

JEL Classification: F02; F63  
DOI: 10.46361/2449-2604.7.3.2020.65-76

## ძალაუფლების დეცენტრალიზაციის როლი სახელმწიფოს ინოვაციური განვითარების ხელშეწყობის საქმეში

### ტატია შესტაკოვსკა

სახელმწიფო მართვის მეცნიერებათა  
დოქტორი,  
ასოცირებული პროფესორი  
ეროვნული უნივერსიტეტი,  
ჩერნიგოვის პოლიტექნიკა  
E-mail: shestakovska27@gmail.com  
orcid.org/0000-0002-8098-8439

### სერგეი გრივკო

ეროვნული უნივერსიტეტი,  
ჩერნიგოვის პოლიტექნიკა  
orcid.org/0000-0002-8801-0363

სტატიაში მოცემულია იმ საკითხების სიღრმისეული ანალიზი, რომლებიც დაკავშირებულია ძალაუფლების დეცენტრალიზაციის ეფექტურობის გაუმჯობესებასთან, ეკონომიკური განვითარების უზრუნველსაყოფად. უფლებამოსილების დეცენტრალიზაციის პროცესის განხორციელება, რომელიც ემყარება სუბსიდირების პრინციპებს, ანუ უფლებამოსილების გადაცემას მთავრობის კონკრეტულ დონეზე, სადაც ამგვარი უფლებამოსილების განხორციელება შესაძლებელია მენეჯმენტის სუბიექტებთან მიახლოებით, ქვედა დონე, ცენტრიდან მოშორებით და შესრულების შეფერხების გარეშე. უნდა აღინიშნოს, რომ ადამიანის უფლებების ფართო მნიშვნელობით არსებობა ტერიტორიულ საზოგადოებაში გამართლებულია, რადგან იგი განისაზღვრება მისი საკმაოდ ფართო შემადგენლობით, რომელიც მოიცავს არა მხოლოდ იმ სახელმწიფოს მოქალაქეებს, რომელთა ტერიტორიაზეც ფუნქციონირებს ასეთი საზოგადოება. ამ მიდგომამ ასევე უნდა მოიპიოს მათი საკანონმდებლო რეგულირება, რადგან ტერმინი «რეზიდენტი», რომელიც გამოიყენება უკრაინის კონსტიტუციაში და პროფილის კანონში, შეიძლება სრულად არ ასახავდეს ამ ვითარებას.

უკრაინის მუნიციპალური რეფორმა პირდაპირ, არსებითად, ფუნქციურად, ტექნოლოგიურად და კონტაქტურად უკავშირდება სახელმწიფო ხელისუფლების უფლებამოსილების დეცენტრალიზაციას, ანუ მათი გადაადგილების პროცესს უფრო დაბალი მენეჯმენტის - ან სახელმწიფო (ადგილობრივი სახელმწიფო ადმინისტრაციების დონეზე, რაც გრძელვადიან პერიოდში მუნიციპალური რეფორმის განმავლობაში გარდაიქმნება რეგიონალური და რაიონული საბჭოების აღმასრულებელ კომიტეტებად) ან თვითმმართველობად - საზოგადოებრივი თვითმმართველობის (მუნიციპალური) მმართველობის დონეზე, ანუ ადგილობრივი თვითმმართველობების დონეზე ( შემდგომში LSGs) სხვადასხვა დონის, დაწყებული სოფლის, ქალაქის, საკრებულოს და დამთავრებული

ახალი გაერთიანებული თემებით დასახლებულ დონეზე, შექმნილი (ტერიტორიული და ძალაუფლებით აღჭურვილი) ტერიტორიული თემების ოპტიმიზაციის მიზნით - და დამთავრებული რეგიონალური და რაიონულ საბჭოებს, რომლებმაც უნდა მიიღონ თვითმმართველი მთავრობის სრული უფლებამოსილება, საკუთარი უფლებამოსილებებით და აღმასრულებელი კომიტეტებით.

დასაბუთებულია, რომ სახელმწიფოს მთავარი ინსტრუმენტი, რომელიც უზრუნველყოფს ეკონომიკის ინოვაციური პოტენციალის ეფექტურ ფორმირებას და განვითარებას, წარმოადგენს ევროინტეგრაციის პროგრამებს. ეკონომიკის ინოვაციური განვითარების პროგრამების განვითარების კომპლექსური ტექნოლოგია, რომელიც ითვალისწინებს ფინანსური და ეკონომიკური, ორგანიზაციული, მარკეტინგის, პერსონალის, სოციალური და ინოვაციური განვითარების სხვა პრობლემების გადაწყვეტილებებს, წარმოადგენილია ინტეგრირებული პროგრამის სახით. ინოვაციური ეკონომიკური განვითარების ინტეგრაციის პროცესების ეფექტურობის უზრუნველსაყოფად, შემოთავაზებულია ფუნქციური მოდელი, რომელიც ითვალისწინებს ყველა დაინტერესებული მხარის სოციალურ-ეკონომიკური ინტერესების გაერთიანებას.

**შემოსულია რედაქციში:**

ნოემბერი, 2020

**რეცენზირებულია:**

დეკემბერი, 2020

*საკვანძო სიტყვები: სახელმწიფო ხელისუფლების დეცენტრალიზაცია, უფლებების სისტემა, ადგილობრივი მმართველობა, ინოვაციური განვითარება, ეკონომიკა.*

JEL Classification: F02; F63  
DOI: 10.46361/2449-2604.7.3.2020.65-76

## RISKS ANALYSIS IN THE ACTIVITIES OF A TOURISM COMPANY

### TETIANA SHESTAKOVSKA

Doctor of Science in Public  
Administration,  
Associate Professor of the National  
University  
«Chernihiv Polytechnic»  
Chernihiv, Ukraine  
E-mail: shestakovska27@gmail.com

### SERGEY GRIVKO

Getter, National University “Chernihiv  
Polytechnic”  
Chernihiv, Ukraine  
orcid.org/0000-0002-8801-0363

The article provides an in-depth analysis of issues related to improving the effectiveness of decentralization of power in order to ensure economic development. The implementation of the process of decentralization of authority, which is based on the principles of subsidiarity, that is, the transfer of authority to a particular level of government, where such authority can be exercised by approaching directly to the subjects of management, at a lower level, away from the center and without delay in execution. It should be noted that the existence of human rights in their broadest sense within the territorial community is justified, since it is determined by its rather wide composition, which includes not only citizens of the state in whose territory such community functions. This approach should also find their legislative regulation, since the term “resident” as used in the Constitution of Ukraine and the profile law, may not fully reflect this state of affairs.

Municipal reform in Ukraine is directly, meaningfully, functionally, technologically and connotatively connected with the decentralization of the powers of state public authority, that is, with the process of transferring them to lower management sabers — or state (the level of local state administrations, which in the long term during the municipal reform will be transformed into the executive committees of regional and district councils) or self-governing – to the level of public self-governing (municipal) government, that is, to the level of local governments (hereinafter referred to as LSGs) of various levels, starting from village, town, city councils, and ending with new united communities at the indicated levels, created with the aim of optimizing (territorial and power-empowered) territorial communities – and ending with regional and district councils, which should receive the full power of a self-governing government, with their own powers and executive committees.

It is substantiated that the main tool of the state, which ensures the effective formation and development of the innovative potential of the economy are European integration

programs. The complex technology of development of programs of innovative development of economy which considers decisions of financial and economic, organizational, marketing, personnel, social and other problems of innovative development is presented in the form of the integrated program. To ensure the effectiveness of integration processes of innovative economic development, a functional model is proposed, which provides for the unification of socio-economic interests of all stakeholders.

**Edited by:**

November, 2020

**Reviewed by:**

December, 2020

**Keywords:** *decentralization of state power, rights system, local government, innovative development, economy.*

### **Analysis of recent research and publications.**

The powers of a public authority, or rather the powers of its bodies, in the context of the issues we are studying, first of all, it is necessary to include a clear and unequivocal separation and division of powers of public authorities and self-governing bodies of public (municipal) authorities [1]. This should be carried out by deconcentrating powers, and the vast majority of powers exercised at the local level of society functioning should be transferred to a lower (municipal) level of government and are related to the existence and functioning of a person in the conditions of everyday life – not only in the organization but also in chronological functional aspects. In turn, at the level of a public self-governing (municipal) government should also make the separation of powers, but already by levels of local self-government – through the separation and grouping of powers of the united territorial communities, cities, districts and regions [4].

There must act not only to the principle of proportionality, the principle of the organizational and financial viability of the LSGs in the exercise of such powers, which reduce in the future competence of conflict due to duplication or lack of authority, their collision, etc. but also the principle of recognition, observance, protection and protection of human rights, since it is within local government that living space is created, in which a resident member of the territorial community manifests, produces, initiates and realizes his vital interests, needs and rights. The regulatory and conceptual requirements here should be the relevant provisions in the formation of the competence of the European Charter of Local Self-Government 1985 [6], which was signed and ratified by Ukraine.

The transfer of such powers in the framework of decentralization is possible either by transfer-

ring them to lower control sabers (namely, decentralization) or by transferring such powers to their authority by the LSGs (deconcentration). In addition, it should be noted that such a run – in management method, such as delegation of authority from one management level to another, under the conditions of actual decentralization of public authority, not only loses its meaning, but also appropriately levels the content of such decentralization. Hence, it can be noted that with these processes (decentralization, deconcentration) the further democratization of society is connected, the emergence of real, proper, rather than decorative legal personality of territorial communities, as well as the expansion of the competence base of the LSGs and improvement of the legal status of other subjects of the local government system [5].

### **Aim and research objectives**

The purpose of the article is to substantiate the theoretical and methodological principles and develop practical recommendations for improving the regulation of innovative development of Ukraine's economy in terms of decentralization.

The main objectives of the study include:

- to present the role of decentralization of power in ensuring the development of Ukraine's economy on an innovative basis;
- to identify the main instruments of the state that ensure the effective formation of the innovative potential of Ukraine's economy in terms of European integration;
- to present technologies of development of programs of innovative development of economy on the basis of decentralization of the power.

### **Presenting the main materials.**

The above processes are new and in fact revolutionary trends in the state building of our country, because they are characterized by the

emergence of a powerful humanistic component – the emergence and development of civil society institutions, the optimization of the public administration system, and against the background of all this – the expansion and improvement of human rights and freedoms new conditions for the implementation of decentralization while maintaining the ideas of the rule of law.

At the same time, it should be emphasized that the modernization of public authority here must occur in two interrelated and mutually deterministic areas: on the one hand, by creating a client-oriented public administration system, which will be an integral element of the social, economic and socio-political protection social and political activity; on the other hand, the creation of an effectively functioning system of municipal human rights, with the help of which not only their rights will be realized, which is systematically related to local self-government, guarantees of its existence, functioning and realization, but also the implementation of a system of constitutional rights, freedoms and responsibilities that are naturally realized by man at the local level of the functioning of society within the territorial community.

In the process of these changes, a management-technological chain is built up, reflecting the genetic relationship between decentralization and human rights, while keeping the latter's priority, which can be reflected and fixed in this way: "public authority" – "powers of public authority" – "decentralization" – "LSGs powers" – "territorial community" – "person-member of a territorial community" – "human rights (constitutional + municipal = municipal rights in their broad sense)".

System analysis of the above components allows you to identify and identify so-called the "supporting" terminological links or terminological systems that actually constitute the

functional regulatory framework of the specified management and technological chain and demonstrate their interconnection and mutual determinacy, while maintaining the leading and system-forming role of the decentralization phenomenon. These include the following: a) the powers of public authority; b) decentralization; c) LSGs powers; d) territorial community; d) human rights.

If we consider each of these chains, then in system analysis they have important statutory and promising characteristics, the achievement of which will allow them both more adequately and optimally to create communication contacts and connections, in order to build real and meaningful local self-government in the state, and to create an appropriate local system of implementation and protection of human rights.

Decentralization should be viewed not only as a mechanistic process of transfer of authority, but more broadly as a complex socio-organizational, political, economic, and regulatory legal process of renovating not only society, but also the institution of statehood towards its substantial democratization and strengthening of legal foundations. The strategic signs of this process are, first of all, the process of expanding and strengthening the rights and powers of territorial communities, while at the same time narrowing the rights and powers of the respective center. In addition, decentralization can be considered as a purposeful process of the LSGs empowering with the aim of:

- optimizing and improving the management of socially important matters that cannot be objectively resolved by state bodies;
- transfer to the local level of the main weight in the implementation and protection of existential human rights through the timely and high-quality provision of all necessary services to residents of territorial communities in full;



- full implementation of local (local–regional) interests;
- the creation of an extensive system of local self–government, in which issues of local importance are decided not by the representatives of the central government, but by the LSGs, which were formed by the territorial community.

Requirements for the implementation of the decentralization process of public authority powers should be simple and clear:

- decentralization should be real, not declarative, that is, the state should clearly demonstrate its positive will for such a process;
- it must be accompanied by managerial and regulatory processes of the transfer of powers of public authority, which are: a) existing character; b) are formulated in the form of powers to sell services to members of the territorial community; c) can be guaranteed implemented at the local management level;
- it must be accompanied by a simultaneous transfer with authority and of appropriate financial resources for the subsequent fulfillment of such authority;
- control over the implementation of such powers should be limited by legal requirements.

It should be noted that the process of decentralization has a complex psychological basis, which, on the one hand, actually causes a corresponding psychological crisis in the post–Soviet system of government, which is still preserved in Ukraine, and, on the other hand, it denotes an organizational crisis of management, the real way out of which is the construction of a new management system based on separation and differentiation of the interests of the state and local society. It should be noted that the specified in-

terests of local society are not antagonistic – they really coincide with the state interests, but do not contradict them (Hayes, 2011).

In addition, it is necessary to take into account that such a managerial and psychological crisis is characterized by a corresponding organizational dichotomy – on the one hand, which belongs to the willingness of the state to implement decentralization; on the other hand, the readiness and ability of the LSGs and the territorial communities that have formed to accept such powers, which in fact implies the ability of these entities to exercise them (Berger, 1995).

Regarding the powers of the LSGs in the context of respect for human rights and freedoms, the following should be noted:

- they must be human–sized and human–centric, that is, reflect the existential attitudes of a person in their diversity, but through the prism of real management activities, the expediency of regulatory intervention and the possibilities of material and financial support and support;
- in the process of deconcentration and decentralization of powers to the level of local self–government, it is objectively necessary to carry out substantial norm–project work in order to develop a concrete formulation of such powers in their interpretation at the local–regional level – because we believe that the automatic transfer of powers of the executive power that previously belonged to the delegated powers the LSGs will not solve the problems of this decentralization;
- in addition, given the existence of different levels of local self–government, such powers must be formulated in accordance with each of them, with established competences, the scope of general and special powers (fully, fragmentary, partially, in complicity with other levels, etc.) starting from a particular level of local government and its actual capacity (organizational, staffing, resources, etc.) to meet them;

– the new powers of the LSGs on the basis of the results of decentralization should reflect the possibility of regulating, regulating and implementing the LSGs of the main cadastre of human and citizen rights, is enshrined in the Constitution of Ukraine in the form of constitutional rights, freedoms and duties of a person and citizen (section II), and of multilateral international treaties signed and ratified by Ukraine, including international standards of local self-government (the rights of youth, foreigners, responsibilities for the organization of a local democracy, landscape, etc.).

The result of the decentralization process should be the new quality of the legal status of the territorial community. It is common knowledge today that the legal status of the primary subject of local self-government (see Art. 140 of the Constitution of Ukraine) is primarily declarative – this is determined primarily by centralistic tendencies, which prevail in the current legislation on local self-government and the actual elimination of the territorial community from the process of developing and making management decisions. In fact, excluding the statement, but rather the declaration of the constitutional status of the primary subject of local self-government, the territorial community is deprived of proper full status, it is not properly legal, which prevents it from solving the tasks established by the Basic Law of the State (Strong, 2018).

The main “consumers” of human rights is a resident member of a territorial community – he uses and implements them. However, all the above subjects included in organizational chains accompany and ensure the emergence, existence, functioning, protection, protection and realization of human rights within the framework of local self-government within a territorial community.

In our opinion, the main tool of state regulation that allows to ensure effective innovative

development of the economy in the languages of decentralization are programs that integrate and coordinate the activities of relevant administrations aimed at the development and efforts of departments at different levels. Under the state innovation program in the context of decentralization means a set of established goals and priorities for the development of innovation in the economy, ways and means to achieve them based on the interaction of all stakeholders in the innovation process.

In this regard, the program-targeted approach to solving the problems of innovative economic development should be considered as a tool of state regulation, which provides both the formation of innovation policy in general and its implementation in the form of specific programs of different levels and purposes. We noted that the programs must meet a number of mandatory requirements, namely: legitimacy; normative programs of any level; reality; diversification; specific goals and objectives; controllability; responsibility [1].

As a result of the study, it was found that the state supports innovation projects at different stages of the innovation process in different ways, but the implementation of a single coordination is most effective in the framework of an integrated innovation program. Analysis of the results of state and regional programs shows that the main reason for their lack of efficiency is the application of traditional hierarchical principles of organization of individual stages of the innovation process and the lack of an integrated market mechanism for using and attracting necessary resources (financial, technological, production, management, personnel, etc.). .) to implement the entire innovation process [5]. This situation leads to gaps between the research stage and the subsequent process of commercialization of research results, as well as the research and pro-



duction sector, which has a negative impact on commercial and budgetary efficiency. It is necessary to adhere to a number of conditions and procedures to achieve the effectiveness of the innovative program of economic development.

We propose to determine the priorities of innovative development of the country's economy in the context of decentralization to develop a system and structure of goals of the innovation program in the framework of state economic policy. The top priority is to focus on global criteria of scientific and technological progress, which allow the selection of advanced technologies and products.

The next most important priority is to achieve the goals of socio-economic development. The main task of public authorities is to create a favorable socio-economic environment and conditions for increasing investment activity in science and innovation.

The third priority: innovation policy in the country should be selective, strictly selective, not seeking to cover all areas of scientific and technological development, but, choosing areas of strategic breakthrough, which may exceed the existing technological level, to concentrate most of the limited resources [8].

Each economic entity of the regions has its own specific, reproducible and technological structure, its own system of priorities, and must rely on its own forces and resources in implementing the innovation strategy.

Ways and means of achieving goals in the innovation program are differentiated depending on the level and scale of the innovation sphere in the country: structural and institutional changes in the scientific and educational sphere, the development of innovation infrastructure. Ways and means of achieving innovation goals in the agricultural sector can otherwise be formed in

the form of direct and indirect support for relevant innovation actions.

For further formation of the innovative program of development of economy of regions it is necessary to carry out the organization of monitoring of innovative potential and a set of organizational and administrative actions as the plan of strategic actions. To implement the innovation policy, it is proposed to form analytical services at the relevant administrations, which provide monitoring of innovation potential [1].

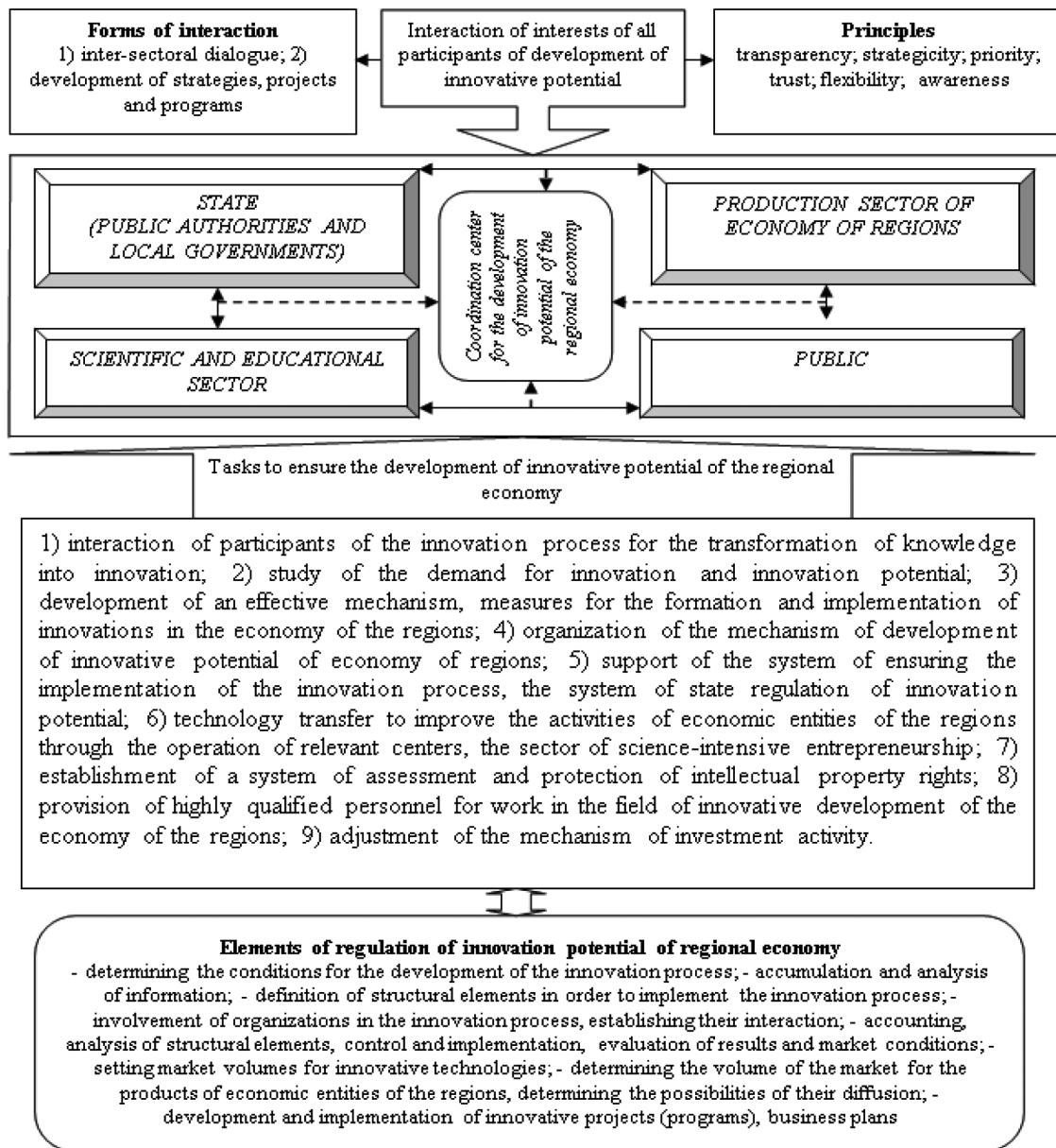
### **Results and discussion.**

To ensure the effectiveness of state regulation of innovative economic development of Ukraine, we have proposed a functional model that provides for the association of such participants as: the state (adopts legislation, determines the priorities of science and technology, technology, develops foresight projects, science concepts, scientific and technical programs, road maps, etc.), research and education sector (formation of technology parks and small innovation enterprises; conducting basic research and experimental testing of their results in technology parks, etc.), manufacturing sector (production of innovative products; attracting own resources for innovation; formation of new structures, etc.) and the public (forms various requests for goods and services and other needs of society up to individual orders of individuals and legal entities) (Fig. 1). The proposed model is focused on the complex regulation of innovative economic development, in particular, the process of formation, transfer and implementation of scientific developments in the production of innovative products (goods, services).

All elements of regulation of innovative economic development must synchronously organize their activities. In turn, it is very important to coordinate the effective functions of

Fig. 1.

**Functional model of strategic regulation of innovative development of Ukraine's economy in the languages of decentralization of power**



each structure and system tasks, as well as the formation of an effective procedure for coordinating the overall activities of public authorities and other participants, which is possible in the implementation of a comprehensive innovation system in decentralization.

The role of decentralization in ensuring the innovative development of the economy is possible with the use of new organizational levers that

can stimulate productivity in the economy, the formation of innovative value-added products, the development of high-tech and science-intensive industries, the formation of closed production chains. The most effective means of innovative economic development is the application of cluster policy, which helps to combine the necessary resources and competencies that are not available to certain economic entities.

### **Conclusions and recommendations.**

Summarizing, it should be noted that human rights in their democratic sense can arise at the local level only in the presence and realization of the phenomenology of decentralization of public authority, as a powerful tendency to level its forced and managerial potential, humanizing the system of managerial relations that transform the inherent public authority a rigid system of “power and subordination”, as well as one that arises and manifests itself in the conditions of a democratic legal statehood.

In addition, we believe that human rights at the level of local self-government should be understood in an integrated way, as municipal human rights, including its constitutional rights (taking into account their habitat, functioning and realization) and it is human rights that are associated with its direct participation in local self-government (today they are mostly enshrined in the charters of the territorial communities).

Also, with the aim of praxeological embodiment of the above doctrinal and normative developments, we consider it necessary to legalize, legitimize and implement the above managerial and technological chain to initiate and implement the necessary sequential processes of design norms, constitutionalization, legalization, which can be built in such a sequence “objectification – actualization – constitutionalization (standard-

ization) – legalization – proceduralization – constitutional and legal support”. Moreover, each of the above stages has its own rationale and characteristic criteria and organizational characteristics.

Necessity of formation of the integrated program of innovative development of economy of Ukraine in the conditions of decentralization as the complex technology which is called to solve financial and economic, organizational, personnel, marketing, social, information-analytical and other problems of innovative development of economy is substantiated. To ensure the effectiveness of state regulation of innovative economic development, a functional model is proposed, which provides for the association of such participants as: the state (adopts legislation, determines the priorities of science and technology, technology, develops foresight projects, science concepts, scientific and technical programs, road maps etc.), scientific and educational sector (formation of technology parks and small innovation enterprises; conducting basic research and experimental testing of their results in technology parks, etc.), production sector of the economy (production of innovative products; attracting own resources for innovation; formation of new structures, etc.) and the public (generates various requests for goods and services and other needs of society up to individual orders of individuals and legal entities).

## REFERENCES

- [1] Potential of development and prospects of revival of rural territories in the conditions of modern reforms: scientific and analytical report / edited by V. Borshchevsky. Lviv, 2017. 43 [in Ukrainian]
- [2] **Berger P. and Lukman T.** (1995) Social Construction of Reality: A Treatise on the Sociology of Knowledge. M.: Medium. 123. [in India]
- [3] Hayes J (2011) Review article: the democratic peace and the new evolution of an old idea. *European Journal of International Relations* 18(4): 767–791. [in Britain]
- [4] **Mello P.A.** (2012) Parliamentary peace or partisan politics? Democracies' participation in the Iraq war. *Journal of International Relations and Development* 15(3): 420-453. [in India]
- [5] **Raunio T. and Wagner W** (2017) Towards parliamentarisation of foreign and security policy? *West European Politics* 40(1): 1-19. [in Britain]
- [6] **Rosén G. and Raube K.** (2018) Influence beyond formal powers: the parliamentarisation of EU security policy. *The British Journal of Politics and International Relations* 20(1): 69-83. [in Britain]
- [7] **Strong J.** (2018) The war powers of the British parliament: what has been established, and what remains unclear? *The British Journal of Politics and International Relations* 20(1): 19–34. [in Britain]
- [8] **Ladyuk O.D.** (2010) Innovation is a factor of global development. *Problems of science.* 1:18-21 [in Ukrainian]