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REGULATORY AND LEGAL SUPPORT FOR THE INTERACTION OF SOCIETY, BUSINESS AND GOVERNMENT IN UKRAINE

Implementation of the Association Agreement between Ukraine and the European Union is one of the key tasks of the Ukrainian authorities in the medium term. Both in wartime and post-war, EU-Ukraine cooperation will be characterized by a synergy of old and new formats, structures, and networks, with the Association Agreement playing a central role. An important component of the Agreement is Chapter XXI “Cooperation in the field of employment, social policy and equal opportunities” (hereinafter - Chapter XXI of the Agreement), the implementation of which requires a change in approaches to the interaction of trade unions, employers, civil society organizations and the state in addressing the country's socio-economic problems. Articles 419, 420, 421 of this Chapter provide for the promotion of effective social dialogue, ensuring the active participation of social partners in the implementation of reforms in Ukraine, their involvement in the development and implementation of relevant regulations and organizational steps [1]. Legislative regulation of the interaction between society, business and government in Ukraine is based on a number of legal documents, in particular: Laws of Ukraine, Decrees of the President of Ukraine and Resolutions of the Cabinet of Ministers of Ukraine.

Public-private partnerships in Ukraine are regulated by the Law of Ukraine “On Public-Private Partnership”, which defines the organizational and legal framework for the interaction of public partners with private ones and the principles of public-private partnership on a contractual basis. The law is a framework law aimed at generalizing the practice of public-private partnerships [2]. Its individual legal forms are regulated by a number of legislative acts, in particular: The Civil and Commercial Codes of Ukraine, the Laws of Ukraine “On Concessions”, “On Production Sharing Agreements”, “On Lease of State and Municipal Property”, “On Management of State-Owned Property”, “On Investment Activity”, “On Prices and Pricing”, etc.

Ukraine's experience shows that the main drawback in the implementation of national programs and reforms is the lack of an effective dialog between society, business and government. Business structures face problems such as an imperfect legal framework, lack of competitive conditions, underdeveloped investment environment, etc. At the same time, business often hinders partnerships with the state by putting its own interests above the public interest.

The main reasons for the problems are: imperfect communication between the government and business on the country's development priorities; dominance of the government in interaction with business; preferences for business structures close to the government; low level of social responsibility of business and rent-seeking behavior; high level of corruption, which displaces formal institutions from the governance process.

Ukraine has created a new favorable legislative framework for the development of civil society, in particular, thanks to the Presidential Decree “On the National Strategy for Promoting the Development of Civil Society for 2021-2026”. This strategy enhances the role of civil society in public policy, ensures a dialogue between the government and the public, and promotes the protection of human rights. Priority tasks include: improving mechanisms for public participation in politics; creating an enabling

environment for NGOs; expanding cooperation between government, business and the public; enhancing institutional development and attracting professional staff [3].

Unlike previous strategies, the current program contains an analysis of civil society development trends and takes into account international standards. In 2016-2020, the number of civil society organizations increased by 24.5%. One of the key areas of the strategy is to create conditions for cross-sectoral cooperation, which is a challenge in the context of martial law. [4, c. 941].

It is also worth focusing on the issue of unresolved distribution of administrative functions between public institutions, government agencies and local self-government. A separate problem is the activity of state institutions in the areas with active hostilities, where such issues as ensuring the safest possible conditions for the population, evacuation of the population, humanitarian corridors, food supply, preservation of archives and document flow, etc. are particularly painful. For the most part, in the areas close to active hostilities, the authorities work remotely, and this is a real problem for the population that remained in the area. Civil-military administrations are partially staffed by military personnel, which is a requirement of the time, circumstances and legislation, but they usually do not have experience in civilian administration.

Thus, Ukraine's current situation is a challenge for the development of inter-sectoral relations in public administration, where each of the links must assume responsibility and fulfill their powers.

References:

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