії й координації між митними і правоохоронними органами. Вказане, насамперед, пов'язано з невідповідністю матеріалів, які надходять у випадках затримання контрабандистів прикордонниками. Зокрема, нерідко трапляються такі помилки як: відсутність у рапортах детального опису обставин затримання; неповнота пояснення порушників стосовно обставин справи; відсутність пояснень від усіх осіб, затриманих при вчиненні злочину; неналежним чином складено й оформлено схему затримання; часто прикордонники не затримують контрабандистів, а очікують прибуття працівників митниці [7, с. 230].

Нами визначено основні причини, що зумовлюють низький рівень ефективності співпраці між правоохоронними органами у сфері запобігання та протидії контрабанді:

- 1) професійні: недостатній обмін інформацією; порушення строків, передбачених законом; велика завантаженість органів досудового розслідування та інші;
- 2) фінансові: недостатнє забезпечення необхідною технікою, висока вартість проведення експертиз, недостатньою висока заробітна плата тощо;
- 3) особистісні: байдужість, неналежне виконання доручень, указівок, ігнорування керівної ролі слідчого під час досудового розслідування кримінального провадження та інші;
- 4) специфічні: віддаленість слідчих органів від органів митного контролю й інші.

Неузгодженість дій правоохоронних органів стосовно боротьби з контрабандою спричинюється також відсутністю науково обгрунтованих методів аналізу оперативної та слідчої інформації щодо нерозкритої контрабанди, готування до вчинення контрабанди, а також встановлення осіб, які залишили предмет злочину під час його викриття. Обмін інформацією найчастіше носить нерегулярний, обмежений характер, оскільки між працівниками різних правоохоронних органів має місце недовіра у зв'язку з можливістю витоку переданих відомостей.

Досить часто при затриманні злочинців, які переміщують контрабанду поза митним контролем, навіть за наявності ознак контрабанди або порушення митних правил, органи ДФС України вчасно про такі випадки не інформуються, а матеріали й предмети можуть передаватися лише через декілька днів. У зв'язку із цим, порушники, як правило, встигають узгодити свої дії і зникають взагалі. У подібних випадках складно документально правильно зафіксувати факт контрабанди або порушення митних правил, а відкрити кримінальне провадження і провести дізнання в установлені законом строки видається іноді зовсім неможливо. Частину вказаних проблем було вирішено завдяки передачі слідчим ДФС повноважень на розслідування злочинів у сфери контрабанди.

- 5. Наявність численних прогалин і протиріч у законодавстві й неузгодженість різних нормативних актів. Зокрема, про недостатність правового забезпечення протидії контрабанді свідчать часті зміни чинного митного законодавства. Наявні проблеми ми можемо умовно поділити на три групи за типом стимулювання економічної злочинності:
- 1) недосконалі нормативно-правові акти; неопрацьовані положення, що побічно, опосередковано сприяють економічної злочинності;
- 2) нормативно-правові акти, що своїми лакунами спотворюють суспільні відносини, внаслідок чого створюються обставини, що прямо сприяють вчиненню злочинів у сфері господарської діяльності:
- 3) нормативно-правові акти, які у змові із суб'єктами організованої злочинності відредаговані таким чином, аби забезпечити інтереси організованих злочинних угруповань в сфері господарювання. До таких нормативно-правових актів можна віднести положення, що полегшують криміналітету впроваджувати в органи державної влади своїх довірених осіб, корумпованих чиновників.

У кримінальному та кримінально-процесуальному законодавстві також містяться певні недоліки щодо досліджуваного виду злочинів. Давно визріла необхідність надати статус правоохоронних органів і право здійснювати оперативно-розшукову діяльність окремим підрозділам митних органів (відділам по боротьбі з контрабандою та власної безпеки), що, з нашого погляду, значно підвищить рівень боротьби з корупцією й контрабандою. Таке становище незадовільно позначається на боротьбі з контрабандою і корупцією в митних органах.

Вітчизняне законодавство не надає права займатися оперативно-розшуковою діяльністю підрозділам ДФС України, які провадять боротьбу з контрабандою, тому при реалізації комплексних оперативно-розшукових заходів міжнародного характеру відповідні розвідувальні й оперативні підрозділи митних органів інших держав навіть відмовляються надавати потрібну інформацію українській стороні [8, с. 396]. На наше переконання, вказане значно знижує ефективність спільних дій і негативно впливає на результативність протидії контрабанді в цілому.

Слід зауважити, що серед недоліків роботи судових органів можна виокремити неадекватну оцінку суду і співвідношення вчиненого злочину та м'якості покарання для іноземних громадян, які вчинили контрабанду. На жаль, проведений нами контент-аналіз кримінальних проваджень не виявив жодного випадку призначення їм покарання у вигляді реального позбавлення волі.

6. Недостатньо розвинене міждержавне співробітництво в боротьбі з контрабандою. До проблем, що існують в цій сфері, слід віднести недостатність нормативного матеріалу для міжнародної співпраці. Наприклад, з деякими державами Україна ще не уклала відповідних угод про надання правової допомоги по цивільних, сімейних і кримінальних провадженнях. Зазначимо при цьому, що контрабанда деяких предметів, наприклад, незаконне вивезення культурних цінностей, не всіма національними законодавствами визнається злочином. Тому часто зустрічається ситуація, коли країни, що не визнають такі дії злочинними, на думку вітчизняного вченого І. В. Пшеничного, не погоджуються на співробітництво в розкритті цих злочинів, навіть якщо вони підписали відповідні угоди [9, с. 49].

Конвенцією про заходи, спрямовані на заборону й запобігання незаконному ввезенню, вивезенню та передачі права власності на культурні цінності від 14 листопада 1970 р. і Конвенцією ЮНІДРУА щодо викрадених або незаконно вивезених культурних цінностей від 24 червня 1995 р. передбачаються заходи для повернення викрадених або незаконно вивезених культурних цінностей у випадках, якщо зазначені дії відбулися з порушенням внутрішнього законодавства країн-учасниць цих конвенцій. Підставою повернення є наявність відкриття кримінального провадження, а порядок повернення передбачено існуючими міжнародними процедурами й реалізується через уповноважені державою органи (Міністерство культури та інформаційної політики України, Міністерство закордонних справ тощо). Проблема насамперед полягає в тому, що не всі держави приєдналися до зазначених вище конвенцій, ратифікували їх і виконують їхні положення. Одним з варіантів, що дозволяє врегулювати спірні питання по переміщенню культурних цінностей, є укладення двосторонніх угод стосовно цієї царини міжнародних відносин.

Так, вітчизняний вчений Є. П. Гайворонський, досліджуючи контрабанду культурних цінностей, зазначав, що навіть за наявності необхідних міжнародних угод виникає проблема невиконання урядами країн з різних причин взаємних зобов'язань. Зокрема, оперативні підрозділи митних служб інших держав далеко не завжди інформують ДФС України про проведення багатоходових міжнародних операцій по припиненню контрабанди, що значно обмежує можливості ДФС України щодо участі в міжнародній співпраці по боротьбі з контрабандою [10, с. 4].

Згідно зі ст. 563–567 Митного кодексу України під час здійснення своїх функцій митні органи України можуть взаємодіяти з митними та іншими органами іноземних держав та з міжнародними організаціями. Узгодження зусиль митних органів особливо необхідне на міждержавному рівні. Досягнути ефективності протидії контрабанді можна тільки спільними зусиллями. Міжнародна співпраця здійснюється на різних рівнях і у різних формах

Висновки. Насамкінець, вважаємо за доцільне серед головних передумов розвитку контрабандної діяльності на прикордонних територіях України виділити такі: 1) вигідне географічне і транспортне положення території держави; 2) надмірна кількість контрольних процедур при митному оформленні продукції, товарів, матеріальних цінностей тощо; 3) функціональна неспроможність Державної прикордонної служби України забезпечити контроль за перетином державного кордону на всій лінії його протяжності; 4) низька ефективність роботи органів

правоохоронної та судової системи; 5) поширена практика лобіювання інтересів в органах державної влади представниками великого бізнесу; 6) недобросовісність окремих працівників Державної прикордонної служби України та Державної фіскальної служби України; 7) високий рівень корумпованості та бюрократизму державних чиновників; 8) психологічні стимули та бажання підприємців до отримання надприбутків; 9) недосконалість системи митно-тарифного регулювання експортно-імпортних операцій; 10) криміналізація органів державної влади, суб'єктів господарювання та суспільства загалом; 11) транснаціональний характер розвитку криміногенних структур; 12) непрозорість здійснення експортно-імпортних операцій; 13) високі ставки експортних та імпортних мит; 14) переважно низький рівень доходів і бідність населення, яке проживає на прикордонних територіях.

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№50/2020

Norwegian Journal of development of the International Science

ISSN 3453-9875

VOL.3

It was established in November 2016 with support from the Norwegian Academy of Science.

DESCRIPTION

The Scientific journal "Norwegian Journal of development of the International Science" is issued 24 times a year and is a scientific publication on topical problems of science.

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