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THE PROBLEM OF THE ORIGIN OF THE SOUL. TO THE QUESTION OF RATIO, OF SENSUAL AND RATIONAL: SCIENTIFIC ARGUMENTS

Abstract. In the given article we will try to prove the passage that a feeling is one of the main fundament of spiritual human nature, also from the point of view of clinical psychology and psychophysiology. We will assert the passage that the feelings are the fundamental nature of live soul too and besides it we will try to find the facts in psychology and psychophysiology to argue this passage. The thing is that in philosophy and, as a result, in science and in the consciousness of humanity was strongly established and further prevailed the paradigm of human as a homo sapiens, that is intellectual, reasonable man, and reasoning, thinking was considered as a main condition fundament for any research.

We have such situation because rationality of all European philosophy, about which in passing wrote Nietzsche in "The birth of tragedy from the spirit of music", where he said, that yet on the dawn of their existence Greeks and after them all European society had chosen from two opposite vectors of further development exactly the Apollonian vector – clear, reasonable, but also rational. According to the opinion of Nietzsche – this was the epic moment in the history of civilization of Europe. If Greeks then choose opposite vector – Dionisian start, as Nietzsche call it, our history, the history of Europe would be completely different, we would have absolutely different culture, values etc. It was start of darkness, feasts, orgies etc.

Actually, it is a good thing that clear and lighting start was chosen, but there already is a slight problem that was substantiated during the history, which we have already mentioned. Here we mean the blind cutting of everything else, blaming for preventing mind to think. It looks like as if apollonian start so much used to fight any attacks of Dionisian start, that anything that would differ to mind, that is in the fundament of apollonian it would cut off. But even rational grounds were to understand that although mind differs from feelings, the feelings themselves are not of something that might harm or are of darkness. Feelings are as well the part of that light human, as his mind is.

Keywords: *emotions, love, paradigm, soul, pleasant, unpleasant.*

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Introduction. In the modern world there are a lot of global problems that resembling the sword of Damocles, gravitate over humanity. Among them the most considerable are the problems concerned to wrong feeling, to a feeling of anger, those are wars, terrorism, terror, violence etc. They are related with the absence of the senses of empathy and compassion, with the wrong understanding what feelings are and what feelings should be. We suggest that in this situation the wrong image of human is to blame. We got used to understand man as strictly rational and only rational being and sometimes this image cuts all other manifestations of the soul. About one such manifestation we are to talk in this article.

Analysis of recent research and publications. How come the man was understood as a rational creature? According to F. Nietzsche, the rational intentionality was chosen by European civilization in far past, in the times of ancient Greece where two types of intentionality were present, those were, according to Nietzsche, the Apollonian and the Dionysian internationalities. Greeks were to choose the Apollonian – the clear and rational type. Thus the rationality became long-lasting predicate of European civilization and human history for ages, and is now yet (Nietzsche, 1995). Rational vectors were more or less overwhelming in our civilization unless rationalism of Descartes became the culmination for rationality in man history and because of its popularity in philosophy and society defined rational as main part of human nature. As a matter of fact, rational side of us is important and considerable and we should include it in our life and hierarchy of human values, so achievement of Descartes philosophy and philosophy of his influencers is great. But where here is the problem? The considerable problem of today rational vector of our society that often rationality suggests to reduce and forget other sides of our nature and life.

To clarify, we should say that we do not argue the reasoning to be one of human background. However, we argue the widespread mistake that reasoning is the only background and the only marking feature of human-kind. We suggest that the nature of human include minimum two grounding features and those are intellect and *feelings.* Feelings are more important that it may seem for our society today. The importance of feelings was undoubted in ancient times but from particular period of history following rational vector to society became overwhelming.

The question of what is human, what are the grounds of human being, of its soul was a question of occupancy of many famous philosophers. Nevertheless, this question seems to be not fully answered today yet. However many philosophers and scientists after Rene Descartes started to answer this question one-sided, suggesting the two-side equality between reasoning and soul. But we suggest our work to be the proof that the last word hasn't been said yet. The question of what is our nature, what are the grounding principles and capacities of our being should be answered correctly as the form the context of our social life in cultural archetypes, in understanding of own spiritual and psychological needs, in creating products, investigation and many other fields. Knowing main principles of our self helps in self-understanding and in creating right vector for life and activity. So today we should pay attention again to the question of main principles as it seems to be not solved yet.

The purpose of the article. The problem that is to be solved with this article is to add to the image of the human in philosophy and classic science and to clarify it. We suggest that according to some circumstances humanity got a not complete and parted rational only paradigm of human being in philosophy, while other basics were to cut out.

In this work we suggest that love (feelings) is to be the basic of human being, as important as the other one – the reasoning – is. Moreover, we are going to prove it not only theoretically (with usual methods of philosophy), but practically too – we are going to provide the data of science, such as psychoneurology, clinical psychology, medicine etc. where we luckily found the proofs of our hypothesis.

Formulation of the main material. Having appeared in philosophy it got to other sciences, however the received in psycho-sciences material says different – it says what we are suggesting here. Why it is so important to define all human metaphysical grounds? It is not difficult to imagine what will happen with an organism if it will try to abandon and to suppress natural physical needs – it can get ill or even die because of it. We think that it is the same situation with the spiritual needs, it also may lead to sad consequences. And it already does. It is more the important to define what are we, what grounds has our essence to create good and harmonic society where all sides of our nature can be realized. Our rational side was perfectly realized in the field of science and technics, but what about other parts of our nature?

So what exactly is being suppressed? We can easy notice that rationalism excludes the sensitive ground from the definition of the human being. Moreover, in some articles of popular psychology it is said that feelings prevent thinking, reasoning and thus they recommend suppressing feelings at all. However suppressing our first needs, the needs of our soul and our nature can lead to totally sad consequences. We know we will not eat, drink or sleep, we will die. The same careful we should be with our high spiritual needs. Human are loving creatures and we should love and be kind, we should investigate our feelings as well as we investigated our rational side. We should not suppress and reduce our feelings, however we should be critical to them as well as we should be critical to own thinking as alas people make mistakes and we know that perfectly well and the mistakes can be caused both by thinking and by feelings. But better we will know own feelings and their week sides, less mistakes they will cause.

Of course, we will not argue there are wrong and bad feelings, we will call them the faults of feelings, those are anger, envy, jealousy etc., but as well there are faults of thinking and reasoning that are lack of logics, ignorance, mistakes etc. Both are wrong thing for life and having them doesn't give the necessity to abandon good feelings or reasoning at all.

Feelings are more important in our life than we all got used to think. And as to suggested proofs – for example these authors – Rachel Lampert, Matthew Burg, Cynthia Brandt, James Dziura, Haibei Liu, Theresa Donovan, Robert Soufer, and Larry Jamner say – positive emotions decrease the necessity of medical start of heart fibrillation (https://ahajournals.org/doi/10.1161/). It should be considered as a medical proof to importance and productiveness of feelings in our life. So should we reduce something that helps us to stay healthy and live? Moreover, feelings are not only good triggers, they are one of our backgrounds as well as our rationality is. Modern science stands only on the start of understanding fundamental nature of feelings in human.

The question of human emotions and moreover of the love is a very interesting. In philosophy there are many interesting concepts concerned to that problem, those are the concepts of Telesio, Epicurus, Sheller, Skovoroda and even the concept of Aristotle and as to psychology and other natural and medical sciences there are hordes of interesting researches concerned to human and basics of human nature. Many philosophers were saying that feelings are more than important and many of them were even saying about feelings as of background of our essence. Although generally philosophy and society concentrated on rationality of our nature, however concept of feelings can be found in philosophy, especially before the complete rational turn of Descartes.

We consider Epicurus as a strong thesis to support importance of feelings as he considered pleasant and unpleasant as main vectors and lighthouses of our life (Laertius, 1999) and we know that pleasant and unpleasant are defined as sphere of feelings, particularly emotions. He believed that follow pleasant feelings is wise, while it is also wise to avoid unpleasant things and situations. However, he also was remarking that there are some useful things that might be unpleasant, for example medicines, and there are some destructive things that might seem pleasant.

We believe that his idea of importance of pleasant is connected to his concept of the soul and gods. The main ideas of this concept are that gods do exist, but they are so peaceful and happy that there was no need for them to do human soul immortal, thus although Epicurus believed that soul exists, he thought that it is mortal. Of that reason it seems that living a happy life and following pleasant things can bring at least slight meaning to a life where death will bring total death to human. And it looks like explanation to his hedonism. What is important about Epicurus for us, is that he showed that feelings and emotions (as pleasant and unpleasant are our emotions to something good, useful, interesting, healthy etc.) are important and bring meaning to our life. Of course we will not agree to his ideas that soul is mortal, but his concept of feelings may be a philosophical proof to our concept.

We could divide feeling sphere to steps, where the first might be state or condition, next will be senses, then emotions and in the end will be feelings. By the way in the medicine it is well known that feelings are more developed stage of emotions, feelings comparing with emotions are longer, deeper and have more fine kind. Love should be considered as the most perfect feeling, especially love to people, love to God etc.

It is well known in medical sciences that human while not asleep wills to get to the zone of comfort and it is absolutely obvious that zone of comfort is the pleasant so we can conclude that human being searches for pleasant feelings all time while not asleep that for example is feeling of safety, love etc. That fact is one of the strong argument to the idea that feelings are fundamental area in us and we should mind them.

Thus human not only all the time searches for cognition but also searches for emotionally pleasant so called zone of comfort and this is now well-known in medicine. We also know that while we are not asleep, the cognition of our senses continues as well as out rational cognition. So we can conclude that feelings are indiscrete as well as thinking is.

Feelings do also have stages of developing, the feeling itself, such as love is the highest stage – the fourth one here among live creatures, while senses are the second stage, emotions are the third, and the first is vague feeling of the live simple organism or of plant that hasn't been studied properly yet as it was said upper.

Revolution in modern thought is the concept of emotional intelligence that brings new importance of feelings in society and besides others is described in a book of Daniel Goleman "Emotional intelligence". It tells feelings are important, and we require to understand own feelings and feelings of others very much (Goleman, 2007). Also it puts an accent on the emotional intelligence itself that is right understand of feelings and managing them, where we again can say that there are right and wrong feelings, and also we should understand own feelings and feelings of others correctly. We should understand own feelings to know ourselves and situation – as sensual cognition is very important too. And we should understand feelings of others to communicate correctly and to help others. And this new concept that is moreover based on real scientific investigations and some experiments is a very important proof to an idea of importance of feelings and moreover it is a very good investigation of feelings, not only in a field of philosophy, but also in psychology and sociology. So it brings us better understanding of feelings today that is based on contemporary investigations.

First of all we, should again describe our concept that we are postulating. We suggest feeling is fundamental, grounding and temporarily indiscrete category of human existence, not only physical but also spiritual, as it is one of the main manifestations of the soul as well as the reasoning (our rational side) is. Love as well as reasoning are the sense of immortal soul, its divine gift that should be realized finally as gratitude to God and Divinity in God Himself. We suggest that reasoning only is not enough for right paradigm of human.

Homo sapiens does not only possess common sense that differs him from the animal, but also has ability of the noble feeling, such as love or even Christian aghape, the kind of love that defines Plato in Symposium, there it was outlined as one of four kinds of love.plato was writing about such kinds as aghape – love to neighbor or love to people, storge – love to relatives, parents, children etc, filio – love when it only begins between a couple or lso can mean friendship and finally eros – erotic love. The Symposium is one of the main works considering love in philosophy (Plato, 1993). There the suggested kinds of feeling of love is very important achievement of philosophical thought. Although these words existed in Greek languages, Plato made meaningful accents on the words and created autonome diverse categories that brought new understanding of many meanings that feeling of love may have.

Many philosophers think that Plato's aghape helped appearance and clarifying of category of love to neighbor in Christianity as in times of Jesus Christ Greeks had considerable influence on Israel society, it is well known, for example, that three of four Evangels were written in Greek. In Evangels for love to neighbor is used the word aghape and today the word is widely used without translation in divinity and Christian philosophy. Jesus Christ insisted that love to neighbor and love to God are two main commandments of God (King James Bible, 2008). Those commandments among other rules and commandments were given it is believed by God to Moses and are written in Tora and Old Testament. And when Jesus Christ was asked what is the main part in the given law, he answered that the love to God and love to neighbor are. About love it was written much in New Testament, apostles took the thought and wrote a lot about importance of love. Apostle Paul wrote famous part of the first Letter to Corinthians where he poetically spoke of love. Importance of love in Christianity is difficult to overvalue. Many ancient and modern Christian thinkers support the idea of importance of love in our life, for example Kallist Ware says that love is the substance of our being (Ware, 2009).

So we may see that many philosophers, scientists and thinkers were saying about importance of feelings in our natural and spiritual life. All this should be considered as a strong proof that feelings are important and should be included in a paradigm of human.

Descartes said "Cogito ergo sum" (Descartes, 1986), but is existence is thinking only? Thinking deeply and well about this we will unexpectedly find that existence more often means feeling – sensing first of all. Why we are scared by death? Because if somebody does not believe in life after death, then death should deprive him of sensations if there is no heaven we will never see our beloved ones again, we will never sense the smell of spring, feel the warmth of the cup of tea in our hands. This "never" is first of all concerned with feelings, sensations. This is what our existence is stated with. That is why it is so important to pay attention to feeling in building the paradigm of the human being and of the being in general. The improtnace of feeling is also considered in our numorous works (Fidrovska, 2019).

However, now the feeling is equaled to the instincts, to the animal, to irrational and strange, sometimes even feelings are postulated to be our enemy in contemporary literature – but we say this point of view is absolutely false and mistakes the matter.

Moreover, anthropological concepts can have also an ontological meaning and outcomes. If we support the idea of the world and in its laws to be logical as soon as the part of the world has the ability of logics and the Intellectual Being created this world logically, thus having found the origins of feeling in a live being we can conclude this world to have both the nature feeling and the laws of sensibility let's call them the laws of the love so that this word can be not only logical but ethical too in its nature and laws. God possess love too, in Divinity there is a fundamental category of Divine Love. And maybe love will help to open not only structure of the world how it was made logically, but its sense, its purpose and meaning. Even Aristotle defined the live being as such that is capable to feel. Thus, to live is to feel, to sense, according to Aristotle. It was one of the main features of the live being.

Conclusions. So we could see that many philosophers considered love and feelings to be extremely important in our life. Among such philosophers we can name Epicurus, Skovoroda, Sheller, Aristotle, broad Christian thought and Jesus Christ Himself. However, it didn't help in forming the right image of human today as the feelings not long ago were almost totally reduced and the paradigm of human was formed in a wrong way. There are already some steps made in our times that could show the importance of feelings in modern society, and one of the strongest concept that gives this idea is the popular concept of Emotional intelligence. It is quite capable to achieve remarkable success in reanimation of feelings value today.

We were able to see consider some important ideas and concepts that should be understood as the proofs to thesis that feelings are important and are another background of human nature and soul within the background of rational side. Now we can conclude that feelings should be included in both definition and paradigm of human, and live being as well. They should be considered as one of important soul manifestations ad its basic grounds.

Our society requires the correcting to the image of human and his paradigm in science and social knowledge. That correcting may lead to defeating of most terrible global problems such as wars and terrorism, because love is basic and one of the main categories of live being, of his soul and reducing of love can cause aggression and many other problems with the sphere of our feelings. Doctors say that it even can cause mental diseases. By the way lack of feelings and not understanding of own feelings and feelings of others are already a well-known symptoms of serious mental problems.

We suggest that we can define human with the capacity to feeling as well as with the capacity to reasoning and thinking. As every being is searching for the good. Many modern thinkers support this concept as practice shows that reducing of feelings is absolutely the wrong way.

Conflict of Interest and other Ethics Statements
The authors declare no conflict of interest.

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Яків ТАРАРОЄВ, Марія ФІДРОВСЬКА

ПРОБЛЕМА ПЕРШООСНОВИ ДУШІ. ДО ПИТАННЯ РОЗУМУ, ЧУТТЄВОГО ТА РАЦІОНАЛЬНОГО: НАУКОВІ АРГУМЕНТИ

Анотація. У даній статті ми спробуємо довести положення про те, що почуття є однією з головних першооснов духовної природи людини, в тому числі ми спробуємо це довести, грунтуючись не тільки на філософії, а і на деяких даних медичних наук, наприклад, клінічної психології та психофізіології. У цій статті ми будемо стверджувати положення про те, що почуття, як й інтелект, є також фундаментальною природою живої душі, а крім того, спробуємо знайти факти в психології та психофізіології, які б аргументували це положення.

Справа в тому, що у філософії і, як наслідок, в науці, а слідом і в свідомості людства міцно утвердилася і надалі панувала парадигма людини як homo sapiens, тобто людини розумної, людини раціональної, а міркування, мислення розглядалося як головна умова, гловний предикат людини, фундаментальна риса і вихідне положення для будь-якого дослідження людини. Ми маємо таку ситуацію через раціоналізм всієї європейської

філософії, про що мимохідь писав Ніцше в «Народженні трагедії з духу музики», де говорив, що ще на зорі свого існування греки, а за ними і все європейське суспільство обрали з двох протилежних векторів подальшого розвитку саме аполлонівський вектор – ясний, розумний, але і раціональний. На думку Ніцше – це був епічний момент в історії цивілізації Європи. Якби греки тоді обрали протилежний вектор – діонісійське начало, як його називає Ніцше, то наша історія, історія Європи була б зовсім іншою, у нас була б зовсім інша культура, цінності тощо. Діонісійський вектор – це був початок темряви, бенкетів, оргій тощо.

Власне, обраний ясний і світлий початок є продуктивним, але тут вже є невеличка проблема, яка була обґрунтована в ході історії. Йдеться про сліпе відсікання всього іншого, звинувачення в тому, що воно заважає розуму мислити. Виглядає так, ніби аполонівське начало настільки звикло боротися з будь-якими нападами діонісійського начала, що все, що відрізнялося б від розуму, тобто від основ аполонівського, воно відсікало. Але навіть на раціональній підставі ми повинні були зрозуміти, що хоча розум відрізняється від почуттів, самі почуття не є чимось таким, що може зашкодити, вони не є нестримними, темним і загрозливими. Почуття є такою ж частиною людини, як і її розум.

Ключові слова*: емоції, любов, парадигма, душа, приємне, неприємне.*

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PHILOSOPHICAL FOUNDATIONS OF A NEW APPROACH TO THE COMMUNITY POLICING' ACTIVITY

Abstract. The philosophy of a new approach to the professional activity of a police officer contributed to the formation of the concept of society-oriented policing, which is focused on new requirements: police officers and community residents work together to create a fundamentally new approach to the modern way of solving the problems of the territorial community in terms of creating a safe environment. Community police officers should indirectly influence the general level of legal awareness through communication with potential offenders as educational work, communication with community residents regarding fear of crime, establishing partnerships, directing joint efforts to improve the quality of life of this community and the environment in general.

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This philosophy of a new approach based on the belief that the police must develop and offer a new type of relationship to the population, which is based on the expansion of the role of the population itself in solving local affairs. The implementation of such a philosophy in the practical plane shifts the attention and efforts of police stations from responding to calls from citizens regarding possible offenses to the direction of targeted attention to solving more socially important issues of this community and raising the general level of legal culture and, as a result, raising the level of legal awareness.

In order to understand the meaning and social purpose of the professional activity of community police officers, they must understand the deep philosophical justification of these new requirements and consider the problem of public safety problems as one that occupies an honorable place among social values that are fundamentally important for human survival in the modern world. The awareness of police representatives with the best world achievements in this field helps to enrich the perception of the world, develops critical thinking skills, prompts to see the internal logic of the development of events and teaches to predict the consequences of certain innovative initiatives.

Keywords: *community-oriented police, social security, social value, social mission of the police, community policing.*

Introduction. The police in the modern world have to solve many problems, and they all occupy an equally honorable place among the values important for human survival in the modern world. The awareness of police representatives with the best world achievements in this field helps to enrich the world perception of the world, develops critical thinking skills, prompts to see the internal logic of the development of events and teaches to predict the consequences of certain innovative initiatives that the police should offer to society.

The article is devoted to analysis of the strategy of community policing from the point of new philosophical approach to the organization structure; to determine the internal essence of partnership as the fundamental instrument of putting into the practice the strategy of community policing.

Analysis of recent research and publications. The main trends of the study of this relatively new approach to the organization of the modern type of police, which organizes its strategy on the basis of partnership with the local community, despite a certain level of coverage, still has many gaps. Among Ukrainian researchers, attention should be paid to the works of V. Bratkovskyi, V. Vysotskyi, R. Grankivskyi, N. Didyk, D. Yosifovych, K. Kostovska, L. Sukmanovska, Yu. Khatniuk, O. Khytroi, who analyze the conceptual foundations of the new approach.

V. Kononets studies the peculiarities of reforming units in the National Police bodies under the "Community Police Officer" project. T. Slipchenko examines partnership as a European experience. V. Melnyk examines the peculiarities of the implementation of this approach in rural areas. Summarizing the experience, it should be noted that the philosophical foundations of the partnership strategy, which is what this study is aimed at, have not been sufficiently studied.

The purpose of the article. It is necessary to investigate the philosophical basis of a new approach to the activities of a police officer of a territorial community, to analyze a safe environment as a generally recognized socially important social value.

Formulation of the main material. The concept of community-oriented policing, which introduces security in the community, is spreading all over the world and already has a sufficient history in the world. The essence of its social mission is that police representatives, in order to find new innovative methods of interaction with the local population, direct their efforts to establishing interaction with citizens. In Ukraine, the question of the effectiveness of crime prevention with the help of police officers is relevant and not yet sufficiently well studied in terms of the impact on the safety of public order. Programs that are well established and work successfully in specific communities have validation, but successful strategies can be copied and transferred to other territorial communities only after taking into account the problems, structure and organization and personnel of each individual community (Kappeler et al., 2020).

In their study "International Perspectives on Community Policing and Crime Prevention" (Lab & Das, 2002), Dilip K. Das and Stephen P. Laub provide a diverse and wide-ranging analysis of the challenges facing modern policing. Researchers have collected evidence about the huge variety of police activities for the protection of public order and the means and forms of crime prevention in different countries of the world. An analysis of the state of community-oriented police is provided, both in countries where this type of police has been operating for a long time, and in countries that are in the process of transition from colonial status to independence. The experience of countries associated with major political and social changes and which should transfer the experience of other countries to modern democratic requirements, but taking into account their specificities, is interesting. The chapters in this study provide insight into policing and crime prevention in a variety of specific settings. They points that the new approach is based on the recognition of the need to involve the public in crime prevention via a new type of police-community relationship, and which ties all these different efforts together (Lab & Das, 2002).

The authors of this study have very deep knowledge in the theoretical plane and rich experience in the practical application of the acquired knowledge. Steven P. Laub is a professor and director of criminal justice programs at Bowling Green State University. He is the author of four editions of Crime Prevention: Approaches, Practice and Evaluation, Juvenile Justice, three editions (with John Whitehead) and Victimology: An Introduction (with William Dorner), as well as numerous articles. Dr. Lab served as Visiting Professor at Kiel University in the United Kingdom during the Fifth International Symposium of Police Chiefs in The Hague.

Dilip K. Das works as a professor at the State University of New York (Plattsburgh). The author of several books and numerous articles, Dr. Das has been organizing annual symposia since 1994 as founder/president of the International Police Chiefs Symposium (IPES). He was also a co-author of a book highlighting the activities and relevance of the symposiums. Dilip K. Das is also known as the editor-in-chief of the journal "Police Practice and Research: An International Journal", which is the official publication of IPES. Steven Lab noted that the research presented is the result of a three-day conference sponsored by the International Symposium of Police Chiefs in June, 1998 in The Hague. The purpose of this symposium was to bring together scholars and practitioners from around the world to discuss community policing and crime prevention. Symposium participants provided basic information on the experience of combating criminal offenses, taking into account the experience and specifics of police work in their countries, and held discussions on the state of preventive innovative initiatives.

The result was a very informative look at the diversity of policing, community policing, and experiences of forms and methods of crime prevention in different countries around the world. The proposed presentations of police work should testify to the diversity of the most innovative methods and forms of work, as well as the huge variety of challenges that modern police must overcome. It was made a very important observation in this sense that despite the use of the same terms in different countries; their actual application is very different compared to some countries. It has been pointed out that, for example, it can even be argued that in some countries, such as China, public policy has historically been the norm of its kind and that many of the new initiatives, due to certain specificities in this area, lead to a departure from participation in the affairs of the local community . The experiences shared by representatives of the police of different countries and collected in this important research prompt us to a critical analysis and a comprehensive reflection on the opportunities and challenges faced by the modern police in the issue of crime prevention and to understand that even similar problems in each individual country have their own specific solutions depending on personnel and social changes within individual countries (Lab & Das, 2002).

The team of authors working at the Medical National Academy of Sciences, as a result of a careful analysis of modern challenges and future projects, presented their vision of what the police should develop in order to timely and reasonedly respond to the demands of society, which is in a state of constant social, cultural and economic changes. Research findings were proposed and presented in Proactive Policing: Impact on Crime and Communities. The study Proactive Policing: Effects on Crime and Communities aims to examine proactive policing as a proposed strategic approach used by police agencies to prevent crime that has not yet been critically reviewed in the US. Such an approach was developed in response to a crisis of confidence in the police that began to emerge in the 1960^{s} in this country due to the worsening of social relations, the increase in the level of crime and a certain public uncertainty about the effectiveness of already familiar and outdated approaches to the work of police stations. As a response to some social skepticism, innovative policing methods began to emerge from the 1980^{s} and 1990^{s}, and a new police policy began to take shape, which aimed to develop and implement a more proactive approach. In this sense, the declared term "preventive policing" should serve to define all new police strategies, one of the objectives of which is to prevent or reduce the level of crime and social unrest and which are not an active threat from the point of view of urgent attention primarily to solving crimes, which constantly continue to happen.

Preventive police work differs from the everyday work of police officers in the need to act preemptively depending on specific situations. The innovative component of the modern approach to the work of the police, on the other hand, belongs to the strategic decision of the police to engage in preventive police actions through the creation of certain programs with the aim of reducing the level of crimes. Today, innovative strategies with a proactive focus are widely used in the United States of America in policing. They act as programs that are purposefully combined with one single goal and do not have the character of isolation. Such programs are used by certain police units and introduce ideas that

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are crucial to modern police work (Proactive Policing, 2018).

The modern strategy of proactive policing aims to analyze evidence, data and discuss methodological gaps in such areas as: the impact of various innovative forms of active police work on the level of crime; the possibility of using such active forms in a means that leads to any discrimination; it is possible to use them only in a legal way; research reaction to such innovative forms of work of the territorial community. The study provides an opportunity for a comprehensive assessment of preventive police activity, which should include not only and not so much its impact on crime prevention, but also its broad social significance for the community and society as a whole. Pointing to the peculiarities of proactive work, the study indicates that such work is focused on preventive activities through the mobilization of human resources and the initiative of police personnel, aimed at expanding efforts that can reduce the level of crime through various projects. This contrast with the usual standard of work, which is to attract and mobilize resources after an offense has been committed, should focus efforts on doing crime prevention work. Now the very strategy of police work has changed, which is understood as a combination of many aspects of activity such as law and law enforcement, analysis of the appropriate response of society, racial and gender differences and possible challenges due to these factors, a deep understanding of the meaning of the concept of crime and social unrest and various types of violence (Proactive Policing, 2018).

Authors of "Community Policing: Partnerships for Problem Solving" Linda S. Miller, Karen M. Hess, and Christine H. Ortmann focused their attention on Community Policing: Partnerships for Problem Solving, which has gone through eight editions, focusing on solving problems of interaction and partnership between the public and the police. The work is a practical and up-to-date guide to the introduction of effective cooperation between the police and society. After introducing the history of culture and philosophy as a socially important movement of community policing practice, which deeply influenced the formation of modern police strategies, the authors focused special attention on recommendations for the application of practical strategies and basic skills that should help to find and apply effective solutions to a wide range of problems in the work their police stations and when working together in their communities.

The study pays special attention to the new challenge in the work of the police with the public, which should build, shape and consolidate various kinds of partnerships between the community and the police, which will be aimed at increasing the level of trust and, as a result, will increase the level of the general legal culture and strengthen mutual understanding in order to achieve a common good for community (Miller et al., 2017).

Linda S. Miller is the former executive director of the Upper Midwest Police Institute (UMCPI) and a former sergeant with the Bloomington, Minnesota Police Department. She knows all the challenges facing the police first hand, because she has a lot of practical experience in this matter. Having worked in the department for twenty-two years, she was a patrol chief, a misdemeanor prevention officer, a patrol officer and a police dispatcher. Sergeant Miller was a member of the Minnesota Association of Police Officers and Policewomen, the International Police Association, the Midwest Gang Investigators Association, the International Association of Policewomen, and the Minnesota Association of Policewomen, and she was a member of the People's

Delegation of Women in Law Enforcement in the Soviet Union in 1990. She often speaks to public groups and works as an experienced instructor who has something to say about the specifics of building new strategic projects. Karen Mathison Hess, Ph.D., has written extensively on law enforcement issues and has earned a reputation as an accomplished educator in the field due to the consistent teaching style that she builds upon for each study guide. Dr. Mathison is the co-author of several publications, including: Law Enforcement Management and Supervision, Juvenile Justice, and others. As the authors of this study themselves indicate, many of the known strengths of Dr. Mathieson's practical presentation, as well as her research insights, remain distinctive features of this analysis.

Kristin H. Ortmann holds an M.A. in Chief Justice from the University of Cincinnati and has spent more than twenty years researching various aspects of the judiciary. She has co-authored numerous educational publications, served as a reserve officer for the Rosemount, Minnesota Police Department, and is a member of the Academy of Criminal Justice, the American Society of Criminology, and others. In «Reinventing Policing: Crime Prevention, Community and Public Safety», co-authored by William R. Kelly, Daniel P. Mears, and Madalena Almans, it is noted that modern policing is facing a crisis; a situation arose that led to the understanding of the need for immediate reformation. The main problem today is that many proposed strategies work only as a response to partial changes. Despite the discussion of the need to change the strategy itself due to insufficient number of initiatives, the fundamental problem is being ignored. Policing relies heavily on a reactive approach that does not focus on a systematic and comprehensive approach to crime prevention. Researchers warn that in most cases, the police act as a response to an already committed offense and work on calls from the emergency service or direct their actions to targeted patrols or protection of already reported crime scenes. That is, a large part of the police's work is to eliminate the causes and prevent crime. In addition, it is necessary to have a certain institution that has a crime prevention strategy as a priority goal in its activities and should ensure efforts so that police representatives contribute to putting into the practice this goal (Kelly & Mears, 2023).

Kelly and Mears propose a new strategy that should place the responsibility for real crime prevention on the police and other governmental and non-governmental agencies and organizations. They consider how, from the very beginning, historically, crime prevention has not been the primary goal of policing and has not affected policing. One of the reasons is a structural flaw. The field of police activity was considered to focus on tracking and focusing on the fight against various causes of crime. Therefore, in the end, modern police cannot demonstrate any institutionalized commitment or systematic approach to crime prevention strategy. The standard approach of yesteryear is designed in such a way as to eventually experience burnout and accept failure as the result of all activity.

The new invention of the strategy of police activity studies and analyzes this problem. And as a response to these challenges, the authors offer their solutions. First, they propose to make a significant number of reforms in the current practice of police activity. Secondly, they require rethinking the structure, personnel and directions of practical activities of police representatives, which should affect the attitude and understanding of public safety as a public value. Researchers believe that despite the fact that this change is significantly related to the solution of certain problems, it is the only effective means to influence the reduction of the crime rate and increase the level of legal awareness by establishing a high level of public trust in the actions of the police. The proposed outcome of thorough research into gaps in police work reveals moral and systemic failures, systematizes research findings, analyzes successes, and suggests a path to real reforms and social justice through specific strategic plans. Such research is of great value, because it meets the requirements of the current situation.

Kelly and Mears use their years of experience studying the criminal justice system to address the key question of how to improve modern policing. The authors emphasize the need to focus on crime prevention and public safety, which will turn new perspectives into practical implementation of more fair and effective police work in the future. The proposed strategy contributes to the improvement of the work of the police in social and legal projects of the future. In The Reinvention of Policing, authors Kelly and Mears offer an actionable, constructive account of the crises and challenges in the work and existing standards of modern policing. Such a critical vision is feasible using the broad context of research on the failure of the police as a system to reduce or eliminate crime. Such careful analysis allowed the authors to propose a clear and convincing path to a new modern model of police activity, which ensures the protection of public safety not only through direct police actions, but also through cooperation with the community through forms and means of crime prevention. Such strategic changes are an example of proposing and preparing transformative reforms in police activity (Kelly & Mears, 2023).

As we can see the philosophy of the Community Policing approach is centered on the concept that police officers and people work together to create a innoative approach to opportunities to solve the problems of today’s community, which have direct and indirect links to crime itself, the fear of crime, the quality of life and the environment in general. This philosophy is based on the belief that in order to achieve these goals, the police must develop and offer a new type of relationship to the population, which is based on the expansion of the role of the population itself in solving local affairs. Police officers should allow ordinary citizens the discretion to set social priorities and provide some authority to engage their efforts to improve the quality of life in their area of residence. The implementation of such a philosophy in the practical plane shifts the attention and efforts of police officers from responding to calls from citizens regarding offenses to the direction of focused attention on solving more socially important issues of this community.

The problem statement is to build a democratic Ukraine of European standard and it should not be based solely on discussing the problems but it requires radical changes in the legal field, where a person, person’s and freedoms must become a priority (Skyba & Polischuk, 2019).

This approach requires that police at the police stations shift the focus of their work from law enforcement and combating already committed crimes to preventive work functions. The police should perform much broader functions creating conditions that will lead through indirect actions to the reduction of public fear of crime, help to establish and maintain order in society as a value of this community. Such measures will ensure that harmony and social welfare will be the goal of policing and, in turn, will lead to a reduction in crime and eventually replace arrests as the main focus of police work. Experience shows that the approach based on the principles of Community Policing reduces public fear of crime, increases citizens' sense of security, safety and trust in the police, which affects the level of legal awareness and legal culture. Such a philosophy has a formative influence on such aspects of the work of police stations as the distribution of powers, the development of creative thinking and attitude to the case, the ability to cooperate on the basis of trust and respect, the expansion of professional functions, involvement in community affairs, the recognition of common socially important values, the ability to listen to needs and community problems (Cooper, 2001).

The Ukrainian Helsinki Union for Human Rights (UHSPL) made the report "Implementation of Community Policing in Conditions of War and Martial Law". This is the largest association of human rights organizations in Ukraine, uniting 27 human rights non-governmental organizations. The work of the Union contributes to the development of a humane society based on respect for human life, dignity and harmonious relations between people, the state and nature through making a platform for cooperation between members of the Union and other participants of the human rights movement (https://www.helsinki.org.ua/wp-content/).

As indicated in the preface to the report, the conditions of martial law in Ukraine contributed to the search and improvement of solutions regarding the implementation of the approach of cooperation and partnership between the police and citizens. The proposed innovative approach still needs additional solutions, analysis and improvement, paying attention to the specific features of each territorial community. The need to implement the project of the national safe community concept determines the relevance of the process of training specialists. The relevance of this topic implies the need to establish feedback between the police and the community. The overall mission of this approach is community safety. When studying the innovative model of law enforcement activity, it is noted that the main specific feature is the rejection of the traditional professional model of law enforcement activity, and the orientation of activities to meet the needs of the local community in order to prevent new offenses (https://www.helsinki.org.ua/wp-content/).

The term "community policing" does not have an established translation into Ukrainian. The translation should focus on the meaning of the concepts "community" – community, society and "policing" – police, law enforcement activity.The shortest cognitive definition of this terminology is community-oriented law enforcement. Broader and more relevant to the content is the definition that it is a law enforcement activity focused on the needs of the local community. This approach works as the implementation of constant interaction between the police and the population. It is aimed not so much at responding to an already committed crime, but at directing the efforts of both the community and the police to prevent crime.

The basis of the innovative approach is based on partnership relations between the community and police oficers, where their cooperation itself is noted as a value of society, and partnership relations between police authorities and the community act as a policy tool for the prevention of crimes in society

(Kappeler et al., 2020).

The Law "On the National Police" contains norms that establish the principles of the "Community policing" approach at the legislative level. One of the components of the police reform is taking into consideration the public opinion when evaluating the work of the police. These requires enshrined in Part 3 of Art. 11 of the Law. The principle of police interaction with state and local authorities of self-government is regulated by Art. 5 of the Law, according to which "the police in the course of their activities interact with law enforcement agencies and other bodies state power, as well as local self-government bodies in accordance with the law and other regulatory legal acts". The means and forms of implementation of the main provisions of "Community Policing" coincide and are based on the requirements of Section II of the Law of Ukraine "On the National Police", which is devoted to the principles of police activity, among which are fundamentally important for the implementation of the "Community Policing" approach, namely: openness and transparency (Article 9) and interaction with the population on the basis of partnership (Article 11), the formation, development and further strengthening of which is the basis of an innovative approach to the problem of crime prevention in the territorial environment, the formation of trust and legal culture (Law of Ukraine, 2015).

Today, the police propose, apply and analyze from the point of view of effectiveness new forms of implementation of the innovative approach. For example, they put into practice the new practice such new forms of cooperation as "Neighborhood Watch" (Odesa region), initiatives on the work of dialogue/consultative groups in the community (Odesa region) can be introduced at the initiative of a police officer into practical activity. According to the results of studies of the state of financial and organizational opportunities, the local community can support the work of community police officers with involving local businesses and authorities in such support to organize the work of police local office, etc. (Neighborhood watches Initiative, 2019).

Such kind of support can also be, for example, the creation of an information platform "We are in the district", which informs the population about possible and planned events, conducts preventive conversations to prevent new illegal actions. The public formation "Safe Life" helps the police in ensuring public order (the city of Dnipro). For the sake of increasing the level of security and protection of public order, it can also be the installation of video surveillance cameras in the yards of residential buildings, on children’s playgrounds, in small courtyard squares (the city of Dnipro). Police representatives of various cities tell the residents of their community how not to become a victim of various types of fraudsters (the city of Nikopol) and so on. We can all clearly see that the work of community police officers had have an effective impact on the consolidation of society during wartime, and in a certain way it contributed to the strengthening of civil society from the first days of a full-scale war. Community police officers are actively involved in the evacuation of the civilian population, in receiving humanitarian aid for the victims. They take care of the issues of internally displaced persons, work with people to prevent the collaboration, go to the places of shelling by the russian occupiers, guard the places of shelling and conduct outreach work to prevent injury to the population and provide the safity (Project "Community police officer in Dnipropetrovsk region", 2022) .

In the autumn of 2022, the next stage of project implementation started in

Ukraine, within the framework of which the training of community police officers took place in their work, taking into account the challenges of martial law. When discussing the issues how the communities of Dnipropetrovsk Oblast can join the project, the participants of the information session organized by the Regional Office of "U-LEAD with Europe" in Dnipropetrovsk Oblast together with representatives of the Main Directorate of the National Police in Dnipropetrovsk Oblast said that communities in our region were among the first to take practical steps to create a safe environment for their residents. The purpose of the event was to establish communication and partnership between representatives of the police and communities. The main task of such a meeting is to introduce certain actions regarding the exchange of opinions regarding the "Community Police Officer" project, to discuss the problem and analyze successful practices.

Nowadays on the territory of Dnipropetrovsk region there are 46 territorial communities, where more than 900 thousand residents live, more than 90 community police officers work. The level of public trust in the current community police officers is increasing, because the community police officer is a reflection of the police reform at a new level. According to the results of the implementation of this idea, society should obtain a new level of public safety, raise the indicator of police interaction with the community to a new partnership level. It is especially important for the successful implementation of the new approach that the community provides the community police officer with premises under the police station, which is equipped with the necessary instuments. Provision of official housing for a community officer is not just a whim or a comfort, but an effective tool for establishing partnership, cooperation and mutual understanding, the officer himself becomes a resident of this territorial community through such means.

Therefore, community police officers not only respond promptly to community challenges, but more importantly, actively form partnerships with residents, involving them in important joint matters. Thus, in addition, the police officer is supposed to report on his activities to the community every three months at the general meeting of the community (Project "Community police officer in Dnipropetrovsk region, 2022). It is also important that police officers perceive the elderly as active subjects of the law and connect the aging process of men and women with the acquisition of experience and the introduction of humanistic values into the legal culture of the community. This approach allows us to place the problem of age as temporality in a broad cultural context, connecting it with the transformations of male/female identity: a new dimension of age opportunities. Such theoretical and practical studies open the door to opportunities and new directions in the life experience of both men and women from the point of view of time, age and temporality (Vlasova & Skyba, 2022).

Conclusions. When summing up, we consider it necessary to note that the policy of Community Policing is based on the principles of understanding and partnership between law enforcement agencies and citizens of this community; these principles should be put into practice if we want to create social safety. Interaction between officers of the community and its residents should ensure, through various innovative means and forms, the most favorable mode of communication between law enforcement officers and residents of the territorial community. Trust as one of the effective tools for increasing the level of environmental security is formed thanks to many factors, not least of which is the partnership between the parties of any project. The introduction of the philosophy of partnership into the practical sphere has its positive consequences, because it is known that the organization of work based on the principles of mutual assistance, trust and respect for the values of each of the parties has results due to purposeful activity, due to persistence in achieving the goal.

Partnership as a fundamental value for the implementation of the Community Policing policy in practical activity operates according to its mechanism as an "agreement", where the parties – project participants, agreeing on common goals and tasks, cooperate to achieve their common needs. Cooperation between police officers and residents of territorial communities should step by step increase the level of safety of the public environment, prevent crime, and establish the safity as the fundamental value of community and the legal state. It is resulted into establishing public relations based on the principles of integrity and respect for human rights.

Conflict of Interest and other Ethics Statements
The authors declare no conflict of interest.

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Елеонора СКИБА, Катерина ТКАЧЕНКО

ФІЛОСОФСЬКІ ОСНОВИ НОВОГО ПІДХОДУ ДО ДІЯЛЬНОСТІ ПОЛІЦЕЙСЬКОГО ОФІЦЕРА ГРОМАДИ

Анотація. Філософія нового підходу до професійної діяльності офіцера поліції посприяла формуванню концепції суспільноорієнтованої поліції, що зосереджена на нових вимогах: офіцери поліції та мешканці громади співпрацюють разом над створенням принципово нового підходу до сучасного способу вирішування проблем територіальної спільноти щодо створення безпечного середовища.

Поліцейські офіцери громади мають опосередковано впливати на підвищення загального рівня правосвідомості через спілкування із можливими правопорушниками як виховна робота, спілкування із мешканцями громади щодо страху перед злочинністю, встановлювати партнерські відносини, спрямовувати спільні зусилля на підвищення рівня якості життя цієї громади та середовища взагалі. Філософія такого типу заснована на вірі, що поліція має розробити та запропонувати населенню новий тип відносин, який ґрунтується на розширенні ролі самого населення у вирішенні місцевих справ.

Запровадження у практичну площину такої філософії переміщує увагу та зусилля поліцейських відділків з відповідей на дзвінки громадян щодо здійснених правопорушень у сторону адресної уваги на вирішення суспільно важливіших питань цієї спільноти та підвищення загального рівня правової культури та в результаті підвищення рівня правосвідомості. Для розуміння сенсу та соціального призначення професійної діяльності поліцейських офіцерів громади вони мають розуміти глибинне філософське обґрунтування цих нових вимог та розглядати проблему громадської безпеки проблем як таку, що посідає чемне місце серед суспільних цінностей, що є фундаментально важливих для виживання людини у сучасному світі. Поінформованість представників поліції із найкращими світовими здобутками у цій сфері допомагає збагачувати світосприйняття світу, розвиває навички критичного мислення, спонукає бачити внутрішню логіку розвитку подій та привчає прогнозувати наслідки тих чи інших інноваційних ініціатив.

***Ключові слова**: поліція, орієнтована на громаду, соціальна безпека, соціальна цінність, соціальна місія поліції, поліцейський офіцер громади.*

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COMMON SENSE AS IDENTITY HEALTH: TOWARD A REFLECTION ON THE RUSSIAN-UKRAINIAN WAR

Abstract. In the broadest sense, the purpose of the article can be defined as outlining the relationship between common sense and national identity in the context of the russian-Ukrainian war. The subject specificity emphasizes the problem of forming and nurturing the mental field of modern russians as a painful state of their identity: common sense as a marker of identity health. The article structurally reflects and develops the idea of the study of common sense as a phenomenon that affects the formation of identity, which was first presented in the study *"Identity Security: from the Problems of Sectoral Definition to the Peculiarities of Didactic Definition"* (ISBN: 978-617-7600-61-8).

The methodological basis is the phenomenological guideline for direct study of the situation, which in this study is specified as a systematic analysis of experience that conveys value and political priorities.

The authors propose three contexts of analysis – semantic, practical philosophy, and philosophy of knowledge – according to which they establish criteria for determining the state of health of identity. Concluding that it is important to constantly analyze the mental field of modern russians, the authors point out that this is a matter for a special research complex of human security. The conclusion is the thesis that the modern russian identity is "sick" with a worldview disease, and that its "treatment" must take place through the shared responsibility of all russians, through their repentance and rethinking.

The key provisions of the article were developed in an ongoing discussion and academic dialog between the authors.

Keywords*: war, ideology, common sense, identity, identity security*.

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Introduction. The world is reluctant to believe in the perilous state of the russian mental spirit, and mostly speaks only of the radical outburst of russia's political leadership. The war in Ukraine was not noticed in 2014 – a game of blindness; later, high diplomacy: "at putin's "kilometer-long table" all leaders were shown only the interior of their countries' traditions" (Mudrakov (Introduction), 2022, p.11) – a game of comedy; finally, a regular Ramstein meeting and moscow exile, but unfortunately, much longer discussions about *Atacms* or *Taurus* than the radius of their reach – a game of delayed reality. Ukrainians would like everything *earlier, faster, and more*, and it's understandable why, because they are paying with the lives of their heroes. The world is with Ukraine, but far from it.

The opposing sides are well aware that this war is a war for identity, Ukrainian identity: the russians want to destroy it, and the Ukrainians want to preserve it. Therefore, the causes of the war are rooted in something that lies much deeper – in the history of the common and the history of difference, and thus in the formed mentalities, ways of cultural existence and social experience of the two peoples. That is, along with the *earlier, faster, and more*, we need to think about the *deeper* issues. We are talking about the origins and specifics of the formation of cultural, existential, and life priorities of the two peoples; we are talking about the mental cross-section of identities. However, it seems that this aspect continues to be either overlooked, silenced, or postponed by the international community. Is it blindness, comedy, and postponed reality again? Doesn't the world understand the problem in the "mysterious russian soul," calling only the "putin regime" to account and calling this war *his personal war*? These are not rhetorical questions, so this is a space of tasks for the humanitarian front of scholars, cultural and political researchers.

We should talk about its urgency as a necessity for the worldview and security of the whole of Europe. Undoubtedly, philosophy has great potential here. It is not for nothing that leading expert on European and transatlantic security E. Lucas notes that philosophers, literary critics and other specialists should be involved in developing tools to overcome russian aggression (Lucas, 2022). Indeed, under these conditions, one needs to look *deeply* and understand the diversity of images not only of artistic but also of real content. Therefore, philosophy, in concentrating on such problems, goes back to the questions of the foundations of mental, cultural, existential, and belief priorities of large groups or the whole nation. It seems to us that the problematic specification of these areas is appropriate through the concept of "common sense", because its rather broad meaning includes such content blocks-concepts as "correctness", "common meanings", "common feelings" (Bruger, 2013, p.79).

The purpose of the article is to philosophically comprehend the concept of "common sense" as something that stands behind national identity, structurally and qualitatively influencing it. The quality of such meta-determination essentially specifies the state in which the national community is. Therefore, we call this state "identity health," which we define through the correlation of the concepts of "human" and "ideological" (Mudrakov, Liutko & Pavlyk, 2023). First and foremost, of course, we are talking about understanding the mental slice of the identity that came to Ukraine to take away the right to exist from another identity, the one that brought the war – the russian identity. Therefore, it would be logical to outline theses in the context of the defense of Ukrainian identity, that is, what we call "identity security" (Mudrakov, 2022).

Analysis of the recent research and publications. The understanding of "common sense" can be traced, in particular, to such classics of philosophical thought as D. Hume (Hume, 2003) and A. Shaftesbury (Shaftesbury, 2000). Without their research, it will not be possible to approach it as a conceptually defined phenomenon. Similarly, we cannot do without interpretations of the semantic nature of this concept, which we will find in the *"Lexicon of Untranslatability"* (Bruger, 2013).

Understanding the mental dimension of identity as a "state of health" involves delving into the topic of "ideology as a determining factor" in relation to the interests of social groups. In this sense, the work of the German philosopher K. Duncker has become a canvas for us: he calls for "critical reflection on ideological concepts" (Duncker, 2006); he tries to bring the concept of ideology to the forefront, pointing out its close connection with the problems of epistemology and history; the concept of "ideology" is defined as a system of ways of representation that implicitly or explicitly claim to be absolute truth. However, the work of V. Yermolenko *"Fluid Ideologies"* is also a fundamental reference point in this topic (Yermolenko, 2020) about the deep variability of ideologies, their flow into each other, which leads to the value and anthropological criterion as a parameter of analysis, because this *fluidity* levels the political science framework of classifications of ideologies.

It can hardly be said that the palette of "common sense" research in this particular vein is too broad. Rather, the situation is the opposite. However, as an advisory reference that can form a certain list of references for the study of "common sense" as a phenomenon, it is worth mentioning the work of P. Pepinsky *"Worlds of Common Sense: Equality, Identity, and Two Modes of Impulse Management"* (Pepinsky, 1994), which was published at the end of the last century and offers a look at building and maintaining alternative worlds of common sense, comparing different models and pointing out that the contrast between them is a problem of future conflict at the intercultural level. We can only confirm this with our own life experience.

The article S. Prodanović *„The Structure of Common Sense and Its Relation to Engagement and Social Change – A Pragmatist Account"* (Prodanović, 2022) was a confirmation for us of the idea of interpreting "common sense" as an identity problem in the security dimension, as it confirms our call for social engagement in the development of security strategies, and on the other hand, emphasizes the actualized pragmatism of the approach. And the idea of the security state of communities as a state of "common sense" is to some extent revealed in the section of the monograph on identity/cultural security (Mudrakov, 2022).

The collective monograph offers a whole range of different studies *"Scientific Challenges to Common Sense Philosophy"* (Peels, Ridder, & Woudenberg, 2020). In it, the following publications are theoretically important for familiarization with this topic N. Lemos – by one of the most influential contemporary proponents of the common-sense tradition, who offers a general overview of the nature and scope of common sense beliefs. Equally important for the direction we have chosen from this collection are the materials that offer views on "free will and identity", "rationality", "morality, and religious beliefs".

In general, this prompted reflections on the manipulative use of "common sense" beliefs in the interests of political ideologies or even the construction of ideological and political concepts on them as such that form identity politics (in the negative sense of this concept: the politics of hatred of other identities).

Formulation of the main material.

1. Features of the concept of "common sense"

The capacity of the concept of "common sense" – "correctness", "common meanings", "common feelings" – is somewhat scattered, so let us pay attention to the guidelines for the semantic combination of these senses: "the spectrum of meanings of English sense (as well as French sense) is so rich that it cannot be reproduced in all contexts by a single [...] equivalent [for example in other languages – *Authors*]. [...] seeing the phrase "common meanings" in the text, to think and feel in it also "correctness" and "common feelings" and seeing "common feelings", to think and feel in it also "common meanings" and "correctness", and so on, in fact, these are not three alternative concepts, but different sides of one multifaceted English concept" (Bruger, 2013, p.76). It is also worth noting that "common sense" as a common expression refers to a form of common human common sense, and also denotes a generally accepted opinion. "Common sense" is also understood as a concept, and even as a philosophical concept, the interpretation of which is reduced to a set of obvious truths on issues that all people should agree on. Typical examples of the first and second meanings are, respectively, the works of D. Hume (Hume, 2003, p.488) and A. Shaftesbury (Shaftesbury, 2000, pp. 29-69).

Therefore, we should continue to think of common sense as a concept that, in our context, reflects the content of the generally accepted human opinion on the principle of the absolute value of a person – the preservation of his or her life, rights and freedoms, which should not be leveled by any ideological and patriotic guidelines (Mudrakov, Liutko & Pavlyk, 2023). That is, the design of worldviews and the construction of social life through education and science, culture and art, religion, and political and ideological aspects should take place without deviations from this principle. Analyzing these deviations and preventing them is the subject of human security thinking, and it also constitutes the preventive component of security in general.

As for the security aspect, it is worth being more specific: We explained common sense through the concepts of "reasonableness" and "morality" and emphasized that it is produced by education and science, culture and art, religion and politics, and, of course, the quality of the media through the prism of cultural tradition (Mudrakov, 2022). Therefore, common sense, as a product of the functioning of these means, is the *object* of protection/understanding of cultural security, and its socio-cultural selfhood expression – identity – is the *subject* of protection/understanding. The peculiarities of the object and subject of protection can be productively interpreted through the sphere of *practical philosophy* and *philosophy of knowledge*.

2. "Common sense" in practical philosophy

The framework of practical philosophy focuses primarily on the concept of "morality," or rather "moral sense" ("correctness") as a necessary condition for the *worldview health* of society; this sense means both the *inclination* and the *ability* to form adequate ideas about the moral good as a fundamental element of the humanity of the group's worldview. That is, such a common value orientation should serve as a safeguard against perverted anti-human ideologies. The social and political equivalent of a "moral sense" is a "common feelings" as a necessary condition for *collectivity*; this sense means both the *inclination* and the *ability* to form adequate ideas about the public good as a characteristic feature of one's own identification. The peculiarity of its manifestation is through cultural and political activity, which is supposed to serve as a tool of self-defense, that is, through identity. Both history and modernity show us how anti-

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human ideologies dampen the common sense of society and stupefy all its layers. Thus, the last century is a vivid example of the fusion and confrontation of such ideological monsters as communism and Nazism, between which one cannot discern a difference in terms of common sense, because the *fluidity* of these *ideologies* (Yermolenko, 2020) is equally dominated by brutal radicalism in relation to the human being as such. However, there is no need to go far back in history. Comprehending the above constructions in the orbit of the current Ukrainian defense, we note the *symbiotic reincarnation* of these monsters in the form of ruscism[1], which is doctrinally formalized by the concept of the "russian world." This ideology has completely dehumanized modern russians: the *ability* to form adequate ideas about the moral and social good has been dimmed, as evidenced by such identity-mental markers as *"not everything is so clear"* and *"if it were not for us, there would be more victims of the war", "my country, right or wrong", "I justify russia, no matter what it does,"* as well as *"nothing depends on us", "I am a small person"*[2]. The *inclination* in this formation arises from a belief in one's own moral right, or even a higher historical calling to destroy the entire Western world as degenerate and leading everyone to total moral decline: the ancient myth of the Western enemy. The political and cultural content of this ideology has been nurtured almost always and has become more acute over the past eight years with a particular dynamic, i.e., during the birth of the political Ukrainian nation and the "hot phase" of the war (from 2014 to the present): self-aggrandizement at the expense of humiliation of others[3]. In other words, one identity in its collective consciousness *normalizes,* that is, considers its superiority and superiority over other identities to be morally correct: the thesis of "the special moral task of modern russians in confronting (fictional) evil", which is legitimized, in particular, by moral authorities.

3. "Common sense" in philosophy of knowledge

The framework of the philosophy of knowledge focuses on the concept of "judgment", or rather "the quality of the meaning of this judgment" as a sign of the *health of the rationality* of society[4]; the quality of shared meaning refers to the *degree* of judgment that makes a common space possible. "It is a certain kind of common intelligence (intelligence commune) that spontaneously reaches a

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[1] Following the official recognition of the russian political regime as the ideology of racism, we emphasize that, in our opinion, racism as a political ideology and social practice of the ruling regime of russia in the late twentieth and early twenty-first centuries in our view, racism as an ideology and social practice of the russian regime of the late twentieth and early twenty-first century appeared as a symbiotic reincarnation of communism and nazism, as it is essentially based on the ideas of the "special civilizational mission" of the russians (nationalist myth) and the "seniority of the brotherly people" (tsarist-soviet myth): Both myths assert intolerance to elements of the culture of other nations; on soviet-style totalitarianism and imperialism, the use of russian Orthodoxy as a moral doctrine, and on geopolitical instruments of influence, primarily energy carriers for European countries, and military aggression against the countries that form the so-called post-soviet space. The doctrinalization of racism by the "russian world", among other things, combines the ideas of pan-Slavism, Eurasianism, messianism and imperialism.

[2] A good selection, classification, and analysis of such identity-mental markers was made by the BBC-Ukraine journalistic service, namely by E. Focht (Focht, 2022). We consider the study of such formulations to be a separate sphere of identity, which, in relation to the chosen context, gradually creates a methodological research base – *identity markers of writing* (Mudrakov, 2023).

[3] We explored this ideological and imperial narrative in the objectifications of literary meanings of different times in the soviet period and published it in the article (Mudrakov et al., 2020).

[4] We are referring to Habermas's idea of the *rational variability* of ideological systems that offer different ideological and worldview doctrines and emphases in achieving social progress (Habermas, 1981, pp. 445-446).

certain number of objects of knowledge. In this respect, such activity of the mind or the use of judgment is more or less developed in everyone, depending on how much one has more or less practice in such judgment [...]" (Bruger, 2013, p.78). The socio-cultural content of practices in self-positioning and especially in relation to different practices is a manifestation of the quality of the meaning of the judgments of collective identity – the worldview and rational bases of identification. By worldview and rational bases of identification we mean the whole range of means for explaining and justifying one's own identity in terms of cultural, historical, and political grounds: history, culture of memory, political tradition, etc. In this way, the main narratives of worldview, values, and ideology are produced and established. That is, in essence, the quality of judgments of a collective identity is a tool for forming a common moral background, ethical norms of self-positioning of this identity.

The last century is a source of examples in this sense: the aforementioned clash between communism and nazism is a competition in the *regulation* of common sense, that is, in the power of propaganda manipulations[5]. However, these examples have already been surpassed by russia's propaganda war against Ukraine, which has been going on for many years. The common intelligence (intelligence commune), which is *governed* by ideology, is based on narratives about a "special path", "great culture", etc., which are necessarily accompanied by ideas that flow into theses about a "fake people", "non-existence of Ukrainians" or "Ukrainians as wrong russians", to whom this great culture is like an older brother, i.e., russians and Ukrainians are one people[6]. One identity tries to absorb or destroy the other. This ideology has finally cynicized modern russians – the state of *health of the rationality of society*; what M. Kaldor called "a kind of privatization of violence" has taken place (Kaldor, 1999, p. 8), which is justified on the moral and general thinking level.

Conclusions. The concept of "common sense" in its semantic richness unites those characteristics of worldview and self-understanding that create a certain framework for the process of identity creation. Moreover, this framework can have both negative and positive markers for this progress, which accordingly fixes the "state of health of identity". The key criterion for determining these qualities is the principle of the absolute value of a person – the preservation of his or her life, rights and freedoms, that is, the quality of the correlation between the concepts of "human" and "ideological" in the creation of the mental

[5] Soviet propaganda was based on the ideology of Marxism-Leninism (stalinism), as well as the pragmatic interests and current goals of the state imperial power and the soviet party nomenclature. The propaganda was developed and directed by special party and state bodies and institutions and was officially called *"Propaganda and Agitation"*, *"Propaganda and Mass Information"*, *"Ideological and Educational Work"*, and *"Education of the Masses"*. The main goal of Soviet propaganda was to inspire the inevitability of the victory of communism around the world. The task was to instill in the Soviet people negative ideas about the West and to develop their ideological immunity to the harmful influence of the West.

The main themes of National Socialist propaganda were racism and anti-Semitism, the ideology of the "one German people" and military heroism, the image of the National Socialist woman, and the unconditional cult of the Führer. Film policy played a central role in National Socialist propaganda. Mass public events and marches, school education, and *"Hitler-Youth"* and *"German Girls' Union"* organizations, as well as material benefits for the population, also played a leading role. The main body responsible for disseminating and controlling National Socialist propaganda was the District Ministry of Public Education and Propaganda, headed by Propaganda Minister J. Goebbels.

[6] An example from history textbooks, scholarly monographs, or clumsy propaganda television programs would be too unconvincing, and thus a weak argument. That is why the most successful example of the main narrative here is putin's pseudo-article.

foundations of identity. Analyzing these processes is a task of identity security.

Practical philosophy defines the criterion of "identity health" as the "moral sense" and "common feelings" of the group. This made it possible to explain the quality and tactical and strategic priorities of the national identity of modern russians in relation to the war against Ukraine: according to these criteria, modern russian political ideology and social practice of ruscism is a rather deep "worldview disease" that was especially exacerbated during the war by terrible atrocities, and which emerged from an unreconceived political mythology that justifies violence in every way possible, and normalizes immoral acts as its special right. The philosophy of cognition defines the criterion of "identity health" as, among other things, "the quality of the meaning of judgments". This makes it possible to speak of a intelligence commune of modern russians as being shaped by a propaganda barrage of hatred against Ukraine. Therefore, the ideology of the "russian world" is a "worldview disease" of the modern russian, which consists of the template judgments of propaganda: he hates the world and, above all, his neighbor, trying to destroy it. It is therefore obvious why this ideology required the use of "privatized violence" as the main tool in domestic and international relations: all means of identity formation "heated" the situation to the point of explosion, and thus turned into pretexts for war.

Therefore, we define the study of the quality and style of such judgments, narratives, and perceptions as one of the key segments of identity (national) security, which, depending on the level of mastery of the methodology and the quality of implementation, should be a way to diagnose and prevent worldview diseases and combat identity politics. The main thing in this direction is to bring the world even closer to Ukraine by means of fundamental objective research, pointing to the historical experience that the cure for such diseases is the assumption of joint responsibility by all russians, their repentance, and rethinking both what they have done and their own indifference.

Conflict of Interest and other Ethics Statements
The authors declare no conflict of interest.

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Віталій МУДРАКОВ, Олена ГАПЧЕНКО, Світлана КОЗАЧЕНКО

ЗДОРОВИЙ ГЛУЗД ЯК ЗДОРОВ'Я ІДЕНТИЧНОСТІ: ДО ОСМИСЛЕННЯ РОСІЙСЬКО-УКРАЇНСЬКОЇ ВІЙНИ

Анотація. У найширшому сенсі мету статті можна позначити як окреслення співвідношення «здорового глузду» та національної ідентичності в умовах російсько-української війни. Предметна конкретизація увиразнює проблему формування та плекання ментального поля сучасних росіян як хворобливого стану їхньої ідентичності: «common sense» як маркер здоров'я ідентичності. Стаття структурно відображає та розвиває думку дослідження common sense як феномену, що впливає на формування ідентичності, яка вперше презентовано в дослідженні *«Гуманітарна безпека: від проблем галузевої визначеності до особливостей дидактичної визначеності»* (ISBN: 978-617-7600-61-8). Методологічною основою є феноменологічна настанова щодо безпосереднього вивчення ситуації, що у цьому дослідженні конкретизується як системний аналіз досвіду, який транслює ціннісні та політичні пріоритети. Автори пропонують три контексти аналізу – семантичний, практичної філософії, філософії пізнання – відповідно до яких встановлюють критерії для визначення стану здоров'я ідентичності. Висновуючи про важливість постійної аналітики ментального поля сучасних росіян, автори вказують, що це справа спеціального дослідницького комплексу гуманітарної безпеки. Висновком є теза про те, що сучасна російська ідентичність «хвора» світоглядною хворобою, і що її «лікування» мусить відбуватися через спільну відповідальність усіх росіян, через їхнє каяття та переосмислення. Ключові положення статті напрацьовано в постійній дискусії та науковому діалозі авторів.

***Ключові слова**: війна, ідеологія, здоровий глузд, ідентичність, гуманітарна безпека.*

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RASHISTIC IDEOLOGY IN THE CONTEXT OF THE RUSSIAN-UKRAINIAN WAR

Abstract. The article attempts to provide a socio-cultural understanding of the ideology of racism in the context of the russian-Ukrainian war. The very concept of "racism" has appeared in Ukraine quite recently and is defined, according to Wikipedia, as an ideology. It was found that the core of this ideology was the concept of the "russian world", which consists in the destruction of other civilizations with a highly developed culture based on superiority over others. In other words, the "russian world" is an ideology of destroying civilizations superior to the russian one and imposing its own barbarism, where there is no place for humanity, which is reflected in the destructive war of all those who oppose russian totalitarianism. It is established that this russian imperial ideology has been formed over the centuries and is based on such traits of mentality as: arrogance, domination, psychological inclination to permissiveness and robbery, servile submission to authority in various forms, abnormal patience, religious fanaticism, etc.

It was found out that the Verkhovna Rada Committee on Humanitarian and Information Policy proposed to introduce the term "rashism" to define the ideology built in russia, which is

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reflected in the military actions of the russian army in Ukraine and the attitude of russian society to this war. The Committee's appeal is addressed to Ukrainian scholars, journalists, political scientists, and the entire civil society to popularize and recognize the term "racism" at the national and international levels with further definition and inclusion of this term in the official terminology dictionaries of the Ukrainian language. It is determined that racism is a type of political regime, as well as a radical authoritarian anti-human ideology, characterized by a strong cult of personality, militarism, totalitarianism, designed to unite lands through hybrid wars or complete destruction.

It is the embodiment of racist, xenophobic, chauvinistic, populist ideology, which, despite its obvious anti-democratic nature, is supported by the majority of the russian population and is implemented in russia's aggressive and criminal foreign policy. The concept of "rashism" has a lot in common with totalitarianism as a political regime aimed at achieving complete state control over all spheres of public and private life. This is the main concept that underlies racism as a phenomenon.

Keywords: *ideology, rashism, war, "russian world".*

Introduction. The aggressive war launched by russia against Ukraine on February 24, 2022 (although we understand that the war began much earlier and deeper) has shown the inhuman nature of Putin's "special operation to destroy Ukrainians", which has become a new type of ruthless war. It is not an accidental phenomenon, but a consequence of the implementation of the terminally ill ideology of the "russian world" in which there is no place for an independent Ukraine. Therefore, the "special operation" is not against the armed forces of the state, but against humanity, civilians, the younger generation and those who have just been born in bomb shelters.

If earlier the war had an understandable purpose, namely, the destruction of the military power of the state, the defeat of the army, and the coercion of the government to surrender, now the aimless destruction of cultural sites, medical facilities, maternity hospitals, and kindergartens shows the "new barbarism" of the russian invaders, for whom EVIL has become a commonplace.

The danger of this war is that it poses an existential threat to Ukraine, calls into question our country's democratic path to the European community, destroying the "fragility of being" of every person, although it is already exposed to natural and man-made threats, epidemics and catastrophic climate change.

Inspired by the ideologues of the "russian world", which is supposed to protect everyone who enters the russian humanitarian space and shares imperial values, this war should be the last gasp of russian colonial policy, which threatens all post-Soviet countries and has aggressive intentions for the entire democratic world.

Therefore, in our opinion, the socio-cultural understanding of the ideology of racism in the context of the russian-Ukrainian war, in which a difficult path to full de-occupation is to be taken, is relevant and in demand. All of the above has led to the choice of this research topic.

Analysis of recent research and publications. Among the few Western analysts who have devoted their research to the study of the ideology of racism, it is worth mentioning, first of all, T. Snyder, an American historian and writer, professor at Yale University, a specialist in the history of Eastern Europe, with his characterization of russian fascism as "schizofascism". He provided a justification for the existence of the term "racism" and its content. A. Piontkovsky, russian mathematician, journalist, and politician, believes that racism is the fascism of the Putin era. Such russians are: M. Feygin, I. Yakovenko, G. Pavlovskyi, I. Eidman, S. Belkovskiy.

A whole range of Ukrainian analysts has now emerged among Ukrainian scholars who study the problems of racism and war. These are professors O. Kostenko, M. Piddiachyi, O. Hryni, I. Losev, S. Grabovsky, I. Grabovska, and others. The chauvinistic, racist, xenophobic, anti-liberal features of russian fascism and its genocidal practices are emphasized by such domestic researchers as V. Viatrovych, O. Kryvdyk, O. Kudrin, L. Yakubova, S. Datsyuk, A. Drobovych, O. Hryniv, O. Kostenko, P. Oleshchuk, and O. Romanchuk.

However, the subject field of research on the problem of racist ideology has not yet been fully formed.

The purpose of the article is to identify and analyze the features of racist ideology and its social manifestations in Ukrainian society.

Formulation of the main material. Until the twentieth century, researchers either developed practical issues of warfare or focused on understanding spiritual and moral rather than ideological problems associated with the phenomenon of war.

As an independent scientific problem, war began to be actively studied in the mid-twentieth and early twenty-first centuries by a system of sciences figuratively called "polemology". Indeed, in the twenty-first century, war, being a socially conditioned phenomenon, is undergoing significant changes. All this makes it necessary for researchers to comprehend the foundations of war as a social, political and cultural phenomenon.

Another issue of current interest to contemporary analysts is the problem of the relationship between ideology and war in terms of clarifying the role of these phenomena in society and the peculiarities of their mutual influence. The analysis of this problem is of great importance not only from the ideological but also from the methodological point of view. After all, ideology as a system of ideas, theories, and views that reflect the interests of certain social forces (states, classes, nations, etc.) makes it possible to identify the essence, causes, nature, and consequences of any war.

Soviet analysts, in particular T. Kondratkov, nevertheless believed that it was the aggressive militaristic ideology attributed to imperialism that led to war, while, as M. Tsiurupa rightly notes, militaristic ideologies are characteristic of totalitarian societies such as fascist, nationalist, hegemonic states – russia, the DPRK, China (Tsyurupa, 2020).

For modern scientific and ideological-political analysis, first of all, we note that the term "racism" has recently appeared in Wikipedia and is defined as an ideology. And at a press conference on April 23, 2022, President Volodymyr Zelenskyy said in his speech that this concept would go down in history and be studied in history textbooks by our children (https://www.pravda.com.ua/news/).

The Verkhovna Rada Committee on Humanitarian and Information Policy proposed to introduce the term "racism" to define the ideology built in russia, which is reflected in the military actions of the russian army in Ukraine and the attitude of russian society to this war. The Committee’s appeal is addressed to Ukrainian scholars, journalists, political scientists, and the entire civil society to popularize and recognize the term "racism" at the national and international levels with the subsequent definition and inclusion of this term in the official terminological dictionaries of the Ukrainian language (https://www.rada.gov.ua/news/razom/222804.html).

It is well known that any tension grows from an elementary clash of interests in human relations, and even more so if they arise in the coordinates of different state ideological systems. Historically, Ukraine and russia have created fundamentally different ideologies, which is evidence of a completely opposite choice of civilizational direction.

The first type of ideology is associated with the values that have shaped the Western world since antiquity, including freedom and the establishment of legal and social institutions in partnership with international like-minded people. The second is based on the preference for passivity in civic life, and one-man leadership designed to lead the country to supremacy over the rest of the world by force. It is the second path that russia has chosen.

If we look at the war that russia has unleashed on the territory of Ukraine, it can be defined as a transition from the "hybrid war" unleashed since 2014, in which, according to the "Gerasimov Doctrine", the ratio of military means of force to peaceful means was 1:4, to a war "to destroy Ukrainians" (Tsyurupa, 2018).

The war was started without any significant reason for the world community, despite the worldwide recognition of human rights, the rights of any ethnic, religious group, any minority to life and decent existence, and even more so, despite the criminal punishment for any manifestation of genocide in politics (even for calls for it) as a crime against humanity. Russians use and continue the shameful practice of all traditional forms of genocide. In this case, it is russia's desire to subjugate our country with the help of political, economic, and informational tools, support for separatism and terrorism up to acts of state terrorism, building pseudo-state entities as a hybrid ideal project of state-building, etc.

For example, a well-known Ukrainian scholar and politician O. Sych, defining the essence of racist ideology, points out that "... at the same time, culturally backward, barbaric Muscovy has historically always carried out aggressive expansion against countries that were much more advanced in cultural development. Today's ideology of racism is based on this historical experience of Muscovy. That is why the core of the ideology of racism is the preservation of cultural backwardness and the destruction of developed civilizations" (https://www.blitz.if.ua/news/).

The beginning of this war can be traced back to 100 years ago. It was then that the attack on our book, the Ukrainian language, the loss of the national school, etc. began. Unfortunately, there are many such cases... We should also recall russia's desire to annex Kievan Rus, which Soviet historiography has always spoken of as a common source, a common cradle of the three fraternal peoples along the Dnipro, that is, Ukrainian, russian, and belarusian. Therefore, it is not surprising that russian literature refers to the "russian world" as a cultural and historical idea of an international and interstate community based on involvement with russia and devotion to the russian language and culture of the spiritual world. At the same time, the word "world" includes the meaning "the whole world" and "all people" (https://ru.wikipedia.org/wiki/).

Therefore, it is not surprising that, despite the fact that Soviet historiography has always spoken of a common cradle of the three fraternal Ukrainian, russian and belarusian peoples, today we have the so-called truth from Putin that there is only one nation, that is, he has even begun to refute Soviet historiography and invented his own, a new historical mythology of the "greatness" of the USSR, the return of russian territory to 1917, that Ukrainians today do not know that Ukraine was part of the Soviet Union, and he is even beginning to refute what happened under Stalin, and he himself allegedly supports the ideology and revives the Soviet Union, and without Ukraine, this empire is no longer conceivable.

Thus, the russian imperial ideology has been formed over the centuries and is based on such traits of mentality as: arrogance, domination, psychological inclination to permissiveness and robbery, servile submission to authority in various forms, abnormal patience, religious fanaticism, etc. (Tsyurupa, 2022).

If we look at when the ideology of racism emerges in relation to a certain theory of the "russian world" and when it begins to be actively introduced in the territories and spread through the 5th column, including in Ukraine, it has been going on for 20 years.

When Putin came to power in 2000, we did not yet call his political ideology racism, because it was not defined at its core. In 2007, TIME magazine used the term "Putinism" in ideological and political terms as a brutal regime with a democratic facade. Already then, attention should have been drawn to the ruthless treatment of his own and "outsiders" in the two Chechen wars, hundreds of frozen bodies in refrigerated trucks in Rostov-on-Don, lying for years. Unconscious women were shot in the Moscow theater complex, etc.

The inhumanity and cruelty were increasing, and it is difficult to say whether it has reached its peak in the occupied territories. Back in 2012, we did not use this concept in the sense that we use it today. That is, the ideology of the "russian world" was mentioned, then we talked about Putin's authoritarianism, and today all of this has merged into a single phenomenon of racism.

What do we mean by racism today? Why is it a phenomenon of the same type as fascism, nationalism, and Stalinism? These concepts have a lot in common with totalitarianism as a political regime aimed at achieving complete (total) state control over all spheres of public and private life. This is the basic concept that underlies racism as a phenomenon.

The name "racism" was actually coined by Ukrainians. Rashism is a type of political regime, as well as a radical authoritarian anti-human ideology, characterized by a strong cult of personality, militarism, and totalitarianism designed to unite lands through hybrid wars or complete destruction.

The core of this ideology is the concept of the "russian world", which consists in the destruction of other civilizations with a highly developed culture based on animalism toward others. In other words, the "russian world" is an ideology of destroying civilizations superior to russia's and imposing its own barbarism, where there is no place for the human, only for animalism, which is reflected in the destructive war of all those who oppose totalitarianism and russia's "selfishness". According to the russian philosopher I. Ilyina: "russia is the worst, vomitously vile country in the history of the world. By the method of selection, it has bred terrible moral degenerates, in whom the very concepts of Good and Evil are turned inside out. Throughout its history, this nation has been wallowing in shit and at the same time wants to drown the whole world in it" (https://www.facebook.com/golos.ua/).

Therefore, we believe with certainty that the ideology of racism does not build an empire, as it believes, but in practice takes away land and kills people.

To illustrate another specific feature of racism, we should recall Vladimir

Gundyaev (Patriarch Kirill), who blessed the russian army, which is generally impossible within the framework of religion. In racism, russian Orthodoxy does not just bless war and murder, does not just sanctify weapons, but actually provides a basis for this ideology. Gundyaev joined the ideology of the "russian world", which, by the way, in our opinion, is the basis of the ideology of russian Orthodoxy, and he emphasized the concept of "catechism". Catechism is an idea that is being introduced in russian Orthodoxy, and its representatives believe that russia is destined to save the world from Armageddon, or decline, and this idea is being imposed on the russian community. V. Vyatkovich also points this out in his interview: "Rashism, unlike communism or even Nazism, is combined with a state religion, in this particular case, russian Orthodoxy. This is what distinguishes it from other ideological systems" (https://cdvr.org.ua/).

Conclusions. Therefore, it follows from the above that racism is a syncretism of russian Nazism, Orthodoxy and psychotraumatizing nostalgia for the USSR, which has become an imperial identity. And the "russian world" is not so much a new ideology as another modification of old imperial models. The internal political dimensions of this ideology are: suppression of all democratic rights and freedoms of citizens, imitation of the democratic process; formation of the cult of the "leader"; creation of a type of state administration characterized by corporatism, placement of exclusively "their" personnel in leading positions in the state apparatus and big business; neglect of economic and social interests of the vast majority of the population in the name of "russia's greatness"; use of the security forces to persecute the opposition; introduction of a system of state propaganda.

In foreign policy, the characteristic features of "rashism" are the following: total violation, abuse and manipulation of international law; committing acts of armed aggression, terrorism, genocide and other crimes against humanity; direct interference in the internal affairs of other countries; use of new methods of warfare, in particular, cyber attacks; protection of authoritarian regimes in the world; nuclear terrorism, etc.

Thus, based on this analysis, we can define racism as the embodiment of racist, xenophobic, chauvinistic, populist ideology, which, despite its obvious anti-democratic nature, is supported by the majority of the russian population and is implemented in russia's aggressive and criminal foreign policy. Therefore, in our opinion, it should be condemned as a hateful ideology and practice.

Conflict of Interest and other Ethics Statements
The authors declare no conflict of interest.

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РАШИСТСЬКА ІДЕОЛОГІЯ В КОНТЕКСТІ РОСІЙСЬКО-УКРАЇНСЬКОЇ ВІЙНИ

Анотація. У статті здійснено спробу соціокультурного осмислення ідеології рашизму в умовах російсько-української війни. Саме поняття «рашизм» появилося в Україні зовсім нещодавно й визначається, згідно Вікіпедії, як ідеологія. Виявлено, що серцевиною цієї ідеології стала концепція «русского міра», що полягає у знищенні інших цивілізацій з високо розвинутою культурою, яка ґрунтується на зверхності стосовно інших. Тобто «русскій мір» – це ідеологія руйнації цивілізацій вищих за російську і нав'язування свого варварства, де немає місця людському, що відображається в нищівній війні всіх, хто проти тоталітаризму росії.

Встановлено, що ця російська імперська ідеологія формувалася протягом століть і має своїм підґрунтям такі риси ментальності, як: зверхність, домінування, психологічний нахил до вседозволеності й грабіжництва, раболіпне підкорення перед владою у різноманітних формах, аномальна терплячість, релігійний фанатизм тощо. З'ясовано, що Комітет Верховної Ради України з питань гуманітарної та інформаційної політики запропонував ввести термін «рашизм» для загального визначення ідеології, вибудуваної в росії, що відображається в військових діях російської армії в Україні та ставленні російського суспільства до цієї війни. Звернення Комітету адресовано до українських науковців, журналістів, політологів, усього громадянського суспільства щодо популяризації та визнання терміну «рашизм» на національному та міжнародному рівнях з подальшим визначенням і внесенням цього терміну до офіційних термінологічних словників української мови.

Визначено, що рашизм – це різновид політичного режиму, а також радикальна авторитарна антилюдяна ідеологія, характерними ознаками якої є сильний культ особи, мілітаризм, тоталітаризм, призначений для об'єднання земель через проведення гібридних війн або повної руйнації. Це – уособлення расистської, ксенофобської, шовіністичної, популістської ідеології, що, попри свій очевидний антидемократизм, підтримується більшістю російського населення і реалізується в агресивній та злочинній зовнішньо політичній діяльності росії. В понятті «рашизм» є багато чого спільного з тоталітаризмом як політичним режимом, спрямованим на досягнення цілковитого контролю держави над усіма сферами суспільного та приватного життя. Саме це й є основним концептом, який лежить в основі рашизму як феномену.

Ключові слова: *ідеологія, рашизм, війна, «русскій мір».*

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INTERNATIONAL RECOGNITION IN THE EUROPEAN SCIENTIFIC CIRCLES AS THE MAIN TASK FOR IVAN MIRCHUK

Abstract. The scientific heritage of Ukrainian philosopher Ivan Mirchuk has not yet been sufficiently studied in Ukrainian science. The philosopher left enough academic heritage out of Ukraine: in Vienna, Prague, Berlin, Munich. However all scientific work of I. Mirchuk was concentrated in Ukrainian institutions. Mirchuk is a representative of the Ukrainian "Sich" in Vienna, a teacher at the Ukrainian Scientific Institute and the Higher Trade School in Berlin, a professor and rector of the Ukrainian Free University. He has a number of scientific works on philosophy, he is also the translator of classics of science. A famous Ukrainian scientist, an authoritative philosopher in Czechoslovak and German scientific circles deserved to be studied and it seems that there should be enough written about such a person.

However, I. Mirchuk did not become the object of thorough studies in Ukrainian science, his life, especially the early Ukrainian period, and his work in emigration are still not well studied. In this paper the main attention is paid to the heritage of Mirchuk. The novelty of the paper lies in studying the role of Mirchuk in formatting Ukrainian science in exile and the attempts of the contemporaries to describe his heritage. Based on historical and objective principles the paper shows the main aspects in scientific career of Mirchuk as well as the work at the Ukrainian Free University. The main methods of the paper were comparative and the method of historic analysis that could highlight the academic work of Mirchuk and their main evaluation in works of contemporaries. As a result there is the first analysis of émigré historiography of Mirchuk in Ukrainian science. Conclusion proves that Mirchuk was one of the central persons of Ukrainian scientific life in exile.

Keywords: *Ivan Mirchuk, Munich, Berlin, Ukrainian science.*

Introduction. Known in European scientific circles, Ivan Mirchuk earned good fame during his life as a philosopher, professor of higher schools, director of the Ukrainian Scientific Institute and the long-term rector of the Ukrainian Free University. His contemporaries, including both Ukrainians and foreigners, left good memories of him as a person, his work on the Ukrainian field, and his scientific achievements. In the scientific sphere, I. Mirchuk was engaged in philosophy, which he began to study at the University of Vienna. Gradually studying ancient Greek ethics and Kant’s epistemology, which Mirchuk studied in Vienna and Prague, he began studying the problems of the national worldview. The main theme of I. Mirchuk’s philosophical research was Ukrainian spirituality. Separated from the all-Slavic philosophy, the professor

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considered it to be philosophy of life. Religiosity, personalism, preference for sensuality and love are the main features of the Ukrainian "clearly peasant" people. In the last statement there was not anything humiliating for Ukrainians next to other peoples. On the contrary, it shows the special devotion of Ukrainians to their native land which led to the development of culture.

Analysis of recent research and publications. This article is the first to study the evaluation of the achievements of Mirchuk in Europe last century. Modern Ukrainian scholars have not yet paid the attention to the problem. This article is to be the first in Ukrainian historiography to describe the studies of Mirchuk in exile represented by works of professors of the Ukrainian Free University.

The purpose of the article is to distinguish all the sources of Ivan Mircuk and his scientific career in émigré of last century. To reach results of the research the description of academic work of Mirchuk in exile should be given. Unlike other researchers in modern historiography this research describes not just philosophical work of Mirchuk but his attempt to create Ukrainian scientific schools in Prague, Berlin and Munich.

Formulation of the main material. Academic work of Mirchuk in exile. During his life Ivan Mirchuk worked in Ukrainian and foreign institutions but his scientific achievements were got at the Ukrainian Free University. On September 22, 1921, the scientist passed his habilitation at the newly established Ukrainian Free University, being the first to defend his thesis *Metageometry and Epistemology* there and became a teacher of philosophical sciences (Andriichuk, 2013). When the university was moved to Prague, the young scholar continued his scientific work there. Mirchuk studied Kant's epistemology and translated his *Prolegomena to every future metaphysics* into Ukrainian, and in 1925 he wrote the work *Metageometry and its significance for Kant's theory of space*. Taking into account the fact that the Ukrainian higher school in Prague began to be guided by the rules of Charles University, Ivan Mirchuk received the habilitation at Charles University, which contributed to his scientific growth at the Ukrainian Free University (Narizhny, 1942): in 1923 he became an assistant professor, in 1925 he was promoted to an extraordinary professor and in 1930 he received the position of an ordinary professor of philosophy at the university and remained until the end of his life.

Since 1926, the philosopher participated in scientific congresses: the Ukrainian congresses in Prague in 1926 and 1931, the international congress of Slavic philosophers in Warsaw in 1929, and the international congress of the history and philosophy of religion in Lund, international congresses of philosophers in Oxford in 1930, Prague in 1934 and Brussels in 1935 (Polonska-Vasylenko, 1961). In the second quarter of 20th century, I. Mirchuk joined several scientific societies. In 1923, he became a member of the Ukrainian Historical and Philological Society in Prague, in 1928 – the Society of Kant in Berlin, and 10 years later – the Scientific Society of Shevchenko in Lviv (Shafoval, 2006).

Since 1926 I. Mirchuk taught in Königsberg, Münster and Berlin. In the German capital, the professor taught the history of Ukrainian culture and was a member of the examination committee at the Higher Trade School. The same year, the professor began teaching at the newly founded Ukrainian Scientific Institute, which trained young scientists-researchers of the past and present of the Ukrainian people, promoted the establishment of ties between Ukrainian and Western European, primarily German, scientific centers and took care of Ukrainian students studying at German universities. Ivan Mirchuk was a member of the joint Ukrainian-German Board of Trustees, which regulated the functioning of the institute, headed the department of culture and taught Ukrainian culture to Germans interested in the history of Ukraine and Eastern Europe. From 1931 to 1945, I. Mirchuk headed the Ukrainian Scientific Institute, succeeding D. Doroshenko as the director. The philosopher had to manage the Institute until the end of World War II: despite the war, Mirchuk with his family left Berlin only at the beginning of the summer 1945, moving first to Bayreuth and then to Munich.

The entire Munich period of the scientist's life, which began in 1945 and lasted until his death in 1961, was connected with the Ukrainian Free University. One of the initiators of the restoration, the dean and rector, Professor Ivan Mirchuk devoted another 16 years of his life to the higher school, having contributed to the recognition of the university and the establishment of cooperation with foreign scientific institutions. In mid 20th century, Mirchuk developed a strategy for the development of the higher school and its tasks. If we talk about the role of I. Mirchuk in the development of the Ukrainian higher school in Munich, it is great. First of all, the rector was one of the first to plan to revive the university in the capital of Bavaria, focusing not only on the Ukrainian environment, but also trying to be at the same stage with other universities. Mirchuk played not the last role in the decision of the local Ministry of Education to recognize the Ukrainian higher school. His authority and friendly relations with German politicians contributed to cooperation with foreign scientific institutions in many fields.

In October 1945, I. Mirchuk received an assignment from rector Vadym Shcherbakivsky to represent the university in American and German political institutions. The choice of the dean of the Faculty of Philosophy as an official representative was not accidental: the professor spoke English, German, Polish and Czech. In addition, the special features of Mirchuk's character were his frankness, directness and modesty, which contributed to the fact that the idea of the Ukrainian higher school in Bavaria was appreciated by the local Ministry of Education and the higher education department of the American Military Administration of Bavarian Zone. Not long after, premises were allocated for the university in one of the German schools at Versailerstrasse 4.

In 1948, I. Mirchuk passed the chair of the rector to the professor of administrative constitutional and criminal law – Yuriy Paneyko (Holiat, 1962). In 1950, Ivan Mirchuk became the rector of the Ukrainian Free University for the second time. This time, the professor had to head the higher school for five academic years: in 1955, he was replaced in this position by professor Mykola Vasiliev. During the second term of office, rector Mirchuk formulated the mission of the higher school – "to nurture all fields of science related to the history and development of Ukrainian culture as an inseparable part of humanity". The Ukrainian Free University, in the vision of I. Mirchuk, became the territory of "free science", which could not develop in Ukraine (Kokosh, 2021).

The slogan of the rector was implemented through scientific conferences in opposition to the ideologization of science in the USSR: one of the examples was the conference of the Committee to celebrate the three hundredth anniversary of the Pereyaslav Council, which was attended by Ukrainian and German scientists. The university has also started active cooperation with foreign professors.

The rector died at the age of 70. On May 6, 1961, I. Mirchuk was buried in Munich at the Haidhausen cemetery near Kirchenstrasse. The rector's work resulted in dozens of scientific works written in Ukrainian, English, and German, international conferences, cooperation with foreign universities and institutes, ensuring the financial status of the higher school, recognition by the Bavarian Ministry of Education and Religion, support of local politicians, the Church and Ukrainian emigrants in Europe and North America. A famous philosopher, an authoritative professor of European higher schools and a long-term rector of the Ukrainian university, Ivan Mirchuk was remembered for a long time in the works of his contemporaries as a Ukrainian who did not forget to serve the Ukrainians in exile.

The evaluation of contemporaries. The topic of research by I. Mirchuk's contemporaries was the professor's scientific studies in Vienna, Prague, Berlin and Munich, his philosophical ideas and influence on the development of Ukrainian scientific institutions in Europe, especially the Ukrainian Free University. Most of the researchers of the philosopher's life and work were personally familiar with him: the same emigrant scientists, teachers of Ukrainian higher schools, employees of the Ukrainian Scientific Institute in Berlin, members of Ukrainian and foreign scientific institutions knew Mirchuk as a philosopher, university rector and just a person.

One of the best collections of writings about the professor in 20th century is kept at the Ukrainian Free University. Here, in addition to works about the philosopher, is also a personal archive fund No. 4 "Mirchuk Ivan – philosopher, historian, cultural expert, rector". The fund presents scientific materials of the scientist, biographical materials, correspondence, documents of an economic and property deals, materials and letters of other persons, which in general belong to the time of the professor's stay in Munich (Kokosh, 2021).

The obituaries *Materials for the Life and Work of Ivan Mirchuk* are an extremely valuable source for studying the personality of the philosopher. Written on the occasion of the philosopher's death in 1961, *Materials* are a collection of articles and memories of Ukrainians Roman Goliat, Nataliya Polonska-Vasylenko, Vasyl Stetsyuk, Kostya Kysilevsky and the philosopher's German colleagues – Georg Stadtmuller, Hilarios Leo Harak, Hans Reinfelder. Based on the information presented, they differ from other sources, first of all, they represent a calm, modest and frank man, devoted to the Ukrainian studies and a hard-working scientist. The best review of the scientific activity of I. Mirchuk was made by the professor of the Ukrainian Free University V. Stetsyuk in his obituary dedicated to the death of the philosopher. He divided the rector's life into five periods: Stryi, Vienna, Prague, Berlin and Munich. Passing the first period of the philosopher's life, V. Stetsyuk described Mirchuk's scientific and academic-pedagogical activities. Having noted the connection of the professor with the Ukrainian, Czech and German scientific world, the author connected the development of the Ukrainian Scientific Institute and the Ukrainian Free University (Stetsyuk, 1961). V. Stetsyuk also examined the main works of the philosopher, *including Die ukrainische Kultur in ihrem* *geschichtlichen Werden* (Ukrainian culture in its historical development, 1944) and *Geschichte der ukrainischen Kultur* (History of Ukrainian culture, 1957), which opened Ukrainian culture to the German-speaking world.

N. Polonska-Vasylenko called Mirchuk the ambassador of Ukrainian culture in Europe. As Mirchuk, she headed the Philosophy Faculty of the university and, as most other researchers of the philosopher's life, was personally acquainted with him. In her *Words at the grave of the rector of the Ukrainian Free University, professor Dr. Ivan Mirchuk*, the researcher mentioned Mirchuk's scientific activities over the last 35 years of his life: work at the university, participation in international scientific congresses in Europe, the USA and Canada, scientific studies in foreign scientific institutions. In the vision of N. Polonska-Vasylenko, Mirchuk was not limited to scientific achievements in philosophy or Ukrainian leadership of scientific centres: he also distinguished himself in political and social activities as a member of the Hetman movement and a representative of the Hetman Council in Europe (Polonska-Vasylenko, 1961).

The texts of V. Stetsyuk and N. Polonska-Vasylenko later became the basis for the writing of Vasyl Yarish's work *Professor Dr. Ivan Mirchuk – Ambassador of Ukrainian Culture*. It mostly concerns Mirchuk's scientific activities in Berlin. Adhering to the chronological principle, V.Yarish studied the philosopher's studies published in Germany. The researcher called the slogan Ukraine – Mittlerin zwischen West und Ost (Ukraine – a mediator between the West and the East) the program of the philosopher's practical activity: it was best presented by the professor as the director of the Ukrainian Scientific Institute. In addition, the author mentioned Mirchuk's membership in German scientific institutions: Society of Kant, the German Philosophical Society, the Bavarian Academy of Sciences, etc. (Yarish, 1996).

However, the first to write about Ivan Mirchuk was the Ukrainian public figure, publicist and good friend of the philosopher Roman Holiat. He was the author of the first collection *Ukrainian Free University and its rectors*, limited to the biography and main scientific achievements of Ukrainian rectors; newspaper articles *Prof. I. Mirchuk – scientist and citizen* and *Prof. I. Mirchuk*. In addition to studying the scientific development of the scientist and his leadership powers at the Ukrainian Scientific Institute and the Ukrainian Free University, R. Holiat wrote about I. Mirchuk in the context of life of Ukrainian communities in America. Denying the professor's attachment only to Germany or Europe in general, he investigated the philosopher's contribution to the scientific life of Ukrainians in North America, presented his activities and achievements in Ukrainian science. According to the author, Mirchuk's name could not remain unnoticed by the Ukrainian community thanks to his scientific work *Ukraine and Its People* (1948) – almost the only post-war work that introduced the Ukrainians to English-speaking world.

R. Holiat wrote about Mirchuk's contribution to the restoration of the Ukrainian Free University in Munich. For him, as a person who also contributed to the development of the higher school, Mirchuk seemed to be the most promising rector in the entire history of its activity in Bavaria (Holiat, 1950). His long-term experience in the "organization and management of a scientific institution" in Berlin, support from the Church and authority in influential circles in Germany provided the opportunity not only to restore, but to develop the university. Evidence of this, according to R. Holiat, was the fact that the Ukrainian Free University received recognition from the local Ministry of Education after five years of work in the capital of Bavaria (Holiat, 1955).

Oleksandr Kulchytsky thoroughly studied the scientific studies of I. Mirchuk, primarily his philosophical ideas. O. Kulchytsky was personally acquainted with the rector of the university, and after Mirchuk's death he briefly headed this Ukrainian higher school in Munich. For him, the philosopher was interesting not only for personal reasons. The field of research of O. Kulchytsky – the founder of the Ukrainian Psychological Institute and the author of the concept of the formation of the Ukrainian psyche – was tangential to Mirchuk studies. In addition, the sources of his philosophical teachings were the ideas of Skovoroda and Kant and the understanding of history and culture of Ukraine, which the philosopher mentioned so often (Kulchytsky, 1955).

O. Kulchytsky is the author of two scientific articles about Mirchuk: *Professor Ivan Mirchuk. Philosopher of Ukrainian spirituality* and *Ivan Mirchuk – researcher of Ukrainian spirituality*. In these works, the author revealed the transition of the philosopher from Kantian epistemology to the study of the problem of spirituality. The neo-Kantian era could not ignore Kant, the philosopher of ideas. One of the first works, *Metagometry and its significance for Kant's theory of space,* was devoted to the neo-Kantian problems of space. But, with the exception of several works of the philosopher of 1920^{s}, O. Kulchytsky did not find a continuation of his epistemological interests: the problem of the connection between individual elements of the general philosophical worldview led Mirchuk to study the problem of the national worldview as a manifestation of national spirituality (Kulchytsky, 1974, p. 12).

The ethnopsychological studies of I. Mirchuk were systematized by another professor of psychology and sociology and the future rector of the Ukrainian Free University, Volodymyr Yaniv. He started working at the university at the beginning of the Munich era and knew I. Mirchuk personally, so the philosopher's views on the worldview of the Ukrainian people were familiar to him. In his article *To the systematization of Ivan Mirchuk's views on the Ukrainian person,* he described the philosopher's research in the field of the history of Ukrainian culture. V. Yaniv pointed to the professor's first attempt to determine the connection between the spirituality of the people and its philosophy: for Mirchuk, philosophical concepts are rooted in "the specific features of each nation in particular and in the special forces of the national spirit". Investigating the contribution of the philosopher to Ukrainian ethnopsychology, V. Yaniv followed Mirchuk's understanding of Ukrainian spirituality against the background of the Slavic peoples through the contrast between Skovoroda and Masaryk as philosophers and Skovoroda and Tolstoy as writers (Yaniv, 1974, pp. 149-153).

Conclusions. All the studies in exile written of Mirchuk represent his main activity in European countries. These researches give the possibility to describe Mirchuk not just as the philosopher, but the ideologist of Ukrainian science in exile. The professor was the initiator of the restoration of the institution, the official representative, the dean of the Philosophy Faculty and the rector. As the rector, Ivan Mirchuk continued the policy of Vadym Scherbakivsky. The first most important measure of I. Mirchuk was cooperation with the Church and the local administration, which ensured financial support, participation in international scientific projects and, finally, the recognition of the Ukrainian Free University in 1950 by a decree of the Bavarian Ministry of Education and Religion.

Ivan Mirchuk was a professor who worked not only in Ukrainian scientific institutions. He was well known as a professor at the universities of Königsberg, Münster, Berlin and Munich. His name was known at international conferences in Europe and North America. Ukrainian scientific institutions headed by I. Mirchuk have never been excluded from cooperation with foreign scientific centers.

Conflict of Interest and other Ethics Statements
The author declares no conflict of interest.

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Артем КОКОШ

МІЖНАРОДНЕ ВИЗНАННЯ В ЄВРОПЕЙСЬКИХ НАУКОВИХ КОЛАХ ЯК ОСНОВНЕ ЗАВДАННЯ ІВАНА МІРЧУКА

Анотація. Постать українського філософа Івана Мірчука ще недостатньо вивчена в українській науці. Про нього згадують в наукових колах, присвячують окремі праці, яких, на жаль, не багато, але для пересічного українця його ім’я маловідоме. Можливо, це пояснюється тим, що філософ працював за межами України: у Відні, Празі, Берліні, Мюнхені, або ж тим, що вивчати постать філософа в Україні розпочали відносно нещодавно, та й то практично не використовуючи матеріалів закордонних архівів. Така ситуація речей є невиправдана, адже вся наукова робота І. Мірчука була зосереджена на українському ґрунті.

Мірчук – представник української «Січі» у Відні, викладач Українського наукового інституту і Вищої торгівельної школи в Берліні, професор й ректор Українського вільного університету. Його авторству належить ряд наукових праць з філософії, серед яких і цінні переклади класиків науки. Навколо нього об’єднувалися цілі покоління української діаспори. Іван Мірчук був професором, який працював не лише в українських наукових установах. Його ім’я було відоме на міжнародних конференціях Європи та Північної Америки. Українські наукові установи, очолювані І. Мірчуком, ніколи не були відсторонені від співпраці з закордонними науковими центрами.

Ключові слова: *Іван Мірчук, Мюнхен, Берлін, українська наука.*

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ETHICAL AND PRACTICAL ASPECTS OF USING THE ARTIFICIAL INTELLIGENCE IN THE EDUCATIONAL PROCESS

Abstract. Philosophical and ethical challenges to the use of artificial intelligence include many aspects, ranging from privacy and data security to issues of responsibility for the actions of AI. The rise of AI is changing the nature of knowledge and the educational process, creating new opportunities and challenges.

The use of AI in the educational process raises not only questions of the technical organization of the educational process and evaluation of the results obtained with the help of AI, but also more global questions about the role of the teacher and student, about the social and ethical consequences of the transition to a new educational paradigm. Artificial intelligence is revolutionizing the education industry in various ways including virtual tutors, personalized learning, automated grading, smart content, intelligent tutoring systems, predictive analytics, student support systems, etc. However, the ethical considerations of implementing AI in higher education must be carefully examined to ensure that AI is used responsibly and ethically in the education sector.

The article discusses the emergence and development of AI, its understanding from a technical and philosophical point of view. The ethical issues of using AI and its role in the human community are discussed. The ethical and practical aspects of using AI in the educational process are analyzed, and actual problems of AI implementation into the studying process in universities are proposed.

Keywords: *artificial intelligence, education, ethics, pedagogy, learning process, learning tools.*

Introduction. Due to ChatGPT, artificial intelligence (AI) has become a part of people's lives and professional activities in recent years.

Artificial intelligence is understood as the property of artificial intelligent systems to perform analytical and creative functions that have traditionally been considered the prerogative of humans. It should be noted that the term AI originated from the English-speaking environment, in which the word "intelligence" means the ability to reason rationally and draw logical conclusions, while the word "intellect" is used to understand human intelligence.

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There is a point of view among some scientists that intelligence can only be a biological phenomenon. In Slavic countries, the phrase "artificial intelligence" acquired an anthropomorphic connotation and began to be perceived as an alternative to human intelligence.

The first development of AI prototypes began in the 50-60s of the twentieth century. The term "artificial intelligence" was coined in 1956 by John McCarthy at a seminar at Dartmouth University. That same year, Allen Newell and Herbert Simon created the Logical Theorem Prover program, which was capable of proving mathematical theorems based on logical deductions (McCarthy, 2007).

Research in the field of artificial intelligence continued to develop; in the 80-90s of the twentieth century, various methods and approaches were created to create systems capable of thinking and making decisions. In the XXI century, AI has taken a new stage of development through the use of deep learning (DL), neural networks (NN) and machine learning (ML) technologies, leading to significant improvements in the performance and capabilities of these systems.

Philosophical question "If machine can think?" was formulated by Alan Turing in 1950. He pushed researchers to create the science of modeling the human mind, resulting in the hypotheses of strong and weak AI. American philosopher John Searle coined the term "strong artificial intelligence" and described it as a program that would not just be a model of the mind, but a mind in the full (human) understanding of the term. Proponents of weak AI view programs as tools for solving certain types of problems and not possessing the full (human) range of cognitive abilities. For example, Roger Penrose argued that it is impossible to obtain the process of thinking on the basis of formal systems. Thus, in the concepts of "strong" and "weak" AI there will be a different understanding of the legal objectivity and subjectivity of AI. Innovations over the past decade suggest that strong AI solutions will continue to evolve (McCarthy, 2007).

Modern researchers offer the following classification of AI (Abdoullaev, 2023): Artificial Narrow Intelligence (ANI), that has a narrow range of human-like capacities and abilities; Artificial General Intelligence (AGI), that has human-like capacities and capabilities as in humans; Artificial SuperIntelligence (ASI), that has capacities and capabilities exceeding that of humans. As we can see, the proposed classification corresponds to the concept of "strong" AI. At the same time, the author claims that we are now at the first stage (Abdoullaev, 2023).

Analysis of recent research and publications. Over the past few years, scientific works have appeared whose authors systematically approached the study of AI and proposed ethical principles of modern AI policy, as well as mechanisms for introducing AI into the educational process (Jobin et al., 2019; Müller, 2021; Zhang & Aslan, 2021 ; Adams et al., 2023; Puthiyedath, 2023; Reiss, 2021; Sheikh et al., 2023; Abdoullaev, 2023; Nguyen et al., 2023).

We examined some didactic aspects of organizing and increasing the efficiency of the educational process in universities in the following works (Galushko et al., 2010; 2011; 2022). In this work, we adapt previously proposed approaches to modern conditions for introducing AI into the educational process.

To date, the most comprehensive review of documents containing ethical principles of AI is proposed by A. Jobin (Jobin et al., 2019). In particular, among the ethical principles of AI, the following are highlighted: transparency, fairness, non-harm, responsibility, confidentiality, charity, freedom and autonomy, trust, sustainability, solidarity. Not all principles were present in all documents. It should also be noted that the proposed principles are declarative and the need to develop mechanisms for their implementation in practical activities.

C. Adams, P. Pente, G. Lemermeyer and G. Rockwell analyzed the principles proposed by A. Jobin, adapted them for children and proposed the following list of principles that, in the author's opinion, are of utmost importance in developing a policy guide on AI ethics in the educational process: pedagogical expediency; children's rights; AI literacy; teacher well-being (Adams et al., 2023).

The purpose of the article is the research of ethical and practical role of AI in educational process and to develop the principles of it's implementation.

Formulation of the main material. To study AI and its impact on society, an interdisciplinary approach should be taken, because "strong" AI is based on:

– philosophical categories of induction, utilitarianism, epistemology;

– mathematical categories (formal logic, probability theory, statistics, algorithms and calculations, big data);

– neurosciences;

– cybernetics and computer engineering;

– categories of psychology (behaviorism, cognitive psychology);

– management theories (decision theory, operations research);

– linguistics and psycholinguistics.

From a technical point of view, AI is a computer program based on deep and machine learning technologies, as well as neural networks (Table 1).

Table 1

Components of Artificial Intelligence

Artificial Intelligence:	
A program, that can learn, reason, sense, act and adapt	➢ Natural language processing ➢ Visual perception ➢ Automatic programming ➢ Intelligent robots ➢ Automatic reasoning ➢ Knowledge presentation
Machine Learning:	
Algorithms whose performance improve as they are exposed to more data over the time	➢ Linear / Logic Regression ➢ k-Means, k-Nearest neighbor ➢ Support Vector Machine ➢ Principal Component Analysis ➢ Random Forest ➢ Decision Trees
Deep Learning:	
Subset of Machine Learning in which multiplied Neural Networks learn from vast amounts of data	➢ CNN (Convolutional Neural Network) ➢ RNN (Recurrent Neural Network) ➢ GAN (Generative Adversarial Network) ➢ DBN (Deep Belief Network)

Source: created by authors based on (https://twitter.com/Jousefm2/status/1609852141090242560?lang=ms)

And if the technical side of AI is defined, then the philosophical and ethical issues cause a lot of discussion. The main philosophical issue is the ability of AI to imitate human thinking and behavior, and scientific research into the epistemology of AI is developing in this direction.

If AI can imitate human thinking, then questions will arise about the role of AI in human society and ethical and moral issues such as:

1) The impact of AI on human nature, both from the point of view of revealing new opportunities and from the point of view of the threat to human uniqueness and identity;

2) The objectivity and subjectivity of AI in the legal field of human society, the right of AI to self-awareness and freedom, as well as responsibility for its actions;

3) The impact of AI on socio-economic relations, GDP, employment and unemployment;

4) A possible threat of AI to human civilization, both from the point of view of the immediate threat of destruction and from the point of view of intellectual degradation.

The ethical problems of using AI include issues of privacy, security and data protection, trust in the results of AI activities, rights and responsibilities of AI, the need for its limitations, fairness and equality in the use of AI, as well as issues of intellectual property rights. These issues require the development of appropriate regulations and standards to ensure the safe, fair and responsible use of AI. These questions are especially acute for the education system, because the use of AI affects the personal and congenital development of future generations. Questions about the influence of AI on the very foundations of teaching and learning, on equality in education and access to it, on the influence of AI on children's rights and the ethical principles of the policy of introducing AI into the education system are already reflected in the relevant documents of UNESCO, the European Commission and the European Parliament. However, both the legislative basis for the use of AI in the education system and the practical mechanisms are only at the stage of development and discussion. However, AI has already begun to be actively used in the educational process.

There are 10 key ways in which AI is transforming education: personalized learning, virtual tutors, automated grading, smart content, adaptive learning platforms, intelligent tutoring systems, predictive analytics, student support systems, administrative tasks automation, and enhancing teacher capabilities. (https://appinventiv.com/blog/).

However, the ethical considerations of implementing AI in higher education must be carefully examined. These considerations include academic integrity, data privacy, bias and discrimination, environmental impact, and labor exploitation. It is crucial for educators and policymakers to address these ethical concerns in order to ensure that AI is used responsibly and ethically in the education sector (https://camosun.libguides.com/ai/).

In our opinion, special attention should be paid to the following aspects of using AI in the educational process:

1) Influence on the cognitive abilities of schoolchildren and students. As researchers of the human brain note, neural connections in it are actively formed when overcoming obstacles and solving complex problems. The use of AI in the educational process reduces the burden on students, shifting the performance of

tasks to AI. Thus, students not only do not get the necessary experience of independent problem solving, but also lose opportunities for cognitive and intellectual development.

2) The influence of AI on the role of the teacher in the educational process. Already now, Deep Fake technologies allow you to reproduce a video of a person and a speech with a given text in a given language. Further development of these technologies will lead to the mass use of virtual AI teachers, with more extensive knowledge and capabilities than humans. At the same time, virtual AI teachers will be deprived of empathy and opportunities to share their own practical experience with students.

Conclusions. Thus, it is necessary to develop AI implementation mechanisms in the educational process, which should include:

1) Assessment of the impact of AI on the formation of students' cognitive abilities and the development of such forms and methods of using AI that will stimulate them;

2) Determination of a reasonable balance of involvement of the teacher and AI in the educational process from the point of view of ensuring quality education and personal development of students;

3) Development of the legislative basis for the use of AI in the educational process.

Otherwise, the next generations will face the negative and uncontrollable consequences of the influence of AI on human society.

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Олена ГАЛУШКО, Камерон БАТМАНГЛІЧ

ЕТИЧНІ ТА ПРАКТИЧНІ АСПЕКТИ ВИКОРИСТАННЯ ШТУЧНОГО ІНТЕЛЕКТУ В НАВЧАЛЬНОМУ ПРОЦЕСІ

Анотація. Філософські та етичні проблеми використання штучного інтелекту включають багато аспектів, починаючи від конфіденційності та безпеки даних і закінчуючи питаннями відповідальності за дії ШІ. Розвиток ШІ змінює природу знань і освітнього процесу, створюючи нові можливості та виклики.

Використання ШІ в навчальному процесі ставить не тільки питання технічної організації навчального процесу та оцінки отриманих за допомогою ШІ результатів, а й більш глобальні питання про роль викладача та студента, про соціальні та етичні наслідки переходу до нової освітньої парадигми. Штучний інтелект революціонізує індустрію освіти різними способами, включаючи віртуальних викладачів, персоналізоване навчання, автоматичне оцінювання, інтелектуальний контент, інтелектуальні системи навчання, прогнозну аналітику, системи підтримки студентів тощо. Однак етичні міркування впровадження штучного інтелекту у вищій освіті мають бути уважно перевірені, щоб переконатися, що ШІ використовується відповідально та етично в освітньому секторі.

У статті розглядається виникнення та розвиток ШІ, його розуміння з технічної та філософської точок зору. Обговорюються етичні питання використання ШІ та його роль у людському суспільстві. Проаналізовано етичні та практичні аспекти використання ШІ в навчальному процесі та актуальні проблеми впровадження ШІ в навчальний процес у ВНЗ.

Ключові слова: *штучний інтелект, освіта, етика, педагогіка, процес навчання, засоби навчання.*

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MARKETING DEVELOPMENT AS THE BASIS FOR IMPROVING PASSENGER TRANSPORTATION SERVICES AT RAILWAY STATIONS

Abstract. Overcoming the losses in auxiliary activities of domestic railway stations and achieving the desired level of customer satisfaction requires the implementation of marketing and the improvement of passenger transportation services based on it.

The article identifies the differences between the categories of "transport service" and "transport service provision", "railway station" and "railway station complex". A list of the main and additional functions of domestic railway stations is formulated. The existing classifications of railway station services are summarized, and a classification of commercial services is proposed. The main problems in providing additional services for passengers are formulated, and the reasons for their formation are identified.

The essence of marketing for railway passenger transportation is presented and its role in overcoming the losses in auxiliary activities of railway stations and increasing customer satisfaction with additional services is substantiated.

Keywords: *railway station, passenger transportation services, marketing for railway passenger transportation, primary and additional services, customer satisfaction.*

Introduction. Railway stations and station complexes as nodal elements of transport infrastructure occupy an important place in it, particularly in its passenger sector. In modern trends of development of the service sector economy, railway stations also become an important urban development element, in many ways determining the directions and possibilities for further development of populated areas (Shvets, 2017, pp. 27-28). Under such conditions, issues of improving the organization of transport traffic, the passengers' comfort level increasing, expanding the functions of stations, improving their architectural and artistic image, and a range of others become an

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urgent demand of time and are impossible without the implementation of new technologies for serving visitors to stations / station complexes.

At the same time, the chronic unresolved problem of functioning of domestic railway stations, especially those located in medium and small cities, remains the low profitability of their auxiliary activities and the unprofitability of many additional services for passengers. It should be noted that foreign stations also face such a problem (Kurosaki, Alexandersson, 2018; Alexandersson, Bondemark, Henriksson & Halten, 2018; Hagen, Oort, 2019; Oliveira, Bruen, Birrell & Cain, 2019; Yamashita, Hibino & Uchiyama, 2007). However, most stations have significant potential for increasing the profitability of auxiliary activities, increasing passenger traffic, attracting paying customers to their services, improving passenger transportation services, and strengthening the positive image of the railway. The complex situation proves that a new approach to serving passengers and other visitors to stations and station complexes is needed for this.

Analysis of recent research and publications. The issues of formation and development of marketing, logistics, and serviceology in railway passenger transport are comprehensively examined in numerous works by domestic and foreign authors, including O. Bakalinsky, Yu. Barash, D. Lomotko, O. Matusevich, L. Mirotin, M. Oklander, W. Kriswardhana, X. Hao, R. Shi, Z. Záhumenská, J. Zhu, and others. The study takes into account a number of works dedicated to the study of railway station complexes by authors such as I. Drevale, M. Mishchenko, V. Mironenko, O. Ovchinnikova, S. Pshinko, L. Shvets, A. Conceição, A. Perić, J. Preec, B. Scholl, and others.

Despite the significant number of works by domestic researchers on the studied problem, numerous proposals regarding the improvement of services at railway stations and increasing customer satisfaction do not provide an answer to the question of overcoming the loss-making (low profitability) of auxiliary activities of railway stations at the current stage of their functioning and increasing the demand for additional services for passengers. No foreign developments on this issue have been found, probably due to the absence of chronic loss-making at railway stations. However, for railway stations and station complexes in Ukraine, overcoming loss-making should no longer be considered a strategic task, but as an urgent need of the present.

The purpose of the article is to study the marketing aspects of improving the passenger transportation services at railway stations.

Formulation of the main material. The dominance in the competition of a particular type of passenger transport largely depends on the quality of transport services and services provided to customers by the transport company. Our study of literature sources has shown that many authors disregard the difference between the categories of "transport service" and "transport service provision". However, a fundamental understanding of the differences and interrelationships between these categories, arising from their essence, is necessary to determine the quality of transport service and transport service provision. In addition, railway transport products, which belong to the service sector of the economy, have a complex nature, so their quality is associated with different characteristics and indicators in the mind of each consumer (Hao, Zhu, Shan & Li, 2022; Kriswardhana, Hayati & Desy, 2018; Shi, Feng, Li & Tao, 2021; Cascetta & Coppola, 2013). Therefore, we will stop at this point and present our own point of view on the interpretation of the specified categories.

We consider Myrotin L.B. researcher's definition to be most accurate one. It characterizes transportation services as the activity of moving goods and passengers in space and time and providing related transportation services. From this definition, it is clear that transportation services are an element of transportation services. Expanding on L. Myrotin's position, it should be noted that transportation services are the result of transportation activities, while service is the process of providing services (Melnyk, 2020, p. 268). These understandings of the terms "transport service provision" and "transport service" fully explain their meaning and the difference between them.

The passenger transportation service of the railway begins and ends at railway stations. A railway station is a specialized building or a complex of specialized buildings, structures, and devices at stopping points of railway transport, intended for serving passengers, managing train traffic, and accommodating service personnel. The station includes a passenger building and pavilions, passenger platforms with or without canopies, pedestrian crossings over railway tracks at one or various levels (ground, underground), small architectural forms, and visual communication means. Depending on local conditions, a separate station may not have all the mentioned components.

Railway station complex is a multifunctional architectural and urban planning and transport-technological complex that performs transportation and communication functions, as well as satisfies certain socio-economic needs of different serviced consumer segments. The station complex includes a station building, a passenger station with its platforms, postal and baggage facilities, as well as a station square.

In this article, the term "railway station" or simply "station" will be used, taking into consideration that this also includes station complexes, since the services for passengers provided by these elements that distinguish the railway station complex from the railway station are almost not provided.

The technology of railway station operation involves performing the main operations of quality service to railway passengers with minimal time costs. Passengers and visitors to railway stations have certain expectations for service consumption, and railway workers must strive to meet their expectations to the fullest.

At railway stations, taking into account the specific functioning of railway transport, all services provided to the population, organizations, and enterprises are traditionally divided into two types:

– services of the main activity;

– services of auxiliary activity.

The main services include those that are directly related to the transportation of railway passengers, which generate the main revenue that railway stations receive from passenger transport, baggage, and cargo.

Auxiliary services include those that are not directly related to the transportation process, i.e., additional services such as luggage carriers, automatic and stationary storage rooms, passenger restrooms, and others. Railway stations also generate revenue from these services, but auxiliary and ancillary activities are often low-profit or unprofitable due to exceeding costs over income and insufficient demand for certain services. In addition, some of these services are provided to passengers on a complimentary basis, although their provision requires costs.

Currently, railway stations perform the following primary and additional functions for passenger service (Table 1).

Table 1

Primary and additional functions of the railway station

Main functions	*Additional functions*
Existing: – providing boarding and disembarkation of passengers; – organizing the transfer of passengers to other trains; – organizing the transfer of passengers from one direction of travel to another; – carrying out transfers of passengers between long-distance express, accelerated, high-speed, and suburban trains; – creating conditions for the transfer of passengers from railway transport to all types of urban transport and air transport.	Existing: – ticketing service; – waiting room services; – baggage storage services; – luggage carrier services; – information services; – inquiry services; – lounge services; – restroom services; – service-center services.
New: – barrier-free accessibility; – unified navigation.	New: – safety and security; – retail trade; – rental of commercial spaces; – Wi-Fi and communications; – entertainment and leisure.

Source: created by the authors using (Pshinko, Charkina & Bozhok, 2020, p. 40)

As mentioned above, in addition to the main functions, railway stations also perform a number of additional functions. Some of them are mandatory for passenger transportation, while others are optional. It should be noted that the relatively wide range of services currently offered by Ukrainian railway stations is insufficient to fully meet the needs of modern passengers due to the outdated nature of some services and the absence of other services, especially those related to high technologies. In addition, a significant number of services are low-income, and some station areas are often used irrationally, which prevents the SC branch of Joint Stock Company "Ukrainian Railways" from receiving due profits.

In scientific literature, another classification of services for passengers is often encountered based on dividing the trip into separate stages: before the trip, during the trip, and after the trip (The main directions… [Online]; Teslenko, 2019; et al.). Generalizing primary sources regarding this characteristic of classification has made it possible to systematize the list of services offered to passengers at different stages. According to researchers, passenger service before the trip in modern conditions of passenger transportation in Ukraine includes the following elements:

– accuracy and timely informing of passengers at ticket sales points;

– actions, behavior, and professionalism of passenger service personnel at ticket sales points;

– availability of additional services related to the purchase of a ticket (availability of discounts, delivery of tickets, assistance in determining the route, loyalty programs, etc.);

– punctuality of train departures;

– luggage storage;

– accuracy and timely informing of passengers at the station;

– actions and behavior of service personnel at the station, professionalism in service;

– availability of additional services at the station (waiting rooms, dining options, conference rooms, comfortable rest areas, provision of office equipment, internet services, etc.).

The following elements are attributed to passenger service after the trip:

– punctuality of arrival at the destination;

– availability of additional services at the station for passengers arriving at night after the cessation of city transport services (waiting rooms, food points, comfortable rest rooms, provision of office equipment, internet services, hotel room reservation, taxi call service, etc.);

– luggage storage;

– response time to passenger complaints and feedback, satisfying their claims, etc. (The main directions… [Online]; Teslenko, 2019).

From the given list, it can be seen that some researchers do not distinguish between the type of service and the element of passenger service, and mistakenly attribute the characteristics of the service to the service itself. Requirements for the personnel of railway stations, which are an integral part of service standards, are also mistakenly attributed to service elements. However, all sources emphasize the significant contribution of the activities of railway stations to creating consumer value of passenger service in rail transport, shaping the quality of transport services, influencing the image of railway passenger transport, attitudes of society and users towards it, passenger loyalty and intentions.

The development of the transportation market and increased competition therein lead to a rapid change in the situation in which railway companies operate. In order to succeed in such conditions, the focus of railway companies' functioning should become a long-term goal, not an episodic benefit (Záhumenská, Vojtek & Gašparík, 2019; Oliveira, Bruen, Birrell & Cain, 2019, pp. 2-3). To achieve this, it is necessary to constantly adapt to the demands and needs of passengers and actively influence them by regulating the demand for both passenger transportation and additional services for passengers. This means that the management of any enterprise's activities should be purposeful and based on marketing principles. Therefore, the proposal of additional services at railway stations and their sales requires keeping information from potential and existing consumers of these services to a much greater extent than is necessary for the sale of travel documents (Ischenko, 2013; Kucheruk, 2011; Lomotko, 2016; etc.). The absence of information about passengers, their preferences and demands, loyalty level and satisfaction leads to an unjustified replenishment of the list of additional services and therefore, an unjustified expenditure of railway station funds.

At present, all railway stations and terminal complexes in Ukraine are part of and subordinate to the branch "Station Company" of the Joint Stock Company "Ukrainian Railways" (hereinafter – the SC branch of Joint Stock Company "Ukrainian Railways" or the branch). Since its creation in 2020, the marketing and advertising sector (department since 2022) has been formed within the SC branch of Joint Stock Company "Ukrainian Railways". However, none of its employees have special training or experience in the field of marketing, and they do not understand the essence of marketing. Without realizing the need and benefits of this activity, the marketing specialists of the SC branch of Joint Stock Company "Ukrainian Railways" are unable to demonstrate to the management of the branch the relevance of marketing research, justify the potential and role of marketing in increasing the profitability of auxiliary activities, and the effectiveness of the branch's overall functioning. As a result, the entire activity of the marketing and advertising department is reduced to maintaining contacts with existing advertisers and preparing reports on revenues from providing advertising services (placing and responding to commercial advertising).

Similar reports on revenue from auxiliary activities in general and an analysis of the dynamics of these revenues are carried out by the department of financial planning and economic analysis of the branch. Additional services for passengers (auxiliary activities) are considered by the department only as a potential area for generating revenue, without focusing on the demand and consumers of these services. Therefore, this department, like the SC branch of Joint Stock Company "Ukrainian Railways", organizes the division of railway station services into: main services – determined by the branch's mission and related to the performance of technological processes in its responsibility zone; commercial services – aimed at obtaining additional revenue.

Commercial services serve as an additional source of financial revenue for the SC branch of Joint Stock Company "Ukrainian Railways" and include:

– business-to-business (B2B) services – rental of premises and spaces; provision of advertising services for placing commercial advertisements on railway station infrastructure objects;

– business-to-consumer (B2C) services – all services provided to passengers as additional paid services in railway station complexes.

The branch of Railway Stations of Joint Stock Company "Ukrainian Railways" has the right to independently establish markups for commercial services (the cost calculation is the basis for pricing), regulate the range and assortment of commercial services offered by subordinate production units, focusing on the requests of passengers, demand for these services, and the level and quality of their provision. However, such information needs to be constantly updated to be relevant, objective, and complete. The only source of this information is marketing research, which the SC branch of Railway Stations of Joint Stock Company "Ukrainian Railways" does not conduct on its own and is unable to organize with the involvement of third-party marketers.

The absence of a marketing information collection system regarding passenger transportation services at railway stations in the branch leads to subjective planning of additional service offerings, their cost, and consequently, revenue from auxiliary activities. The quality of marketing research and marketing activities depends on the qualifications of employees in relevant structural units, and the lack of information, knowledge, and experience in this area forces them to act randomly, making mistakes more often than guessing, which negatively affects the financial results of the activities of the branch of Ukrainian Railways.

Marketing of railway passenger transportation is a management system aimed at fully and effectively satisfying the transport needs of the population (Oklander, Zharska, 2010; Teslenko, 2019; Melnyk, 2020; etc.). It includes: analysis of the state and dynamics of demand in the market for transport services for the population; identification and study of consumer needs; study of the external environment; analysis of competition in the transport market; determination of the capacity of the market for transport services for the population and the market share of railway transport; market segmentation; identification of promising segments; study of passenger flows and identification of connections with unsatisfied demand; development and promotion of new services for passengers on the market; tariff and pricing policy for transport and service services; informational and advertising support and accompaniment of passengers; study of determinants of consumer value of transport services; methods of stimulating demand for transport and service services for passengers (Regulations on the Marketing Research Department…, 2013).

The result of marketing should be justified management decisions that allow retaining existing passengers and attracting new ones through created (strengthened) competitive advantages and providing the population with services of the desired quality level. Justified management decisions are based on marketing research, which is the basis of all marketing activities in the field of passenger transportation.

Recently created branch of SC of Joint Stock Company "Ukrainian Railways" has no experience and knowledge in this field, so the marketing direction is not yet developing. The absence of marketing has a negative impact on the results of auxiliary activities, passenger transport services, their satisfaction with railway services, including station services, and ultimately on the image of railway passenger transport. Both producers and consumers of these services suffer from slow and ineffective solutions to the problems that have accumulated in the field of providing additional services by railway stations. The main problems in providing additional services by railway stations, which in our opinion have formed at the moment and restrain their development, reduce the profitability of auxiliary activities and the satisfaction of consumers, are summarized in Table 2.

Considering the importance of the issue, we propose our own vision for the development of marketing at railway stations in Ukraine (Table 2).

The Table 2 shows that the leading role in organizing activities aimed at overcoming the problems in the provision of additional services at railway stations in the country belongs to the marketing department. The existing marketing and advertising department of the branch of Joint Stock Company "Ukrainian Railways" does not perform any marketing function, and its advertising activities are focused on reporting on revenues from commercial advertising and organizing entertainment events for visitors during holidays.

Table 2

Main problems in the provision of additional services at railway stations in Ukraine and ways to overcome them

Problem	*The party that suffers from the problem remaining unsolved*	*Measures to overcome the problem*	*Required activities*	*Executing departments**
Inadequate demand for most paid services	Service provider	Identifying the causes of insufficient demand, developing measures to address them	Marketing research (field studies)	DM
			Marketing and economic analysis	DM, DFE
			Positive practices monitoring	DM, DFE, DSO
Prolonged absence of demand for certain services	Service provider	Modernization, repositioning, and rebranding of services with no demand	Improvement of service delivery technologies, service modernization	DSO
			Marketing analysis, trial marketing	DM
			Advertising, rebranding	DA
Low affordability of the majority of customers	Service provider	Formation of a flexible pricing policy targeting various consumer segments	Research on the price elasticity of demand for additional services	DM
			Research on the seasonality of demand for additional services.	DM
			Expenses analysis	DFE
			Formulation of pricing policy taking into account demand elasticity	DFE, DM
Visitor dissatisfaction with the conditions at railway stations	Service consumers	Implementation of monitoring of satisfaction/dissatisfaction with the conditions at the stations and a system for prompt	Marketing research (field studies) combined with "mystery shopper"	DM, MK
			Development of standards for station business units (centers for	DSO, DM

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Problem	*The party that suffers from the problem remaining unsolved*	*Measures to overcome the problem*	*Required activities*	*Executing departments**
		response and addressing the causes of dissatisfaction	providing additional services)	
Insufficient quality of providing a range of services	Service consumers	Identification of the reasons for inadequate service quality and exploration of opportunities for its improvement, establishment and maintenance of an optimal price-quality ratio, development and implementation of station service standards	Service provision quality monitoring	DSO
			Marketing research on the development of additional services from the customers' perspective (using the focus group method)	DM
			Development of standards for additional services at railway stations	DM, DSO
			Identification of price limits and consumer value of services	DM, DFE
Insufficient customer loyalty for reliable retention of clients to railway transport	Service provider	Identification of the reasons for low loyalty, activation of social marketing at the stations, strengthening interaction with mass media, support of the image using all available information resources	Marketing research (field studies) on the level of customer loyalty index NPS (*Net Promoter Score*)	DM
			Systematic implementation of social marketing measures	DM, DSO, DA
Insufficient customer awareness regarding services at the	Service provider, Service consumers	Selection of the most effective communication channels with customers,	Development of customer communication channels	DA
			Targeting of customer communication	DA, DM, DFE

Problem	*The party that suffers from the problem remaining unsolved*	*Measures to overcome the problem*	*Required activities*	*Executing departments**
railway stations		their development, engagement of new information dissemination sources, activation of advertising for own services, establishment and development of customer feedback	channels and target audiences	
			Promotion of railway station services, corporative advertising	DA, DSO
			Continuous interaction with mass media	DA, DM, DSO
			A section on the official website of Ukrainian Railways maintaining, systematic updating and its content improvement	DA, DM, DSO
Increasing costs (high expenses) of service provision	Service provider, Service consumers	Implementation of factor and correlation analysis of expenses with subsequent identification of ways to reduce them, targeting expenses for core and additional station services	Systematic factor and correlation analysis of costs for additional services	DFE
			Formation and optimization of the consumer value of additional services	DM
			Systematic targeting of expenses on additional services and optimization of the set (list) of offered services	DM, DFE

Source: developed and proposed by the authors

* *Note: the abbreviations of the departments of the branch of Joint Stock Company "Ukrainian Railways" were adopted as follows: DM – department of marketing; DFE – department of financial planning and economic analysis; DSO – department at stations of passenger service organization; DA – department of advertising; MK – independent specialized marketing company.*

However, we are convinced that the main attention should be paid to corporate advertising, that is, advertising of the own services offered by railway stations using all possible means of delivering information to potential consumers.

Conclusions. Considering the above, we believe it is reasonable and highly necessary to strengthen the marketing component in the activities of the SC branch of Joint Stock Company "Ukrainian Railways" regarding passenger

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transportation. The main objectives of marketing, in our opinion, should be:

– facilitating the implementation of the Strategy of Joint Stock Company "Ukrainian Railways" for 2019-2023 and the Stabilization and Improvement Program of the SC branch of Joint Stock Company "Ukrainian Railways";

– enhancing passengers' and society's loyalty to railway transport;

– ensuring an increase in demand for railway station services;

– promoting revenue growth from service provision to station visitors and passengers (through auxiliary and support activities);

– ensuring the provision of high-quality, safe, reliable, competitive, and customer-oriented additional services by the business units of the branch;

– improving passenger transportation services by enhancing station services;

– implementation of service standards and customer conditions at railway stations.

The effect of strengthening the marketing component is undeniable and will manifest in the following ways:

– gradual increase in demand for additional services at railway stations and, consequently, increased revenue from their provision (through auxiliary and support activities);

– rationality and quality of pricing, communication, informational, and other policies of the SC branch of Joint Stock Company "Ukrainian Railways";

– improvement in the level and quality of service for consumers of railway station services;

– enhancement of visitor experience at railway stations;

– ensuring a balance between service price and service quality;

– prevention of the outflow of economically beneficial customer segments for additional services at railway stations;

– strengthening loyalty to railway transport and fostering a positive image of the SC branch of Joint Stock Company "Ukrainian Railways" and the railway as a whole;

– various associated effects benefiting other structural (production) units of Joint Stock Company "Ukrainian Railways" involved in passenger transportation.

And vice versa, the failure to perform marketing functions by the existing Marketing and Advertising Department within the structure of the SC branch of Joint Stock Company "Ukrainian Railways" leads to a lack of marketing information in the formulation of strategic and current functional plans, the decision-making process, and the development of tasks aimed at improving passenger transportation services as well as disallows resolving the problem of insufficient demand for additional services at railway stations and overcoming their unprofitability. Convincing evidence from international experience (Dube, 2021; Osztera, & Kövesdib, 2014; Liang, Song & Dong, 2021) demonstrates that the enhancement of additional passenger services based on marketing information should be considered a promising direction for the development of railway stations and station complexes, as well as the first step towards transforming them into modern transport and transfer complexes.

Conflict of Interest and other Ethics Statements

The authors declare no conflict of interest.

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РОЗВИТОК МАРКЕТИНГУ ЯК ОСНОВА УДОСКОНАЛЕННЯ ТРАНСПОРТНОГО ОБСЛУГОВУВАННЯ ПАСАЖИРІВ НА ЗАЛІЗНИЧНИХ ВОКЗАЛАХ

Анотація. Зручне розташування залізничних вокзалів у більшості населених пунктів, перетік пасажирів з інших видів транспорту, викликаний останніми подіями в країні, величезний спектр пропонованих сервісів та наявний потенціал нарощування попиту на основні і додаткові послуги для пасажирів досі не дали можливості повною мірою подолати збитковість підсобно-допоміжної діяльності вокзалів та досягти бажаного рівня задоволення споживачів послуг. За відсутності маркетингу на залізничних вокзалах удосконалення транспортного обслуговування пасажирів наразі відбувається на підставі керівних вказівок, безсистемно, зводиться до необґрунтованого розширення переліку пропонованих послуг та частіше призводить до невиправданих додаткових витрат.

Розробка та обґрунтування запровадження маркетингового підходу до управління транспортним обслуговуванням пасажирів на залізничних вокзалах в контексті сучасних тенденцій їх розвитку, який дозволить подолати основні проблеми, що сформувались у сфері надання пасажирам додаткових послуг.

Визначено відмінності між категоріями «транспортна послуга» і «транспортне обслуговування». Уточнено поняття «залізничного вокзалу» і «залізничного вокзального комплексу». Сформовано перелік основних і додаткових функцій вітчизняних залізничних вокзалів з поділом на існуючі і нові. Узагальнено найбільш поширені класифікації послуг залізничних вокзалів та запропоновано авторський варіант класифікації комерційних послуг. Сформульовано головні проблеми у сфері надання додаткових послуг для пасажирів, та причини їх утворення. Через визначення сутності маркетингу залізничних пасажирських перевезень обґрунтовано його роль у вирішенні існуючих проблем, запропоновані необхідні для цього маркетингові активності.

Завдання, які потрібно вирішити для подолання збитковості підсобно-допоміжної діяльності залізничних вокзалів і підвищення задоволення споживачів додаткових послуг лежать у площині маркетингу. Запровадження вокзалами маркетингової функції дасть змогу підняти транспортне обслуговування пасажирів на бажаний рівень. І навпаки, ігнорування ролі маркетингу має тривалий негативний ефект, особливо у сервісній сфері, до якої відноситься транспорт.

Ключові слова: *залізничний вокзал, транспортне обслуговування пасажирів, маркетинг залізничних пасажирських перевезень, основні і додаткові послуги, задоволення споживачів.*

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SYSTEM PROVIDING OF INFORMATION SECURITY AT THE OBJECT OF CRITICAL INFRASTRUCTURE

Abstract. The article is dedicated to solving a topical issue concerning the provision of information security at objects of critical infrastructure. Information security providing is a priority task and a basic precondition for the effective functioning of the objects of critical infrastructure in the current conditions.

The purpose of this article is the development of research methods, analytical procedures and mathematical models for the forming of the complex system for information security providing to the critical infrastructure object. The article presents theoretical and methodological foundations of the strategic management of information security of the objects of the critical infrastructure. Assessment of conditions for the implementation of the information security system is one of the most important principles of the critical infrastructure activity, which

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provides the complex information about material, economic and financial capabilities of the object of the critical infrastructure.

System analysis, mathematical modelling, analysis and synthesis methods have been used. The main results of the research are following: the model and method for research conducting of the conditions for the implementation of the information security system to the object of the critical infrastructure have been formed; the complex index for the assessment of conditions for the implementation of the information security system has been determined; the multivariable regression model which determines the relationships at the potential estimation level of the production component has been calculated and the complex system for providing of information security to the object of the critical infrastructure has been proposed.

Keywords: *critical infrastructure, information security, complex index, mathematical modelling,*

Introduction. The intromission of Ukraine in the system of the world globalization requires solution of the complex questions on the strategic management of information security to the objects of the critical infrastructure. Ensuring the information security of the critical infrastructure objects and the security of information resources had been defined as a priority problem in the sphere of the state policy of national security of Ukraine (http://zakon2.rada.gov.ua/laws/show/287/2015).

The desire to providing of information security encourages the objects of the critical infrastructure to review the conditions for the implementation of the information security system, to assess their own capabilities and to find the additional reserves for increasing the information security of their activities.

Therefore, the importance of the information security of the objects of the critical infrastructure is growing in the current conditions of the transformational economy of Ukraine in the context of globalization (O. Parshyna et al., 2021, pp. 3-7). Issues of the quantitative assessment to determine the dominant factors which influence the level of the information security and the formation of management decisions on the scientific basis are of particular importance.

Analyses of the recent researches and publications. Modern scientists pay special attention to the prospects of the research of information security at the different systems and objects of the critical infrastructure. Plenty of modern scientists pay attention to the issue of forming, estimation and information security management as one of the most essential. The priorities for ensuring the security of the critical infrastructure in separate areas in accordance with the National Security Strategy (http://zakon2.rada.gov.ua/laws/show/287/2015) have been determined.

The conducted analysis of the priorities for ensuring the safety of the critical infrastructure requires a return to the issue of developing a national model of the functioning of subjects of protection of the critical infrastructure objects with the introduction of the experience of the world's leading countries in this field. In particular, O. Yermenchuk proposes to divide the general approaches to the protection of the critical infrastructure into two main groups and presents them in the form of "American" and "government" models of functioning (Yermenchuk, 2017, pp. 224-235). Thus, the task of creating an effective security system of protection of the critical infrastructure in Ukraine becomes especially urgent.

Analysis of transformational processes (O. Parshyna et al., 2021, pp. 3-7) and the need to solve the problem of ensuring the information security allows us to make an assumption about the relevance of studying the conditions for the implementation of the information security systems. Based on this assumption, and also taking into account the encyclopedic approach to the concept of the capabilities of an object or the formation of favorable conditions, we consider it appropriate to use the concept of potential.

The study of evolution of the scientific concept "potential" is given by possibility to make the conclusion, that its introduction in researches was related to the problems of development of the complex estimation of the production forces of the development level in the twentieth of the last century. In domestic literature, potential, in the wide understanding is interpreted as possibilities, present forces, supplies, facilities which can be used or power-level in any relation, aggregate of facilities, necessary for anything (Big Economic Dictionary, 2002, p. 950). Also, under this concept in the dictionary of foreign words potential is understood as "the degree of power (hidden possibilities) in some relation... " (https://www.definitions.net/definition/potential).

According to the results of the accomplished research of the term «potential» we must note that scientists examine the different aspects of the potential during many years. Taking into account the main signs of the potential classification it is possible to select the basic types of the potential, in particular, production, scientific, information, innovative, marketing, financial and others. The structure of the enterprise potential has been defined in theoretical part of the research (M. Parshyna, 2015, 2020). Also, objective and subjective components of the potential have been considered.

It had been exposed that one of the debatable questions in scientific literature is the question concerning the interrelation of the concepts of information and production potentials (Karapeychik, 2012, pp. 8-12). In particular, critical analysis of different kinds of potentials on the results of analytical researches is presented (2015, 2020, 2021). I. Azhaman, O. Zhydkov, M. Hronska, N. Petryshchenko and N. Serohina (Azhaman et al., 2020, pp. 2875-2881) discuss the formation of the potential of the service enterprises involved in the repair and maintenance of vehicles. B. Murodov makes analyses of the prospects of development of innovative activity and their influence on the increase of opportunities and potential of the enterprise (Murodov, 2020, pp. 80-84). M. Shamsutdinova, E. Astrakhantseva, A. Bimurzaeva, I. Mirgaleeva, V. Ignatiev say about the creation of optimization mechanism to increase the potential of an enterprise (Shamsutdinova et al., 2022, pp. 869-878). T. Hart (Hart, 2015) says about creating the integrated system for decision-making for increasing of the opportunities and enterprise potential. Thus, scientists consider the potential of various enterprises as objects of the critical infrastructures.

The issue of the research of different approaches, methods and analytical procedures is being considered in numerous publications of the modern scientists. In particular, the intromission of Ukraine in the system of the world globalization requires the solution of complex questions on strategic management of the potential use on scientific basis (M. Parshyna, 2020, pp. 334-342).

Scientists use different approaches in the researching process. T. Hart (2015) in the article uses a systematic approach for studying the potential. M. Maghradze and D. Sichinava (Maghradze et al., 2017, pp. 311-316) provided an approach to the terms and composition of information potential of micro and macro levels of the managing system. O. Komelina, S. Shcherbinina, M. Korsunska (2019) developed the approach, which makes it possible to evaluate the state of the enterprise, its resources, the efficiency of using the potential, as well as to determine the reserves of its use and opportunities for further growth. The Balanced Scorecard concept for defining the prospects, opportunities, limitations and methodological format of the competitiveness assessing has been considered in the article (Shamsutdinova et al.,2022, pp. 869-878).

Scientists say about the quantity estimation and use of the various information indicators for analyzing. S. Carter analyses the incidence of the portfolio entrepreneurship in the farm sector and assesses its potential in terms of the enterprise and employment creation (Carter, 1998, pp. 297-306). The analysis of the factors of innovative potential of enterprises in the context of innovation subsystems of the economy was included in the study process by Iz. Krawczyk-Sokolowska, A. Pierscieniak and W. Caputa (2021, pp. 103-124). I. Azhaman, O. Zhydkov, M. Hronska, N. Petryshchenko and N. Serohina (2020, pp. 2875-2881) identify the criteria for assessing the formation of the economic potential of the enterprise. M. Shamsutdinova, E. Astrakhantseva, A. Bimurzaeva, I. Mirgaleeva, V. Ignatiev (2022, pp. 869-878) propose to use many parameters for characterizing the economic potential of economic entities which depend and are being formed under the influence of environmental factors and financial condition.

Scientists use different methods and models during conducting research. M. Maghradze and D. Sichinava (2017, pp. 311-316) examine and analyze the points of view of the various authors in scientific literature on the concepts and compositions of economic and information potential. T. Hart (2015) in the article includes different methods of the long-term, medium-term, the current (annual), operational planning. Iz. Krawczyk-Sokolowska, A. Pierscieniak, W. Caputa (2021, pp. 103-124) propose an original methodology for the opportunities and potential. Great amount of factors of the innovative potential of Polish enterprises were identified by using this original methodology of the research.

I. Ishmuradova, A. Karamyshev, D. Lysanov, Al. Isavnin, I. Eremina (2019) develop the methodology for assessing the potential which is based on the rapid assessment by using three main components of potential: production capacity, financial potential and intellectual potential. O. Komelina, S. Shcherbinina, M. Korsunska (2019) propose the model for assessing of the enterprise economic potential, taking into account the components of its formation (production, financial, labor, information, innovation). Matrix analysis was applied to assess the enterprise performance indicators; it revealed a relationship between the enterprise's competitive position and the class of its innovation (M. Parshyna, 2020, pp. 334-342).

As a result of the research, scientists identify the dependencies in information processes and formulate proposals for the increase of opportunities for the development of the objects of the critical infrastructure. In particular, T. Hart (2015) presented a system of planning of the increase of opportunities and potential of the enterprise. Iz. Krawczyk-Sokolowska, A. Pierscieniak, W. Caputa (2021, pp. 103-124) formulated the qualitative diagnosis of the activities of Polish enterprises in terms of innovation development and implementation, and also, the economy is assessed regarding innovative opportunities and potential in a macro scale.

Thus, we consider it appropriate to explore the potential of the critical infrastructure objects as a base of the implementation of the information security system.

However, nowadays, the positions on forming the theoretical basis for the creation of effectively functioning of the potential of the critical infrastructure object are not sufficiently defined in scientific researches. There are no works in which the questions of development of concrete methods and models of the quantitative estimation of opportunities of the critical infrastructure object would be considered in complex. Also, there are no works in which recommendations on the effective use of opportunities of the critical infrastructure object are developed. The scientific tasks on development of the management systems of information security of the critical infrastructure object are not resolved. The mechanisms of adaptation of such systems to the terms of transformation economy are not offered.

Thus, the questions of development of the methodological basics of strategic management of information security of the critical infrastructure objects remain practically unexplored.

The purpose of the article is the development of research methods, analytical procedures and mathematical models for the forming of the complex system for providing of information security of the critical infrastructure object.

Formulation of the main material. On the basis of the approaches analysis and methods of the quantitative determination of the critical infrastructure object potential had been considered that these questions need detailed research and require proper elaboration taking into account modern tendencies in forming of the information security. Paradigms of strategic management of the critical infrastructure object have been investigated and initial positions of strategic management of information security have been considered in the process of the research.

The conceptual positions on the quantitative estimation of information security of the critical infrastructure object have been determined. It is proved that it is expedient the determination of information security to be the integral estimation of potential possibilities which are represented in the resource potential of the critical infrastructure object taking into account the achievement of the economic effect.

The complex model of information security forming has been worked out. That allows not only to estimate the information security of the critical infrastructure of the object quantitatively but also to create the basis for the modeling different production situations. There has been shown that it is necessary to conduct the research of the information security of the critical infrastructure object on the basis of such model and its components depending on the change of many factors. Thus, the received dependences must make basis of the strategy forming of information security of the critical infrastructure object.

The resource concept on the basis of the complex model of the forming process of the information security of the object of the critical infrastructure has been taken. According to this approach the use of production, material, personnel and financial components have been offered. The research method of the information security of the object of the critical infrastructure on the basis of the offered conceptual positions has been developed. The method foresees the researches taking into account the terms of external and internal environment of the object of the critical infrastructure (Fig. 1).

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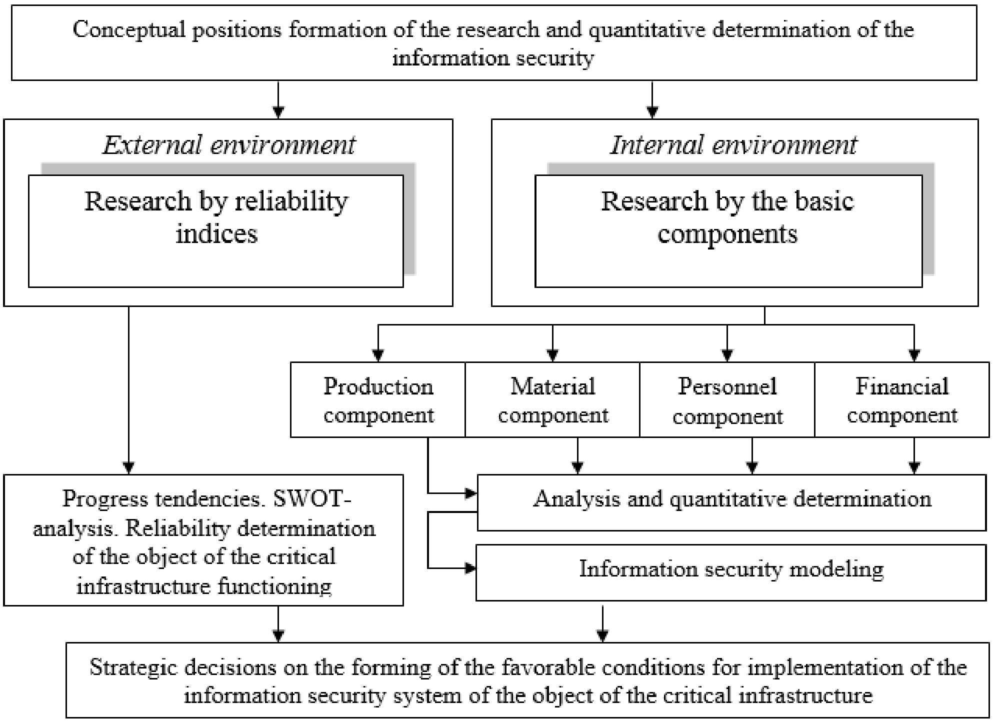

Fig. 1 – Researching method of the information security system of the object of the critical infrastructure

Source: created by authors

The system of scientific and special methods of research in the work for the purpose achievement has been used. In particular, dialectical analysis, logical analysis and system analysis have been used for theoretical and methodological generalizations, determination of essence and components of the information security, instruments forming of the quantitative estimation of the information security and improvements of mechanisms of strategic management.

Structural, calculative and comparative methods of the construction of the integral indices of the level estimation of the information security have been used. Methods of statistical and graphic analysis of the systems, expert estimations, matrix and mathematical modelling have been used for the development of the management method of the information security of the object of the critical infrastructure. Graphic method for the evident image of dynamics of the base indicators and schematic presentation of the theoretical material and results of the researches has been used. Processing of the data with the use of computer technique and modern software has been carried out.

The analysis of the functioning of the object of the critical infrastructure in the external environment is carried out by the reliability index. The offered method includes four basic stages: analysis of external surroundings of the enterprise; SWOT-analysis; analysis of the tendencies of the development of external surroundings; quantitative estimation of the chances on success.

The researches of the terms of the internal environment of the object of the critical infrastructure foresee the determination of the next levels (Fig. 2).

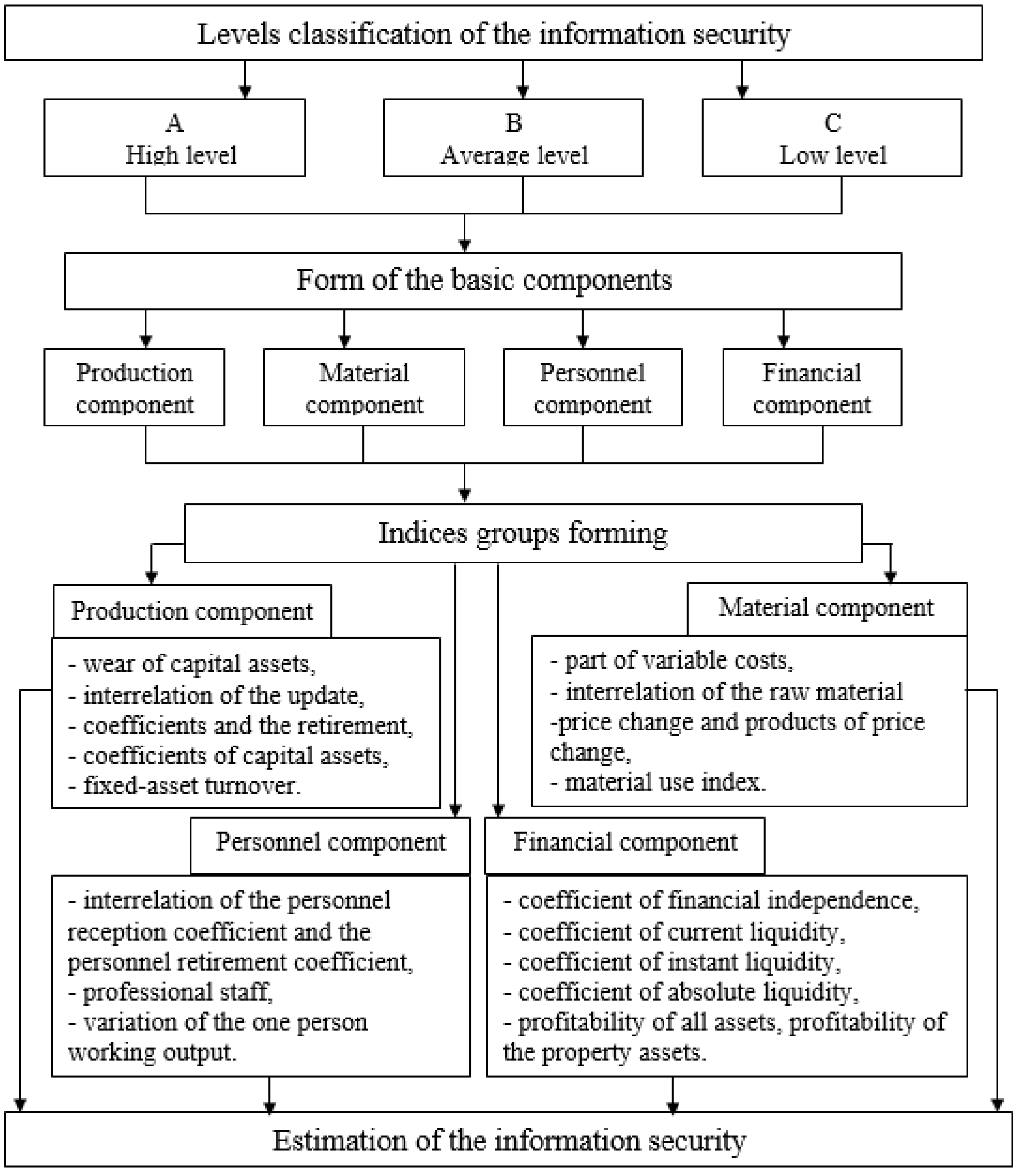

Fig. 2 – Levels classification of the information security
Source: created by authors

The critical values have been determined and the scale of the quantitative estimation of the levels of the information security has been formed (Table 1).

Table 1

Description of the levels of the information security

Levels	*Denotation*	*Short description*
High level	A	The object of the critical infrastructure is in absolute equilibrium state on all component indices in accordance with all estimation criteria
Average level	B	The object of the critical infrastructure functions successfully in business, but there are difficulties which the object overcomes because of the adaptation mechanisms work
Low level	C	Chronic violations by many parameters of all functional components: problems with raw material, information and labor resources, capital production assets and their ineffective use on the object of the critical infrastructure

The system of indices was formed for the research of the information security of the object of the critical infrastructure taking into account four components, in particular, production, material, personnel and financial components. For the estimation of the production component the following indices have been offered: wear of capital assets, interrelation of coefficients of update and retirement of capital assets, fixed-asset turnover. The part of variable costs, price change on the raw material and price changes on the products, index of the material use have been proposed for the estimation of the material component.

For the estimation of the personnel component the coefficient on the personnel reception and the coefficient on the personnel retirement have been offered; professional personnel staff; variation of the output of one person working. For the estimation of financial component have been offered coefficient of financial independence; coefficient of current liquidity; coefficient of instant liquidity; coefficient of absolute liquidity; profitability of all assets; profitability of the property assets; efficiency of the assets use for the production of goods; part of the borrowed capital in the sum of financing sources.

The formed system of indices of the quantitative estimation presents an informative base for the analytical researches. On this basis the information security of levels on production and material components have been defined. During the research statistic information of industrial enterprise (from sector of critical infrastructure) has been used (tables 2-5).

Table 2

Level estimation on the production component by first index – wear of capital assets coefficient

Original data	*2021*	*2022*
Wear of capital assets, USD	15916,67	139500,00
Original value of capital assets, USD	652166,67	652166,67
Wear of capital assets coefficient	0,02	0,21
Level estimation	A	A

Table 3

Level estimation on the production component by second index – interrelation of update coefficients and retirement coefficients of capital assets

Original data	*2021*	*2022*
Value of updated capital assets, USD	11456	133500,00
Value of capital assets in the end of the year, USD	636250,00	630250,00
Update coefficients	0,02	0,21
Value of retired capital assets, USD	15916,67	139500,00
Value of capital assets in the beginning of the year, USD	652166,67	769750,00
Retirement coefficient	0,02	0,18
Interrelation of update coefficients and retirement coefficients of capital assets	0,74	1,17
Level estimation	B	A

Table 4

Level estimation on the production component by third index – fixed-asset turnover

Original data	*2021*	*2022*
Products realization profit, USD	1094500,00	828666,67
Basic capital assets, USD	636250,00	630250,00
Fixed-asset turnover	1,72	1,31
Level estimation	A	A
Level estimation on the production component	ABA	AAA

The square of the information security to obtain a quantitative assessment of the conditions of the object of critical infrastructure have been constructed, which made it possible to present the dynamics of the constituent components (Fig. 3). This approach made it possible to quantify the information security of the object of critical infrastructure taking into account base components.

Table 5

Level estimation on the material component

First index – part of variable costs		
Original data	*2021*	*2022*
Part of variable costs	47 %	56 %
Level estimation	C	B
Second index – raw material price change and products price change		
Raw material price change and products price change	1,25	1,19
Level estimation	C	C
Third index – material use index		
Products realization profit, USD	1094500,00	828666,67
Material cost, USD	524241,67	420758,33
Material use index	2,09	1,97
Level estimation	A	A
Level estimation on the material component	CCA	BCA

The conducted research shows that the object of critical infrastructure uses the potential in the external environment at sufficient level. On the results of the conducted research the conditions of the internal environment it is possible to establish that the level of information security on material, production, financial and personnel components has been improved in the current year in comparison with the previous year. Level of the information security of the critical infrastructure object also has a tendency to increase, however, the information security level remains at the average level. The multivariable regression models with the purpose of determination of relationships and for defining the most influential factors on the information security level of the critical infrastructure object have been developed. The degree of relationships between the factors has been calculated with the use of methods of the correlation analysis. Parameters of mathematical models with the use of the least-squares method have been defined.

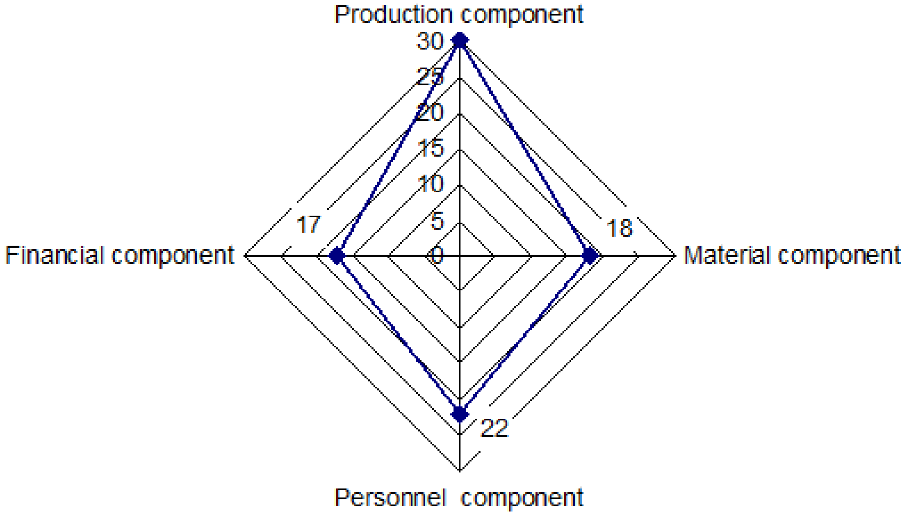

Fig. 3 – Information security of the critical infrastructure object by the graphic interpretation taking into account base components of the 2022 year

Source: created by authors

In particular, multivariable regression model has been calculated which determines relationships at the level of estimation of the information security at the object of critical infrastructure by production component:

$$Y = 11.23 - 6.17 \cdot X_1 + 13.32 \cdot X_2 + 3.69 \cdot X_3, \quad (1)$$

where: Y is the information security level by the production component;
X1 is coefficient of the wear of capital assets;
X2 is interrelation of coefficients of update and retirement of capital assets;
X3 is fixed-asset turnover.

With the purpose of determination of the relationship at the level of integral estimation of the information security of the critical infrastructure object and the basic factors by the production, material and personnel components, the following multivariable regression model has been calculated:

$$Y = 13.98 + 16.55 \cdot X_1 + 15.8 \cdot X_2 + 2.61 \cdot X_3, \quad (2)$$

where: Y is integral estimation of information security of the critical infrastructure object;
X_1 is output of the work (factor of the personnel component);
X_2 is index of the material use (factor of the material component);
X_3 is fixed-asset turnover (factor of the production component).

Coefficient of multiple determination is 0.82. Thus, the factors X_1, X_2, X_3 explain the variation of the integral estimation of the information security of the critical infrastructure object on 82 %. The influence of the other factors which are not being included in the model makes 18 %. Verification of precision of the received mathematical model with the use of Fisher's statistics has been accomplished and adequacy of the received mathematical models has been proved (Table 6).

The system structure of the strategic decisions forming on the increase of the level of the information security has been developed (Fig 4). The offered system contains the complex of analytical blocks with the use of methods of the mathematical modelling, methods of reflexive management and complex validation of strategic decisions.

Table 6

Verification of the received mathematical models precision with the Fisher's statistics

The multivariable regression model which determines the relationships at the level of estimation of the information security of the critical infrastructure object by the production component		The multivariable regression model which determines the relationships at the integral level estimation of the information security of the critical infrastructure object and the basic factors by the production, material and personnel components	
Fisher's statistics tabular value: $F(K1,K2,\alpha)=4.76$ K1=3 factors K2=10-3-1=6 $\alpha=0.05$	Fisher's statistics calculation value: F=8,28	Fisher's statistics tabular value: $F(K1,K2,\alpha)=4.07$ K1=3 factors K2=12-3-1=8 $\alpha=0.05$	Fisher's statistics calculation value: F=12.19
8.28>4.76 – the model is adequate		12.19>4.07 – the model is adequate	

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This system is a meaningful aspect of the basics of strategic management of information security of the object of the critical infrastructure and is a set of theoretical knowledge for synthesizing methods, models and tools of strategic management.

The basis for building of this management system of the information security of the critical infrastructure object is the scientific concept that takes into account on the one hand the peculiarities of the critical infrastructure object and, on the other hand, its market position and environment. The use of modern management concepts of the information security of the critical infrastructure object has been proposed.

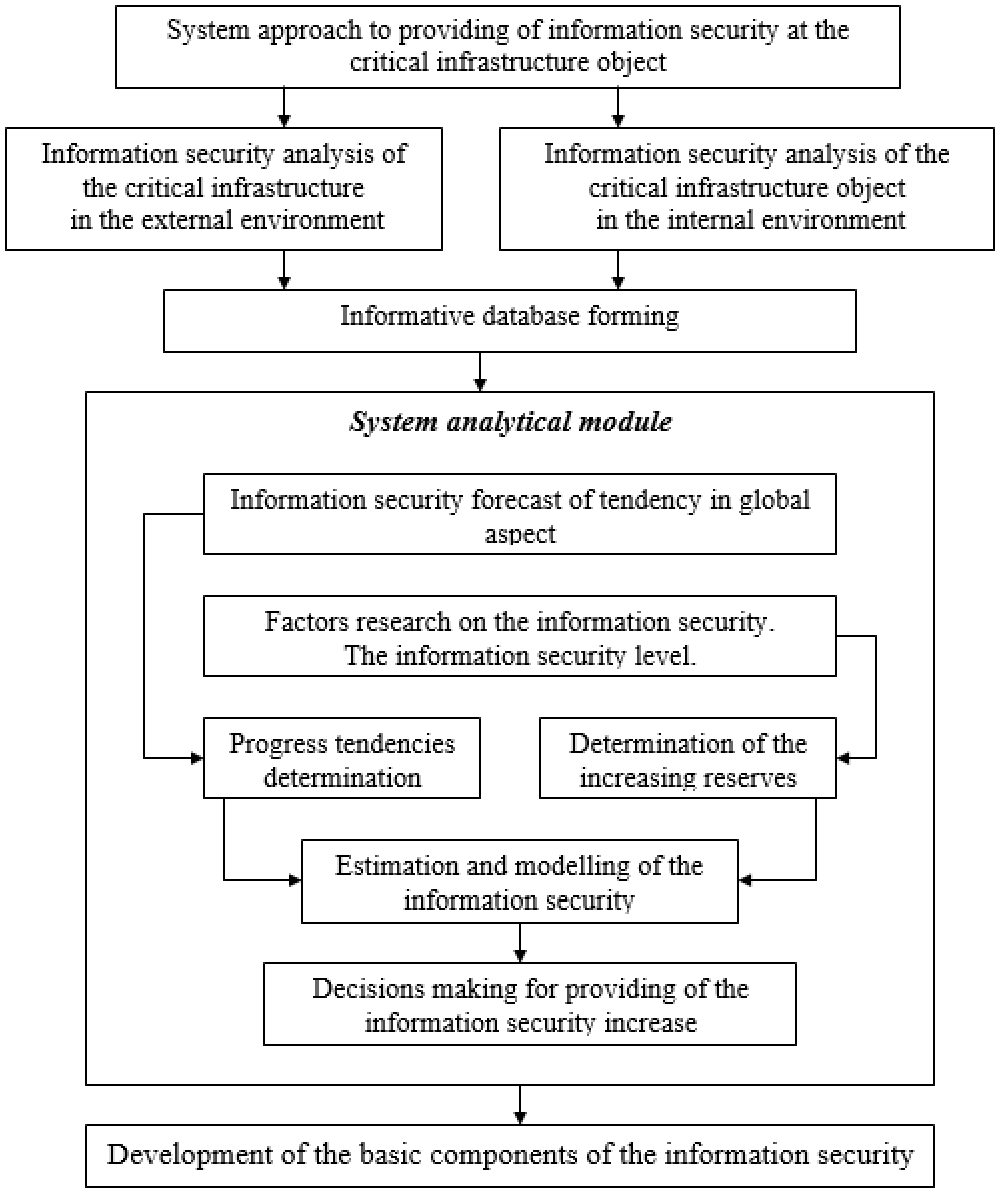

Fig. 4 – Complex system for providing of information security at object of critical infrastructure

Source: created by authors

Conclusions. Basic scientific result of this research consists in forming of theoretical and methodological positions of the providing system of information security of the object of the critical infrastructure on the basis of the offered conceptual positions on the strategic management of information security. The concept of the information security management of the critical infrastructure object determines forming processes, recreation and increase of information security on the basis of analysis and estimation of basic elements, tendencies of their changes, correlative and relationships between elements in the structure of information security.

Complex model of the forming process of information security has been developed. The resource concept has been fixed on the basis of this model taking into account production, material, personnel and financial components of information security. Methodical aspects regarding to quantitative determination of the information security level of the critical infrastructure object and its basic components have been generalized.

Multivariable regression models for defining the relationships between basic factors and exposing their influence on the information security level of the critical infrastructure object have been developed. The structure of the system of information security management has been formed. It foresees administrative decision forming on the basis of analysis, mathematical modeling, as well as reflexive methods use in the management of the information security.

Method of quantitative estimation of information security and offered management system of information security can be implemented to the objects of the critical infrastructure.

Conflict of Interest and other Ethics Statements
The authors declare no conflict of interest.

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СИСТЕМНЕ ЗАБЕЗПЕЧЕННЯ ІНФОРМАЦІЙНОЇ БЕЗПЕКИ НА ОБ'ЄКТАХ КРИТИЧНОЇ ІНФРАСТРУКТУРИ

Анотація. Стаття присвячена вирішенню актуального питання щодо забезпечення інформаційної безпеки на об'єктах критичної інфраструктури. Забезпечення інформаційної безпеки є пріоритетним завданням і основною передумовою ефективного функціонування об'єктів критичної інфраструктури в сучасних умовах.

Метою даної статті є розробка методів дослідження, аналітичних процедур і математичних моделей для формування комплексної системи забезпечення інформаційної безпеки об'єкта критичної інфраструктури. У статті викладено теоретико-методологічні основи стратегічного управління інформаційною безпекою об'єктів критичної інфраструктури. Оцінка умов впровадження системи інформаційної безпеки є одним із найважливіших принципів діяльності критичної інфраструктури, що забезпечує отримання комплексної інформації про матеріально-економічні та фінансові можливості об'єкта критичної інфраструктури.

Використано методи системного аналізу, математичного моделювання, аналізу та синтезу. Основними результатами дослідження є: сформовано модель та методику проведення дослідження умов впровадження системи захисту інформації на об'єкті критичної інфраструктури; визначено комплексний показник для оцінки умов впровадження системи захисту інформації; розраховано багатофакторну регресійну модель, яка визначає зв'язки на рівні оцінки потенціалу виробничої складової та запропоновано комплексну систему забезпечення інформаційної безпеки об'єкта критичної інфраструктури.

Ключові слова: *критична інфраструктура, інформаційна безпека, комплексний показник, математичне моделювання.*

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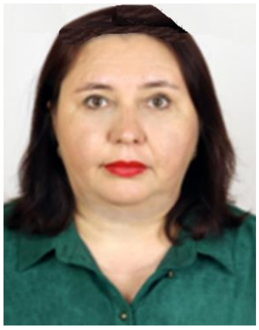


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MANAGEMENT OF AN INTEGRATED MODEL OF INNOVATION IN MARITIME TRADE

Abstract. The article presents a model that will allow substantiating the sequence of introducing a system of innovative activities with integrated management of an integrated model of innovative activity. In order to identify the sequence of innovative activities, a study was made of indicators of maritime trade in Ukraine for the period from 2016 to 2020 according to the

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State Statistics Service of Ukraine. The features of the formation of an innovative marketing plan in the integrated model of innovative activity in maritime trade are considered. Using the presented mathematical model, an analysis of a potential plan for the introduction of innovations in various fields was carried out on the example of maritime trade in Ukraine, and their sequence was determined. The proposed mathematical model can be used to identify the influence of a certain set of factors on the result. The model can be applied to various types and categories of activities, showing the degree of influence of each of the selected influencing factors on the selected resulting attribute. The ability to select an arbitrary number of influence factors makes it universal for use in different types of activities and at different stages of analytical work. The article provides an example of the application of the developed mathematical model for the maritime trade of Ukraine.

The obtained results indicate that the priority task in the field of innovation is the modernization of liquid transportation (significance coefficient for the final result -0.09), container transportation (significance coefficient -0.03), and packaged cargo (significance coefficient 0). Conducting a study in the field of maritime trade is due to the increase in the level of importance of this type of trade in modern conditions.

Keywords*: maritime trade, integration, innovation, management, innovation marketing plan, mathematical model, efficiency analysis.*

Introduction. The modern conditions of maritime trade imply the constant presence of innovative processes since international integration requires infrastructure to match the capacities aimed at fulfilling the tasks of timely delivery of raw materials and finished products. Maritime trade is characterized by features associated to a fairly large extent with both technological innovations and innovations in the management system, and in the system of information support for activities in the field of maritime trade.

Since at present the share of international trade that is carried out by sea is more than 80 %, and by 2050 the demand for maritime transport services is expected to triple with a constant lack of supply of this type of service, leading to a constant need for innovation in this area.

To introduce innovations, it is necessary to draw up a clear multi-level innovation marketing plan, which will lead to the high-quality implementation of innovative processes in the maritime trade industry. Innovative processes are especially relevant during the period of active integration within the framework of modern globalization processes since the formats of cooperation between countries constantly require innovation. The creation of innovative marketing plans is associated with the constant need to form qualitative and quantitative, analytically sound algorithms that allow you to get the maximum benefit from the implemented changes. The formation of a management system for an integrated model of innovation activity in maritime trade is reduced to the construction of a qualitatively substantiated, well-defined system of priorities for innovation processes. This system of priorities can be reduced to the construction of vertically and horizontally dependent innovation activities that form a complete set of innovation marketing plans.

For the development of the innovative activity, the control system for this process and the degree of integration are fundamentally important, which allows for innovative transformations in various directions per unit of time. To build an innovative marketing plan that meets all these requirements, it is necessary to make a preliminary analysis, then select the necessary innovations and design changes in specific resulting features that will change under the influence of the innovations being introduced. An analysis of the effectiveness of innovation implementation can be made using a mathematical model used for preliminary analysis.

Analysis of recent research and publications. The importance of innovation marketing planning has been extensively researched in the current specialized literature. Authors such as Diaz and others view innovation modeling as a separate process that requires an integrated research approach and clear forecasting (Dias, Salmelin, Pereira, & Dias, 2018).

Shane pays special attention to the construction of the innovation implementation algorithm itself, the methods of collecting and structuring the information environment necessary for the formation of ideas about the information environment necessary for the consistent promotion of the innovation implementation process (Shane, 2008).

Adaptation of innovative processes to the conditions of real production processes is of interest to many modern authors since in real conditions there are many questions that have a qualitative dependence on how clearly the sequence of innovations is defined, that is, the plan of innovative activities. Authors such as Shane et al (Shane, 2008)., Aram et al (Aram, Baxter, & Nutkevitch, 2019)., and Fragerberg et al. (Fragerberg, Mowery, & Nelson, 2006) consider various technologies for introducing innovations, however, the general opinion for all these authors is the need for a qualitative analysis before introducing innovations and the existence of a clear plan for introducing innovations.

For the successful implementation of innovations, various methods for the formation of marketing plans are proposed, in particular, a multi-level innovation marketing plan is considered by such authors as Brem et al. (Brem, Tidd, & Daim, 2019), Stefan (Stefan, 2021), Diaz, and others (Dias, Salmelin, Pereira, & Dias, 2018). Also, special attention is paid to building a communication system when introducing innovative solutions in enterprises, Rogers and others (Rogers & Shoemaker, 1971) pay attention to intercultural interactions, since specialists from various parts of the world are often involved in high-quality innovation processes at present.

Maritime trade often involves trade between countries, that is, it is often considered the most accessible type of trade between countries located at a sufficient distance from each other, therefore, when considering maritime trade, it is necessary to take into account all the features of international business. Authors such as Hill (Hill, 2008), Honcharova and Metil (Honcharova & Metil, 2022), Kunert (Kunert, 2018), McKinnon (McKinnon, Button, & Nikamp, 2002), and others consider the features of transport logistics in the cross-border movement of goods, which gives a certain understanding of the features of the formation of innovations in transport systems serving maritime trade.

However, the introduction of innovations in the transport industries serving maritime trade should not harm nature, therefore, authors such as Koval and others (Koval, Honcharova, Metil, & Stepanova, 2023), Trachenko and others (Trachenko, и др., 2021) pay special attention to the need to take into account the environmental factor when developing plans for introducing innovations in transport, which is especially important for maritime transport, since pollution of the oceans and lack of energy resources are one of the main global problems affecting the industry under study.

The purpose of the article is management of innovative activity of maritime trade of Ukraine on the basis of an integrated model of innovation activity in maritime trade. With the help of the presented mathematical model, an analysis of a potential plan for introducing innovations in various fields was carried out using the example of Ukraine's maritime trade and their sequence was determined.

Formulation of the main material.

Methodology. To determine the sequence of studying the internal processes of the object of innovation activity, it is necessary to build a system of indicators that directly affect some selected resulting factor.

To build a mathematical model, it is necessary to choose an indicator that will inform about the result of the activity, for example, for a certain company engaged in servicing maritime trade, this can be the number of ships carrying dry cargo, the number of container ships and several types of special ships. Let us assume that the resulting factor is the net profit from the provision of services for servicing maritime trade and denote it Y. Each of the types of ships, with the help of which the indicated net profit is obtained, is denoted by A_i, and the degree of influence of the i-th type of ship on the overall result is denoted by α_i, then:

$$Y = \prod_{i=1}^{n} A_i^{\alpha_i} \quad (1)$$

In order to evaluate the influence of each of the selected factors, it is necessary to take the logarithm of both parts of formula (1) with the subsequent application of the property of the logarithm of the power expression (formulas 2 and 3), which will allow us to evaluate the influence of each of the selected influence factors on the result.

$$\ln Y = ln\, A_1^{\alpha_1} + ln\, A_2^{\alpha_2} + \cdots + ln\, A_{n-1}^{\alpha_{n-1}} + ln\, A_n^{\alpha_n} \quad (2)$$

$$\ln Y = \alpha_1\, ln\, A_1 + \alpha_2 ln\, A_2 + \cdots + \alpha_{n-1} ln\, A_{n-1} + \alpha_n ln\, A_n \quad (3)$$

Fig. 1 gives an idea of the degree of influence of the selected factors on the resulting one through the values of the coefficients.

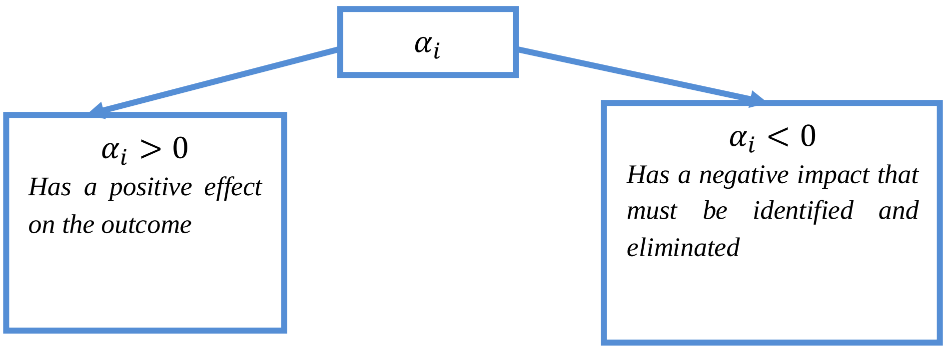

Fig. 1 – Assessing the impact on the result

Source: compiled by the authors

Thus, the factors influencing the resultant sign from the point of view of the quality of influence are considered. The obtained coefficients indicate that for factors with negative coefficients, it is necessary to continue research in order to determine the directions of necessary innovations since a clear idea of quantitative characteristics is required to form an innovative marketing plan, which should be changed as a result of ongoing innovative activities.

After working through the characteristics of the first level, it is necessary to carry out actions similar to those of the first level for the attributes of the second level. Formulas (4)-(6) show the model, in which the resultant attribute is A, and the factor attributes are attributes of group B. For example, such factor attributes as the quality of the rolling stock, the quality of port services during loading and unloading, and the quality of the provided logistic support influence the work of the container transportation sector in maritime trade.

$$A_i = \prod_{j=1}^{k} B_j^{\beta_j} \tag{4}$$

$$\ln A_i = ln\, B_1^{\beta_1} + ln\, B_2^{\beta_2} + \cdots + ln\, B_{n-1}^{\beta_{n-1}} + ln\, B_n^{\beta_n} \tag{5}$$

$$\ln A_i = \beta_1\, ln\, B_1 + \beta_2 ln\, B_2 + \cdots + \beta_{n-1} ln\, B_{n-1} + \beta_n ln\, B_n \tag{6}$$

The values of the coefficients β_j obtained as a result of calculations can be classified similarly to the previously obtained coefficients α_i . Based on the values obtained, subsequent decisions are made on the advisability of further vertical analysis, that is, when each factor with a negative characteristic has a number of subfactors studied in the same order. When performing similar reasoning, a relationship of dependencies is built, a simplified model of which is provided in Fig. 2.

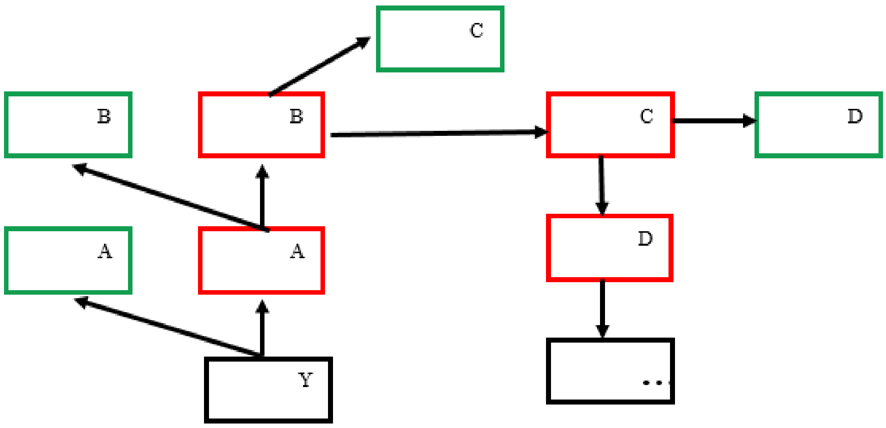

Fig. 2 – Model for building vertical links
Source: compiled by the authors

However, in most real processes there are not only vertical, but also horizontal and intermediate links, which are characterized by varying degrees of mutual influence, that is, they can be determined by determining the magnitude of the correlation dependence.

To study the mutual influence between some horizontally connected links of the planned innovation marketing plan, selected in pairs, you can apply the study of the correlation between indicators. If the resulting correlation coefficient is from 0 to 0.3, then the relationship is very weak, if from 0.3 to 0.5. then the connection is weak, if from 0.5 to 0.7, then the connection is average, however, all these connections have no influence and are not taken into account due to the small degree of mutual influence. If the obtained correlation coefficient is from 0.7 to 0.9, then the degree of relationship is high. and with a

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correlation coefficient of 0.9-1, it is very high. Hence. horizontal relationships should be taken into account in the innovation marketing plan when obtaining a correlation coefficient between these factors of at least 0.7.

After performing a preliminary analysis, during which vertical and horizontal relationships are identified, a draft innovation marketing plan is formulated. The essence of managing an integrated model of innovation activity is to form a marketing mix in such a way that the innovation policy is based on specific data obtained in the course of the study, and the behavioral concept of the object of innovation activity reflects not only the possibilities of supply but is clearly based on demand data for goods or services placed on the market.

Results. Maritime trade in the field of foreign trade of Ukraine occupied and occupies one of the main positions since Ukraine’s trading partners are located in various parts of the world. Consider the structure of transportation of various types of goods by sea for 2016-2020 (Table 1).

Table 1

Transportation of goods by sea, thousand tons

Type of goods	*2016*	*2017*	*2018*	*2019*	*2020*
Dry bulk	52.7	32.5	30.0	30.0	7.5
Liquid bulk	996.9	638.5	672.4	819.6	418.5
Tare-piece	1666.2	1408.4	1175.5	1270.6	920.0
In containers	37.5	8.0	0.4	0.001	0.001
Other	279.2	165.7	13.7	0.001	0.001
Total	3032.5	2253.1	1892.0	2120.2	1346.0

Source: compiled by the author based on the materials of the State Statistics Service of Ukraine (2022)

See Table 1 for cargo. the tonnage of which is not significant, we show 1 t in the corresponding cells, since the transportation of these goods was carried out for small private entrepreneurs and does not exceed the specified amount. To perform calculations, you must first enter the designation system (Table 2) and write down the mathematical model (7&8).

Table 2

Designation system

Type of goods	Designation
Dry bulk	D
Liquid bulk	L
Tare-piece	T
In containers	C
Other	O
Total	Y

Source: compiled by the authors

$$\ln Y = lnD^{\alpha_1} + lnL^{\alpha_2} + lnT^{\alpha_3} + lnC^{\alpha_4} + lnO^{\alpha_5} \qquad (7)$$

or

$$\ln Y = \alpha_1 lnD + \alpha_2 lnL + \alpha_3 lnT + \alpha_4 lnC + \alpha_5 lnO \quad (8)$$

After taking the logarithm of the initial values and building a linear dependence model, the following values of the model coefficients (8) will be obtained:

$$\alpha_1 = -0{,}09, \alpha_2 = 0{,}12, \alpha_3 = 0, \alpha_4 = -0{,}03, \alpha_5 = 0{,}34.$$

The obtained values of the coefficients indicate that it is necessary to make innovations, first of all, in the liquid cargo trade industry, and then in the field of cargo transportation in containers, then innovations are needed in the field of packaged cargo. Further studies are needed after the economic measures have been taken.

Conclusions. Since maritime trade is currently attracting special attention due to its importance, innovations in this area can increase its effectiveness. In order to determine the sequence of innovations, it is necessary to assess the degree of influence on the resulting feature of each of the components that affect the final result. The article presents a mathematical model and a fundamental algorithm for conducting such a study.

A delivery analysis element is also presented, which demonstrates how the sequence of actions can be structured in determining in which order innovations should be made. Determining the degree of influence on the final result of each of the factors of influence makes it possible to build an innovative marketing plan in such a way that such results are achieved in the shortest possible time, increasing rather than reducing the final result.

The resulting mathematical model was applied to identify the sectors of maritime trade in Ukraine that are most in need of innovation. According to the results of the research, three sectors of the industry showed negative results: bulk cargo, container transportation, and packaged cargo, the coefficients of influence of which on the overall result of maritime trade are -0.09, -0.03, and 0, respectively. Thus, it is possible to determine the necessary sequence of innovations in the selected trade sector.

Conflict of Interest and other Ethics Statements
The authors declare no conflict of interest.

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Віктор КОВАЛЬ, Ірина ГОНЧАРОВА, Наталія ЛИСЕНКО

УПРАВЛІННЯ ІНТЕГРОВАНОЮ МОДЕЛЮ ІННОВАЦІЙ У МОРСЬКІЙ ТОРГІВЛІ

Анотація. У статті представлено модель, яка дозволить обґрунтувати послідовність впровадження системи інноваційної діяльності з інтегрованим управлінням інтегрованою моделлю інноваційної діяльності. З метою визначення послідовності інноваційної діяльності проведено дослідження показників морської торгівлі України за період з 2016 по 2020 роки за даними Державної служби статистики України. Розглянуто особливості формування інноваційного маркетингового плану в інтегрованій моделі інноваційної діяльності в морській торгівлі. За допомогою представленої математичної моделі на прикладі морської торгівлі України проведено аналіз потенційного плану впровадження інновацій у різних сферах та визначено їх послідовність.

Запропонована математична модель може бути використана для виявлення впливу певної сукупності факторів на результат. Модель може бути застосована до різних типів і категорій діяльності, показуючи ступінь впливу кожного з обраних факторів впливу на обрану результуючу ознаку. Можливість вибору довільної кількості факторів впливу робить його універсальним для використання в різних видах діяльності та на різних етапах аналітичної роботи. У статті наведено приклад застосування розробленої математичної моделі для морської торгівлі України. Отримані результати свідчать про те, що пріоритетним завданням у сфері інновацій є модернізація наливних перевезень (коефіцієнт значущості для кінцевого результату -0,09), контейнерних перевезень (коефіцієнт значущості -0,03), тарних вантажів (коефіцієнт значущості 0). Проведення дослідження в галузі морської торгівлі зумовлено підвищенням рівня значущості цього виду торгівлі в сучасних умовах.

***Ключові слова**: морська торгівля, інтеграція, інновації, менеджмент, маркетинговий план інновацій, математична модель, аналіз ефективності.*

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THE IMPACT OF TARIFF FORMATION ON THE SUSTAINABLE DEVELOPMENT OF THE GAS SECTOR OF UKRAINE

Abstract. The sustainable development of the gas sector and the formation of tariffs are closely interrelated, namely, adequate and stable tariffs stimulate investors to develop new technologies and infrastructure, which in turn contributes to the sustainable development of the gas sector. Adequate tariffs reflect the cost of implementing new effective technologies, improving environmental standards, infrastructure development, and modernization. However, due attention is not paid to the issue of tariff formation in the gas sector as an element of sustainable development. That is why the purpose of the study is to study the impact of tariff formation on the sustainable development of the gas sector of Ukraine.

The study outlines the importance of tariff formation for the sustainable development of the gas sector of Ukraine. In particular, it is stated that correctly formed tariffs should provide sufficient profit to support investments in the development and modernization of gas infrastructure. This helps to ensure a reliable supply of gas to consumers and to expand opportunities for the development of the energy sector. Setting differentiated tariffs can encourage consumers to use less gas and switch to more ecologically clean types of energy. Taking into account the emissions and impact on the environment contributes to the reduction of greenhouse gas emissions and other negative effects. Gas tariffs also have an impact on the social condition of the population and enterprises.

The research also analyzed the legal framework governing sustainable development in the countries of the world and Ukraine, and their relationship with the oil and gas sector of the economy. The peculiarities of tariff formation in European countries and Ukraine are considered and various methodologies used in European countries are highlighted, namely, those based on: regulated costs (cost-of-service); regulated revenue norms (revenue-cap regulation); under the responsibility of the gas pipeline operator (incentive-based regulation).

An analysis of the dynamics of gas sales on the market and for Ukrainian consumers, as well as the dynamics of gas transportation tariffs, was carried out. It showed a significant decrease in prices on the market and a relatively small decrease in tariffs for Ukrainian consumers. However, tariffs for the population remain lower than market prices due to their own production.

The main determinants influencing the formation of tariffs in gas transportation are

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identified, including geographic location, availability of natural resources, the degree of development of transport infrastructure, gas supply, and demand, competition in the gas transportation market, price trends, contractual conditions of service customers, regulatory policies and regulatory gas market requirements, costs related to gas transportation, investments in infrastructure development and maintenance, etc.

On the basis of the conducted research, the main aspects of the formation of gas tariffs to ensure the sustainable development of the gas sector have been established, namely, ensuring investment for innovation and development of gas enterprises, covering the costs of infrastructure and modernization, balancing economic and environmental aspects, reducing risks for investors, developing alternative energy sources, flexibility and adaptation to change, social impact and provide guarantees for consumers.

Keywords: *gas sector, tariff, tariff formation, sustainable development, determinants, price.*

Introduction. Research on the sustainable development of the gas sector is an extremely important task in today's world since the energy sector has a great impact on the ecology, economy, and social development of countries. Reducing the consumption of hydrocarbons such as natural gas is essential to reducing greenhouse gas emissions and combating climate change. Research is aimed at finding environmentally friendly alternatives to energy solutions and increasing the efficiency of resource use. In addition, the improvement and integration of the latest technologies and methods in the gas sector can help to reduce the costs of production, transportation, and consumption of gas. This will help to increase energy efficiency and reduce dependence on energy resources. Compliance of the gas sector with the principles of sustainable development helps to ensure a stable energy supply and reduce dependence on imports and risks of geopolitical conflicts. The sustainability of the gas sector involves not only economic and environmental dimensions but also social ones. Research can contribute to the development of social support programs, and jobs, and to ensuring energy availability for the population. These and other key aspects determine the relevance of this topic.

Analysis of recent research and publications. Issues of sustainable development are given considerable attention both at the international, state, regional, and enterprise levels. Both domestic and foreign scientists pay little attention to this topic. In particular, in September 2015, within the framework of the 70th session of the UN General Assembly, the UN Summit on Sustainable Development was held in New York, at which new guidelines were approved. The final document of the Summit "Transforming our world: the agenda for sustainable development until 2030" approved seventeen sustainable development goals and 169 tasks (https://me.gov.ua/Documents/). In 2017, the "Sustainable Development Strategy of Ukraine until 2030" (https://www.undp.org/sites/g/files/zskgke326) was developed, which establishes a comprehensive system of strategic and operational goals for the transition to integrated economic, social, and environmental development of the country.

Regarding the oil and gas industry, the UN, the International Finance Corporation (IFC), and IPIECA, the global association of the oil and gas industry on environmental and social issues, have developed an atlas "Mapping the oil and gas industry for sustainable development" (https://www.ipieca.org/), which defines the oil and gas industry and each of its parts from exploration and production to pipelines, processing, transportation and retail can most effectively support the achievement of the 2030 Sustainable Development Goals. The contribution of the oil and gas industry to the achievement of the goals of sustainable development was also discussed in the research of U. Hamzah (https://iopscience.iop.org/article), the results of which are aimed at increasing the understanding of the relationship between the goals of sustainable development and the oil and gas business. As the researcher notes, the oil and gas industry is the center of the global and national economy, including in developed and developing countries, which is important for sustainable development, since oil and gas are the main pillars of the global energy system, and therefore are the driving forces of economic and social development. In addition, the International Petroleum Industry Environmental Conservation Association (IPIECA) in collaboration with the World Business Council for Sustainable Development (WBCSD) has introduced a new roadmap for sustainable development goals for oil and gas companies (https://www.ipieca.org/work/), which provides guidance on how to achieve the future with low emissions.

Building on the atlas (https://www.ipieca.org/) and the WBCSD 2018 WBCSD Roadmap Guidelines (http://docs.wbcsd.org/2018/), the new roadmap outlines more than 90 actions aimed at accelerating the implementation of the Sustainable Development Goals. As noted by (https://www.offshore-technology.com/news/), although the oil and gas industry has the potential to achieve all 17 SDGs, the roadmap highlights 10 SDGs that the industry can have the greatest impact on by innovating within its own operations and throughout the supply chain. Priority is given to good health and well-being; clean water and sanitation; affordable and clean energy; decent work and economic growth; industry innovations and infrastructure; responsible consumption and production; climatic actions; life underwater; life on earth; peace, justice, and strong institutions.

In general, the essence of sustainable development research is to meet the needs of today’s society without harming future generations. This means ensuring the sustainable growth of the gas sector, using innovative technologies, conserving resources, and reducing the impact on the environment.

For this reason, Naftogaz NJSC pays considerable attention to issues of rational use of resources, improvement of gas production, and processing technologies, reduction of greenhouse gas emissions, development of alternative energy sources, increase in efficiency and provision of energy security. For example, in 2021, Naftogaz set a goal of reducing greenhouse gas emissions from operational activities to net zero by 2040. The company monitors and reduces direct greenhouse gas emissions. This is done by reducing methane leaks and blowing wells with gas. As a result, the company not only reduces the impact on the environment but also reduces the inefficient consumption of resources. Therefore, in order to reduce methane emissions, the introduction of mechanized gas production technologies (plunger lift, capillary systems) is being intensified.

Naftogaz also supports Ukraine joining the Global Methane Initiative, which took place during the UN Climate Conference in Glasgow in November 2021. The result of joining the initiative should be a reduction of methane emissions by Ukraine by 30 % by 2030. In addition, the company will increase the generation of electricity from renewable sources for its own consumption, as well as implement energy-efficient solutions in production processes to reduce indirect emissions.

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Priority sources of new types of energy for the company are bioenergy and hydrogen, given the growing demand and the possibility of decarbonization of carbon-intensive sectors of the economy (https://www.naftogaz.com/).

The research of scientists helps to find more effective methods of extraction, use, and conservation of gas, and implementation of the latest technologies that can help to develop new directions and industries in the energy sector, stimulating innovation, economic growth, and environmental protection. So much attention is paid to the issue of decarbonization as a priority of sustainable development. They are considered in the following works (Gura & Petruk, 2021; Kuznetsova, 2021; Matkivskyi, 2021).

The purpose of the article. However, due attention is not paid to the issue of tariff formation in the gas sector as an element of sustainable development. That is why the purpose of our study is to study the impact of tariff formation on the sustainable development of the gas sector of Ukraine.

Formulation of the main material. The implementation of an effective tariff policy in the gas sector is important for ensuring sustainable development, contributing to the optimization of the use of resources and increasing energy efficiency in this key sector of the economy.

The formation of the tariff for natural gas and its transportation has an important economic, ecological and social component that affects various aspects of society and the economy. Namely:

1. Economic component. The economic aspect of forming tariffs for natural gas and its transportation is related to ensuring the stable financial condition of gas enterprises, as well as supporting the effective functioning of the gas sector. Properly formed tariffs should provide sufficient profit to support investments in the development and modernization of gas infrastructure, including gas pipelines and compressor stations. This helps to ensure a reliable supply of gas to consumers and to expand opportunities for the development of the energy sector.

2. Ecological component. Setting differentiated tariffs can encourage consumers to use less gas and switch to more ecologically clean types of energy. Taking into account emissions and the impact on the environment when forming tariffs contributes to the reduction of greenhouse gas emissions and other negative effects.

3. Social component. Gas tariffs have an impact on the social condition of the population and enterprises. It is important to ensure the availability of energy sources for the population, in particular for vulnerable groups, and to support social tariffs. At the same time, rational use of resources and energy efficiency help to reduce heating and energy costs for the population and businesses, which can have a positive impact on their incomes.

Therefore, the economic, ecological, and social components of the formation of tariffs for natural gas and its transportation are interconnected and affect the sustainability, availability, and efficiency of energy resources for society.

Having analyzed how tariffs are formed in European countries, we can conclude that the general approach to tariff formation in gas transport is carried out by the Gas Regulatory Forum, GRIFF, which harmonizes EU energy transmission and trade rules through gas network codes and their implementation. The Network Code improves transparency by harmonizing the main principles and definitions used in the calculation of tariffs and includes a mandatory comparison of national tariff-setting methodologies with a reference methodology. It also provides requirements for publication of information on tariffs and revenues of transmission system operators (https://bit.ly/3HVAzvo).

However, each country has its own national legislation that defines the rules and procedures for tariff formation in the gas sector. Therefore, in order to ensure consistency between the national level and the EU level, the cross-border gas committee with experts from national energy ministers is considering proposals for the formation of tariffs.

Starting from July 1, 2009, the European Union introduced the Directive on Common Rules of the Internal Natural Gas Market (EU Directive 2009/73/EC) (https://insat.org.ua/files/). According to this Directive, member states must ensure the creation of effective regulation of tariffs, which must be transparent and objective.

The studied sources (https://bit.ly/44Jct0r, https://www.creg.be/sites/, https://periodicals.karazin.ua/irtb) gave reasons to highlight different methodologies used in European countries, namely, those based on: regulated costs (cost-of-service), where tariffs are formed based on the calculation of costs related to operation gas pipelines; regulated revenue norms (revenue-cap regulation), where the revenue of the gas pipeline operator is limited to a certain level established by the regulator; under the responsibility of the gas pipeline operator (incentive-based regulation), where tariffs are formed depending on the results of efficiency and quality of service provision.

In Ukraine, tariff formation in the gas industry is regulated by a number of legislative and regulatory documents, namely the Law of Ukraine "On the Natural Gas Market" (https://zakon.rada.gov.ua/laws/) and Resolution of the Cabinet of Ministers of Ukraine dated May 19, 2010 No. 545 "On Approval of the Procedure for Formation of Tariffs for the Transportation of Natural Gas by Distribution pipelines on the basis of multi-year stimulating regulation" (https://zakon.rada.gov.ua/laws/show/z2071), "On the approval of the Rules for the safety of gas supply systems" (https://zakon.rada.gov.ua/laws/show/z0674), "Rules for accounting and measurement of natural gas" (https://zakon.rada.gov.ua/laws/show/z0067), "Rules for the organization of gas transportation" (On the approval of the Rules for accounting for natural gas during its transportation through gas distribution networks, supply and consumption (https://zakon.rada.gov.ua/laws/show/z0067), etc. The main bodies responsible for the tariff policy in the field of gas supply are the National Commission for State Regulation of Energy and Utilities (NKREKP) and the Ministry of Energy and Coal Industry of Ukraine (Ministry of Energy).

According to the information posted on the official website of the NKREKP (https://www.nerc.gov.ua/sferi-diyalnosti/prirodnij-gaz/), there are currently three methods of forming gas transport tariffs. These are:

– The procedure for forming tariffs for the transportation of natural gas through distribution pipelines on the basis of multi-year stimulating regulation, approved by the resolution of the NKRE dated November 28, 2013 No. 1499.

– Methodology for determining and calculating tariffs for natural gas transportation services for entry points and exit points based on multi-year stimulating regulation, approved by the resolution of the NKREKP dated September 30, 2015 No. 2517.

– Methodology for determining and calculating the tariff for natural gas distribution services, approved by the resolution of the National Energy and Mineral Resources Commission of Ukraine dated February 25, 2016 No. 236.

Resolution No. 2517 dated September 30, 2015 approved "On the approval of the Methodology for determining and calculating tariffs for natural gas transportation services for entry points and exit points on the basis of multi-year incentive regulation" (https://zakon.rada.gov.ua/laws/show/z1388), according to which the projected necessary income from the implementation of activities is determined (PN_t^n) from natural gas transportation for year t is calculated on the basis of the capacity fee according to the formula:

$$\mathrm{PN}_t^n = \mathrm{OCE}_t^n + \mathrm{OUE}_t^n + \mathrm{PTE}_t^n + \mathrm{D}_t^n + \mathrm{P}_t^n + \mathrm{RK}_t^n + AP_t^n + \mathrm{PP}_t \quad , \qquad (1)$$

where: OCE_t^n – forecasted operating controlled expenses for natural gas transportation for year t, thousand UAH;

OUE_t^n – forecasted operational uncontrolled expenses of natural gas transportation for year t, thousand UAH;

PTE_t^n – forecasted expenses of the licensee related to the purchase of natural gas, which is used to ensure production and technological expenses, normalized losses of natural gas for year t, thousand UAH;

D_t^n – projected depreciation for year t, thousand UAH;

P_t^n – projected profit on the regulatory base of assets for year t after taxation, thousand UAH;

RK_t^n – projected profit on working capital for year t after taxation, thousand UAH;

AP_t^n – adjustment of the necessary income in connection with the detection and confirmation of violations based on the results of planned and/or unplanned measures of state supervision (control) regarding compliance by the business entity with the requirements of the legislation in the oil and gas sphere and the Licensing conditions for carrying out business activities in the transportation of natural gas, approved by the resolution of the NKREKP dated February 16, 2017 No. 201;

PP_t – projected income tax for year t, thousand UAH.

Resolution No. 236 dated February 25, 2016 "On approval of the Methodology for determining and calculating the tariff for natural gas distribution services" (https://zakon.rada.gov.ua/laws/show/z1434) is also in force, according to which the tariff for natural gas distribution services (T_{distr}, UAH/1m^3 per month) per unit of annual ordered power is calculated by the formula:

$$\mathrm{T}_{\mathrm{distr}} = \frac{\mathrm{T}R}{W_{\mathrm{distr}}}, \qquad (2)$$

where: TR – the planned annual tariff revenue of the economic entity from the distribution of natural gas for the planned period, thousand UAH;

W_{distr} – total planned annual ordered natural gas distribution capacity of the licensee (1000 m^3 per year).

Such a number of regulatory documents significantly complicates the system of tariff formation in gas transport.

Let’s analyze the change in the price of natural gas on the market.

The prices for natural gas at which it is traded at the gas hub TTF (Title

Transfer Facility) in the Netherlands, on the London ICE Exchange and the New York Mercantile Exchange NYMEX (New York Mercantile Exchange) are shown in Fig. 1.

The TTF gas hub provides an opportunity for traders to conduct exchange operations, and is one of the largest gas hubs in Europe, and also has a significant impact on European (and global) sales markets on the London ICE exchange. The Henry Hub gas reference grade is traded on the NYMEX exchange, which is the basis for gas prices in the Western Hemisphere and significantly influences pricing worldwide [25].

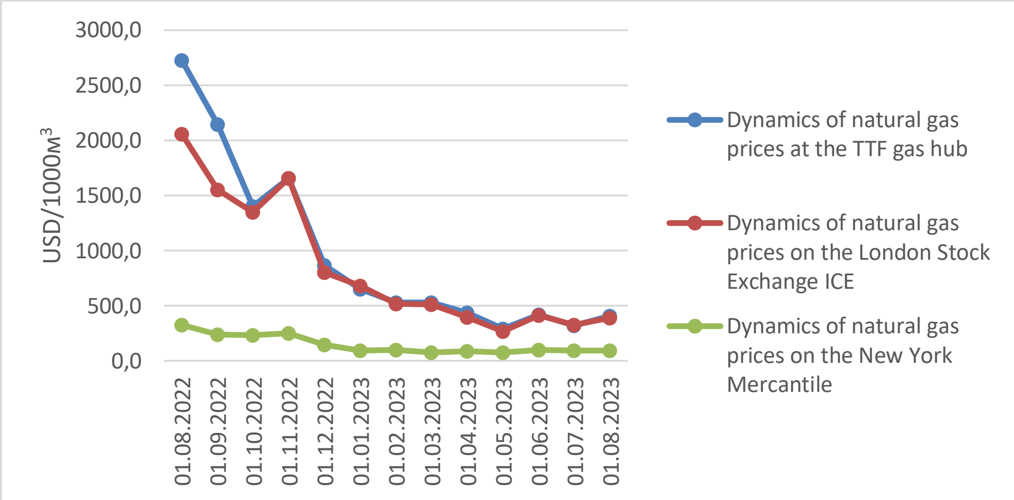

Fig. 1 – Dynamics of natural gas prices

Source: built by the authors based on (https://index.minfin.com.ua/ua/tariff/gas/)

As we can see, the price of natural gas has decreased significantly over the last year. Thus, at the TTF gas hub, it decreased from 2,722.7 to 406.3 USD per 1,000 m3, which is 6.7 times less as of August 28, 2023 than as of August 31, 2022. The same situation is observed on the London ICE Exchange and the New York Commodity Exchange NYMEX, where the price of natural gas decreased from $2,059.5 to $389.8. US for 1000m3 and 327.1 to 93.2 dollars. USA per 1000m3, respectively, which in percentage terms is 81 % and 76 %. That is, in UAH equivalent, taking into account the exchange rates on the relevant dates, the price, for example, on the London ICE exchange was 75.5 UAH/m^3 as of January 01, 2022 and 14.2 UAH/m3 as of January 08, 2023.

Let us now analyze the change in the natural gas tariff for enterprises in Ukraine. The dynamics of tariffs is shown in Fig. 2.

So, according to the Ministry of Finance, natural gas tariffs for three years based on actual consumption for enterprises in Ukraine have almost halved in Naftogaz Ukraine GC LLC, Askania Energy LLC, and Enera Vinnytsia LLC. Tariffs of other gas sellers have practically not changed. Gas is sold at the market price only by Naftogaz Ukraine GC LLC, whose payment for the actually consumed gas for enterprises is UAH 14.9/m3, so in fact this enterprise remains a monopoly in Ukraine.

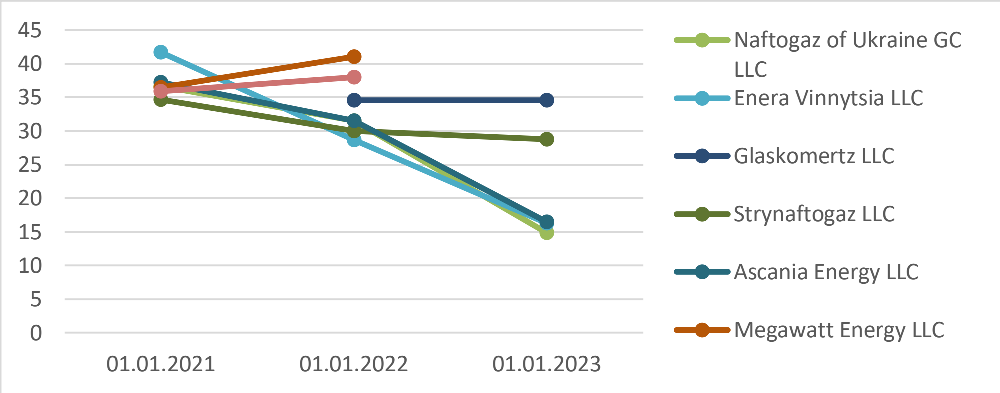

Fig. 2 – Dynamics of natural gas tariffs for Ukrainian enterprises
Source: built by the authors based on (https://index.minfin.com.ua/ua/tariff/gas/)

Looking at the change in gas tariffs for the population (Fig. 3), we also see that the tariffs have practically not changed in three years. An insignificant decrease occurred in 2022 in such enterprises as Dnipro Energy Services LLC (Yasno), Prykarpateneregotrade LLC, Galnaftogaz LLC, Energy Trade Group LLC (ETG), ERU Ludyam LLC, Kyiv Energy LLC Services (Yasno), Poltavagaz Sales LLC and Ternopiloblgaz Sales LLC, however, their change is on average 11%, that is, the decrease occurred by 1.1 times. Of course, the price for the population is formed based on own production, so it is much lower than the market price.

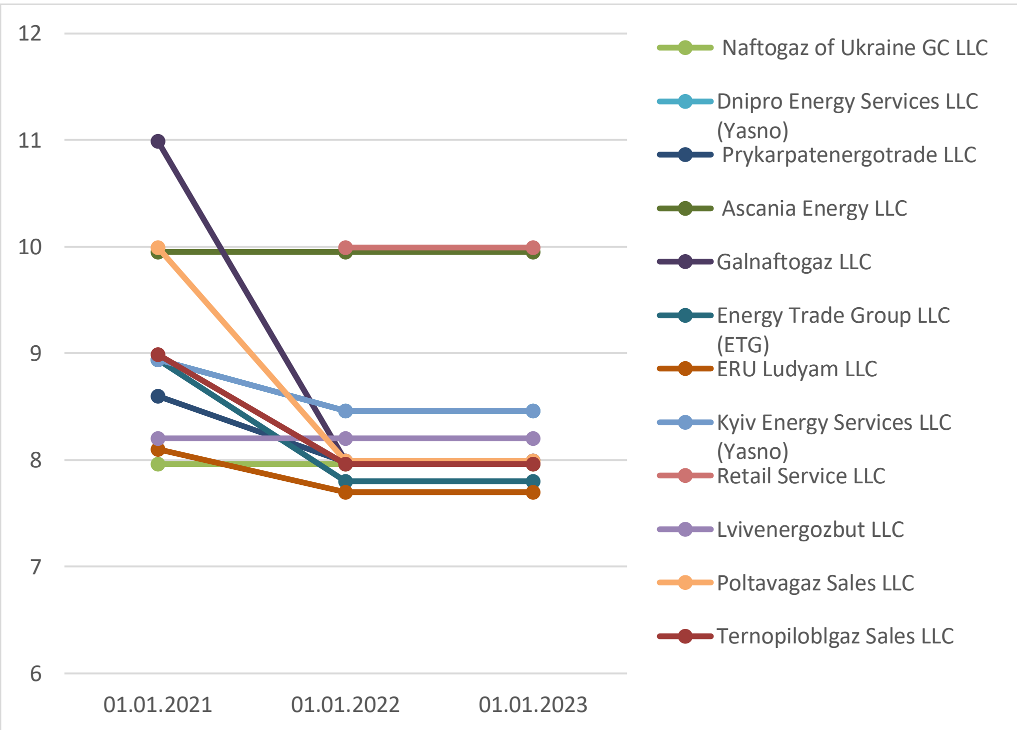

Fig. 3 – Dynamics of natural gas tariffs for the population of Ukraine
Source: built by the authors based on (https://index.minfin.com.ua/ua/tariff/gas/)

So, according to the conducted studies, the prices on the world market for natural gas have decreased by 6 times, and the tariffs for enterprises and the population have not changed over the last year.

As it is known, in December 2019, the NKREKP changed the payment procedure for gas delivery. Therefore, starting from January 1, 2020, delivery services are excluded from the total payment for gas and are paid separately. Money for gas sales is received by the supplier, and the gas distribution company receives money for delivery. Therefore, let’s consider how tariffs for gas delivery have changed over the past three years (Fig. 4).

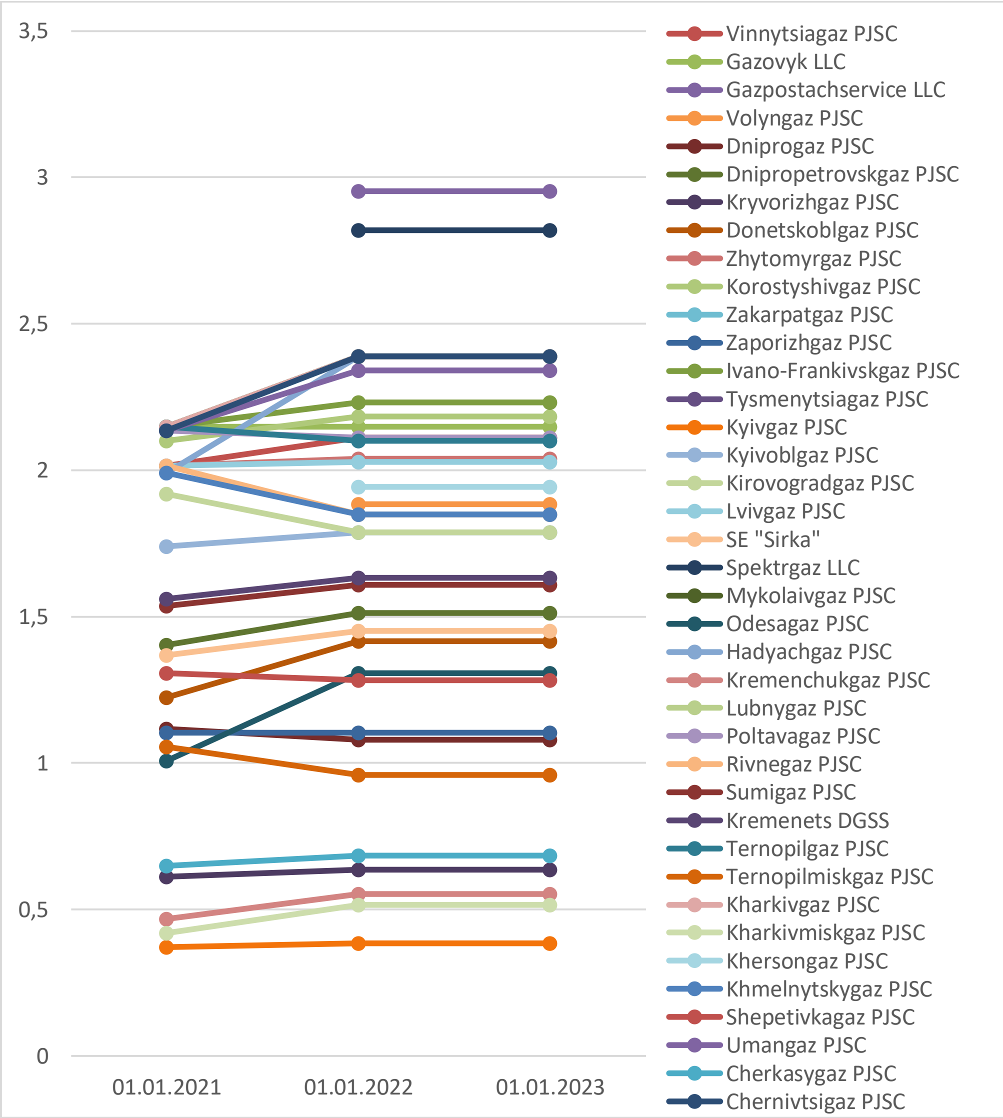

Fig. 4 – Dynamics of natural gas transportation tariffs for the population of Ukraine

Source: built by the authors based on (https://index.minfin.com.ua/ua/tariff/gas/)

As it is known, in December 2019, the NKREKP changed the payment procedure for gas delivery. Therefore, starting from January 1, 2020, delivery services are excluded from the total payment for gas and are paid separately. Money for gas sales is received by the supplier, and the gas distribution company receives money for delivery. Therefore, let's consider how tariffs for gas delivery have changed over the past three years (Fig. 4). As we can see, transportation tariffs vary in different regions from UAH 0.636/1000 m^3 to UAH 2.95/1000 m^3. The lowest tariff is at Kryvorizhgaz PJSC, Kremenchukgaz PJSC, Kyivgaz PJSC, Kharkivmiskgaz PJSC, Cherkasigaz PJSC. Their value ranges up to UAH 1. Tariffs are high at Gazpostachservice LLC, Ivano-Frankivskgaz PJSC, Tysmenytsiagaz PJSC, Lubnygaz PJSC, Poltavagaz PJSC, Rivnegaz PJSC, Zakarpatgaz PJSC, Kharkivgaz PJSC, Ternopilgaz PJSC, Zhytomyrgaz PJSC, Umangaz PJSC, Chernivtsigaz PJSC, Korostyshivgaz PJSC, Mykolaivgaz PJSC, Lvivgaz PJSC, the amount of tariffs, which have more than UAH 2, which is almost 4 times higher the specified enterprises.

As you know, transportation tariffs can vary depending on various factors, such as geographical location, availability of natural resources, the degree of development of transport infrastructure, etc. Let's analyze the main determinants affecting the formation of tariffs.

Ukrainian and international practice offer different approaches to the list of technical and economic determinants of tariff formation in gas transport. As you know, in market conditions, tariffs are primarily influenced by gas supply and demand, competition in the gas transportation market, price trends, contractual conditions of service customers, regulatory policies and regulatory requirements of the gas market.

The analysis of publications (https://index.minfin.com.ua/ua/tariff/gas/, https://energy-community.org/, https://gazpravda.com.ua/, https://theses.hal.science/, https://razumkov.org.ua/statti,) made it possible to identify such determinants as costs associated with gas transportation, namely operating costs, investments in infrastructure development and maintenance, depreciation, management costs and other costs related with the functioning of the gas transportation system. The authors also note the influence of the efficiency of capacity utilization, optimization of the transportation schedule, gas losses during transportation, ensuring the reliability and stability of the system.

In (https://gazpravda.com.ua/novyny/29) it is stated that the tariff for gas distribution in Ukraine also depends on the number of consumers in the region, the length of networks and the specifics of consumption. The more consumers in the service area of a specific regional gas, the lower the tariff will be. Therefore, the tariff is lower in large cities than in sparsely populated areas, where gas pipelines stretch hundreds of kilometers to relatively small villages.

In (https://theses.hal.science/tel), the author proves the need for regulatory influence on the formation of the transportation tariff, in particular, the rate of profit must be regulated. The publication (https://energy-community.org/dam) also emphasizes the need to control tariff formation, particularly justified and unjustified costs, in order to avoid excessive and unnecessary costs that may be included in tariffs.

In addition, the political, energy and economic priorities of the country or region should also be taken into account, including stimulating the development of alternative energy sources, ensuring energy security, reducing dependence on gas imports, etc.

Therefore, based on the above, all determinants can be both exogenous and endogenous. Economic, technical, regulatory, political, social or other factors that are important in setting tariffs for gas transportation can be attributed to exogenous factors that are beyond the control of the company itself and directly affect the tariff formation process.

Endogenous factors that are controlled and depend on the transport company, in turn, include such things as transportation volumes, the structure of the transportation network, technical equipment of the network, fuel costs, infrastructure costs, capacity utilization efficiency, regulatory policy, market conditions, contractual conditions of service customers, incentives for the development of alternative energy sources, etc.

In our opinion, technical and economic determinants have the greatest influence on gas transport tariff formation in Ukraine.

The economic costs should include transportation costs, namely the costs of operation and maintenance of the gas transportation system, including maintenance and repair, labor costs, depreciation of equipment and infrastructure. Constant investments are required to ensure the efficiency and continuity of the gas transportation system. The cost of these investments can influence the formation of tariffs. Inflation can also have a significant impact on tariff formation. Changes in the level of inflation can affect the prices of materials, wages, equipment and services used in gas transportation.

To ensure the long-term stability of the gas transportation system, the profitability and financial stability of gas transportation enterprises is important. This can include making a profit, paying off debts and securing investments.

The efficiency of the gas transportation system, namely optimal use of resources, minimization of losses, energy efficiency, and optimization of transportation processes, has a significant impact on the cost of gas transportation.

Technical determinants affecting the formation of tariffs for gas transportation both in Ukraine and abroad include:

1. State and capacity of gas transport infrastructure. In particular, the presence, placement and technical condition of pipelines, compressor stations, gas-receiving terminals and other elements of the system.

2. Transportation technologies, such as compression, distributed control, automation, and monitoring technologies, can affect the efficiency and cost of gas transportation.

3. Ensuring the safety and reliability of gas transportation, which is reflected in the costs of measures to maintain safety, prevent accidents, reserve and repair the system to ensure reliable functioning.

4. Implementation of innovative solutions and development of gas transport infrastructure, which includes costs for research, development, and implementation of new solutions to improve the efficiency and quality of transportation.

Based on the above, it should be noted that the formation of gas tariffs to ensure the sustainable development of the gas sector should include the following aspects:

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1. Provide investments for innovation and development of gas enterprises. Sustainable development of the gas sector involves the introduction of new technologies that improve the efficiency, environmental friendliness and safety of gas production, transportation, and supply. This requires significant investment. The formation of adequate tariffs can stimulate investors to invest in the development and implementation of new technologies.

2. Cover infrastructure and modernization costs. Promoting sustainable development requires not only investment in new technologies, but also modernization and maintenance of existing infrastructure. The formation of tariffs, which reflect the costs of maintenance and development of infrastructure, helps to ensure the sustainability of the development of the gas sector.

3. Ensure balance between economic and environmental aspects. The formation of tariffs can reflect the cost of compliance with environmental norms and standards, contributing to the transition to more sustainable and environmentally safe gas production and transportation.

4. Reduce risks for investors. Creating a stable and transparent regulatory environment for setting tariffs can reduce risks for investors investing in the gas sector. This can be achieved by transparently justifying tariffs and ensuring their stability in the medium and long term.

5. Stimulate the development of alternative energy sources. The gas sector can interact with alternative energy sources such as renewable energy. The formation of tariffs should reflect the interests of the development of alternative sources, promoting their implementation and ensuring a balance between different sources of energy.

6. Demonstrate flexibility and adaptation to changes. The process of formation of tariffs should be flexible, with the possibility of adaptation to changes in technological, environmental and economic conditions. This will ensure the development of the gas sector in accordance with changing requirements and conditions.

7. To exercise social influence and provide guarantees for consumers. The formation of tariffs should take into account the interests of consumers, providing them with gas availability and guaranteeing the quality of service and prices.

Consistency between the process of formation of tariffs and the needs of sustainable development of the gas sector is important to ensure the economic efficiency, balance and sustainability of the gas infrastructure. Transparency, adaptation to changes, taking into account the interests of various stakeholders and supporting innovation are key aspects that help to build a mutually beneficial relationship between sector development and tariff policy.

Conclusions. Summarizing the research, it should be noted that the sustainable development of the gas sector is of great importance for solving complex problems related to energy, ecology and economy. Improvement of technologies, expansion of alternative energy sources contributes to the creation of a stable and sustainable energy future. However, an equally important issue affecting the sustainable development of the gas sector is the formation of tariffs for gas consumption and transportation.

In European countries, as in other regions of the world, tariffs for gas transportation are formed taking into account the cost of production, transportation and distribution of gas, as well as taking into account the general costs of maintaining and developing the gas transportation system. In most European countries, tariffs for gas transportation are regulated and formed in accordance with the principles of price regulation established by state regulatory bodies.

Ukraine has a rather complex system of tariff formation in the gas industry, which is regulated by a number of legislative and regulatory documents that complicate the system of tariff formation in the gas transport of Ukraine. Therefore, it is necessary to ensure the harmonization of the system of tariff formation in the gas industry with European standards and principles. This will allow Ukraine to get closer to European partners and create favorable conditions for integration into the European gas market.

In general, the sustainable development of the gas sector and the formation of tariffs are closely interconnected, namely, adequate and stable tariffs stimulate investors to develop new technologies and infrastructure, which in turn contributes to the sustainable development of the gas sector. Adequate tariffs reflect the cost of implementing new effective technologies, improving environmental standards, infrastructure development and modernization. This contributes to the implementation of strategic goals, such as reducing emissions, increasing energy efficiency and ensuring sustainable development.

In further studies, a methodology for the formation of tariffs in Ukraine will be proposed, based on the experience of European countries, national characteristics and factors affecting the process of tariff formation.

Conflict of Interest and other Ethics Statements
The authors declare no conflict of interest.

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ВПЛИВ ТАРИФОУТВОРЕННЯ НА СТАЛИЙ РОЗВИТОК ГАЗОВОГО СЕКТОРУ УКРАЇНИ

Анотація. Сталий розвиток газового сектору та формування тарифів тісно взаємопов'язані між собою, а саме, адекватні та сталі тарифи стимулюють інвесторів до розвитку нових технологій та інфраструктури, що в свою чергу сприяє сталому розвитку газового сектору. Адекватні тарифи відображають вартість впровадження нових ефективних технологій, вдосконалення екологічних стандартів, розвитку інфраструктури та модернізації. Однак питанням тарифоутворення у газовому секторі, як елементу сталого розвитку, не надається належної уваги. Саме тому метою дослідження є дослідження впливу тарифоутворення на сталий розвиток газового сектору України.

У дослідженні окреслено значення тарифоутворення для сталого розвитку газового сектору України. Зокрема, зазначено, що правильно сформовані тарифи мають забезпечувати достатній прибуток для підтримки інвестицій у розвиток і модернізацію газової інфраструктури. Це допомагає забезпечити надійне постачання газу споживачам та розширити можливості для розвитку енергетичного сектору. Встановлення диференційованих тарифів може стимулювати споживачів до меншого використання газу та переходу на більш екологічно чисті види енергії. Врахування викидів та впливу на довкілля сприяє зменшенню викидів парникових газів та інших негативних ефектів. Також тарифи на газ мають вплив на соціальний стан населення та підприємств.

Також у дослідженні проаналізовано нормативно-правову базу, що регулює сталий розвиток у країнах світу та Україні, та їх взаємозв'язок із нафтогазовим сектором економіки. Розглянуто особливості тарифоутворення у країнах Європи та Україні та виділені різні методології, що застосовуються у країнах Європи, а саме що базуються: на регульованих витратах (cost-of-service); на регульованих нормах доходів (revenue-cap regulation); на відповідальності оператора газопроводу (incentive-based regulation).

Проведений аналіз динаміки продажу газу на ринку та для українських споживачів, а також динаміку тарифів на транспортування газу. Який показав суттєве зниження цін на ринку та відносно незначне зниження тарифів для споживачів України. Однак тарифи для населення залишаються нижчими за ринкові ціни за рахунок власного видобутку.

Визначені основні детермінанти, що впливають на формування тарифів у транспорті газу, серед яких географічне розташування, наявність природних ресурсів, ступінь розвиненості транспортної інфраструктури, попит і пропозиція газу, конкуренція на ринку транспортування газу, цінові тенденції, договірні умови замовників послуг, регуляторні політики та регулятивні вимоги ринку газу, витрати, пов'язані з транспортуванням газу, інвестиції у розвиток і підтримку інфраструктури тощо.

На підставі проведених досліджень встановлені основні аспекти формування тарифів на газ задля забезпечення сталого розвитку газового сектору, а саме забезпечення інвестиції для інновацій та розвитку газових підприємств, покриття витрат на інфраструктуру та модернізацію, збалансованість між економічними та екологічними аспектами, зниження ризиків для інвесторів, розвиток альтернативних джерел енергії, гнучкість та адаптацію до змін, соціальний вплив та надавати гарантії для споживачів.

Ключові слова: *газовий сектор, тариф, тарифоутворення, сталий розвиток, детермінанти, ціна.*

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EFFECTIVENESS OF OPEN EDUCATION IN THE LIFELONG LEARNING SYSTEM

Abstract. Today, open education plays an important role in the lifelong education system. It is open education that gives adults the opportunity to study in the time available to them and receive formal and informal education. Open adult education is not only a tool for personal

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development, but also an important element of social progress, democracy and building a society, as well as a transforming economy. Ensuring access to quality adult education is essential for achieving sustainable economic development of the country and ensuring a decent quality of life for all citizens.

Open education creates opportunities for adults to learn throughout their lives, which helps them change careers, increase their qualifications and keep up-to-date in today's world. Countries with a high level of education of the population have advantages in high-tech industries, which helps to stimulate economic development and attract investment. Skills acquired through open education help adults find better jobs or increase their competitiveness in the labor market. Ensuring access to education for all sections of society helps reduce social disparities and ensure equal opportunities for all.

As an innovative phenomenon, open education promotes the development of critical thinking and analytical skills, which allows adults to be more informed citizens and make informed choices. The opportunity to learn and develop helps adults realize their potential, find exciting new interests and achieve personal growth. Acquiring new knowledge and skills helps increase life satisfaction, improves well-being and psychological state, which affects the social indicators of countries. Adults with fresh knowledge and approaches can create new ideas, develop innovative projects and make a significant contribution to social progress.

This article is devoted to determining the place of open education in the general system of lifelong education system and analyzing its effectiveness in Ukraine and some European countries. It was established that open education is the tool that gives adults the opportunity to acquire knowledge outside educational institutions and during extracurricular time, and also open education is a driver of human development as an employee, i.e. a part of the labor market and as a result stimulates the development of the country's economy.

Keywords: *lifelong learning, open education, effectiveness of education.*

Introduction. Today, the idea of free and open participation in education is not new, but it remains insufficiently researched and is considered a rather unpredictable phenomenon. In fact, exchange is perhaps the most fundamental characteristic of education. Education is the exchange of knowledge and information with others on which new knowledge, skills, ideas and understanding can be built (Osadchuk, 2022). Thanks to an open educational approach, students can gain additional knowledge, new communication experiences and access to information that can help them succeed. Workers can be retrained to help them in their current job or gain new skills to help them change jobs. Educators can access resources from around the world, and researchers can share data and create new networks between different countries, cultures, and studies.

Analysis of recent research and publications. In scientific studies, such domestic scientists as: S. Pryima, L. Petrenko, V. Osadchuk devoted their research to the issue of open education. It was noted that open education is becoming a new vector for the development of the educational system, especially for the field of lifelong education.

And also, foreign scientists investigated the effectiveness of open education: Kalir, J., Miao, F, Kyriakides, L. and others. In their works, they focused on the fact that education affects human capital and plays an important role in the formation of a person as an employee.

To study the dynamics of publications, we analyzed scientific research on the Scopus database using the key words "open education". As a result of the search, 1582 scientific works were found. On the graph, we can see that there was a sharp jump after 2014, and the beginning of growth can be considered the beginning of the 2000s. The number of articles for the entire period is small, which indicates the relevance of the topic today. It can be said that the concept of open education and adult education developed in the same period (Fig.1.).

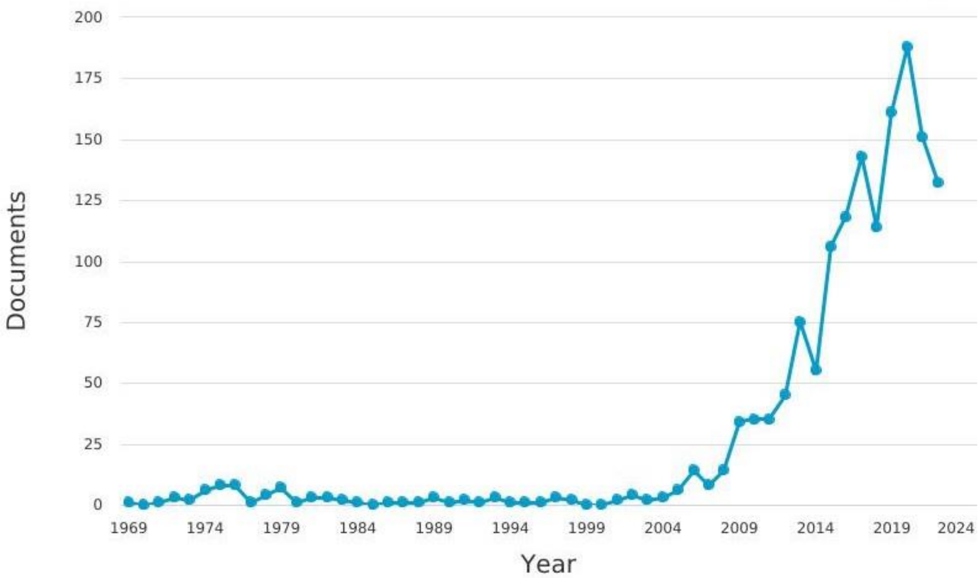

Fig. 1 – Dynamics of publications by the keyword "open education"
Source: Scopus database

The purpose of the article is research and analysis of the effectiveness of open education in the lifelong education system.

Formulation of the main material. Open education is an approach to learning that provides access to educational resources and the acquisition of knowledge and skills regardless of residence, geographic limitations, or formal educational institutions. Open education uses a variety of methods and tools for distance learning, including video lectures, interactive courses, webinars, online platforms and other electronic resources (Lapum, et al., 2022). This approach allows students to independently choose educational materials, pace and methods of learning, as well as use available resources to acquire knowledge and develop their skills.

One of the main advantages of open education is that it expands educational opportunities for those who previously did not have the opportunity or access to formal education. It also allows people to study at their own pace and combine studies with work or other commitments. In addition, open education promotes the spread of innovative ideas and cooperation between people from different countries and cultures (Lee, 2020).

In today's life open education has become especially popular thanks to the development of the Internet and e-learning technologies. The more people have access to the Internet, the more opportunities they have to get quality education through open educational resources.

Open education is a general term that covers different concepts. It includes not only open educational resources and open research results, but also strategic decisions, learning methods, individual and institutional collaboration, recognition of non-formal learning and different ways of making content accessible (Kalir, 2020).

The European Commission's definition of open education is: "A method of learning, often using digital technologies. Its aim is to increase access and participation for all by removing barriers and making learning accessible, rich and adaptable for all. It provides multiple ways to teach, learn, accumulate and share knowledge. It also provides and connects various avenues of access to formal and non-formal education" (Zawacki-Richter et al, 2020).

The system of open education is directly included in the system of lifelong learning. The base of open education is open educational resource (OER). It is a learning resource that can be modified and extended because its creator has given permission for others to do so. An individual or organization creating an OER may include presentation slides, podcasts, lesson plans, images, lesson plans, lesson videos, maps, worksheets, worksheets, pages, and even entire textbooks. They give up some, but not all, of the copyright in their work, usually through legal means such as a Creative Commons license, which allows others to freely access, reuse, translate, and modify it (Hilton III, 2020).

The open education model is most suitable for adults, as they can plan to study after work or sometimes even during work, or even on weekends, which is not possible with formal education (Huang et al, 2020). First of all, online education has gained popularity, and a massive open online course (MOOC) stands out among it. This is an online course that anyone with a computer and internet access can take. Such courses are called "massive" because they can be attended by more students than a traditional educational institution allows, meaning that a given MOOC can attract hundreds (or even thousands) of students. Today, many universities have joined organizations that seek to provide quality education through MOOCs, and educational service providers such as adult education centers have practiced open online courses even earlier, as they deal with adult students who already have separate lives from education (Tlili et al, 2023).

Among the providers of such courses, we can single out edX – a non-commercial educational partnership founded in 2012 by the Massachusetts Institute of Technology (MIT) and Harvard University. Students register, take and complete courses online. edX released the source code for its online learning platform back in 2013. Developers can download it and use it to help with development (Berestok, 2023).

Similar online education initiatives include Khan Academy and Corsera. The degree to which different MOOCs license their materials for remixing and reuse varies from institution to institution. As digital technologies become one of the main engines of educational modernization, open education is becoming increasingly important for European and global higher education and economy. The use of digital technologies for teaching and learning is no longer limited to open and virtual universities, but extends to all types of institutions, from traditional to avant-garde.

Openness in education is an important item on the European policy agenda for several reasons. First, it reduces or eliminates barriers to learning (such as cost, geography, time, and entry requirements). This gives learners the flexibility to upgrade and retrain at low or almost no cost.

Second, modern open education supports the modernization of higher education in Europe, as it is largely implemented with the help of digital technologies. Finally, it opens the possibility to combine non-formal and formal education. This can be achieved if higher education institutions and other accrediting bodies recognize the qualification certificates they issue to students (Kyriakides et al., 2023).

Stakeholders should explore ways to support open education practices. Dialogue should be sought to create a common vision of open education in Europe. Many potential consumers of educational services are forced to work and cannot continue their education at universities. The use of distance educational technologies significantly saves the time spent on training and provides an opportunity for training, retraining and professional development without breaking away from the main activity (Paskevicius & Irvine, 2019). Modern workers have to undergo retraining on average four to six times during their career. Distance education technologies are ideal for solving the problem of lifelong learning. The use of modern technologies makes the educational process continuous and expands the circle of consumers of educational services. Open education enables every person to develop his knowledge, skills and abilities throughout his life. Students can choose their own curriculum and plan their classes.

When talking about changes in politics, it is impossible to bypass the economic side of this issue. The economic efficiency of open education has many aspects that depend on the context and goals of the education system.

Lowering the cost of education. Open education can help lower the cost of education because open online courses and materials are available for free or for a small fee. This gives more people access to quality education, regardless of their financial means.

Global reach: Open education provides educational opportunities to people around the world. It provides access to educational resources and materials regardless of geographic location or socioeconomic status. This can improve educational and employment opportunities in regions with limited resources (Maryenko & Kovalenko, 2023).

Open education can use innovative learning methods such as video lectures, interactive courses and gaming technologies. This makes the learning process more interesting, effective and accessible for students. Open education also gives educators and organizations access to a wide range of learning resources and experiences.

Capacity building: Open education can contribute to the development of professional and personal learning skills. People can learn new subjects, improve existing skills and increase their competitiveness in the job market. This can have a positive impact on the economy by providing skilled workers and entrepreneurs.

Increasing innovation: Open education encourages knowledge sharing and collaboration between educators, researchers and students from different countries (Ostroga et al., 2022). This can contribute to the development of innovative ideas, research and technological progress.

It is worth noting that the economic efficiency of open education can be measured by a number of indicators, such as a decrease in education costs, an increase in employment, an increase in labor productivity and GDP growth (Menzli et al., 2022). However, in order to assess the specific situation, detailed analysis and research is required in the context of specific educational systems and economic environments.

Among the indicators that characterize the level of participation in education, we studied the dynamics of the share of adults participating in education. For comparison, Ukraine and Finland were taken as exemplary countries in the field of adult education. Therefore, we see that the share of participation differs by almost three times. Moreover, even with such high indicators, Finland shows growing dynamics. What does this say? The fact that the country saw an economic benefit in such an education is the first thing. Secondly, such dynamics indicate the interest of the person himself in education, since adult education provides opportunities for increasing income or career opportunities.

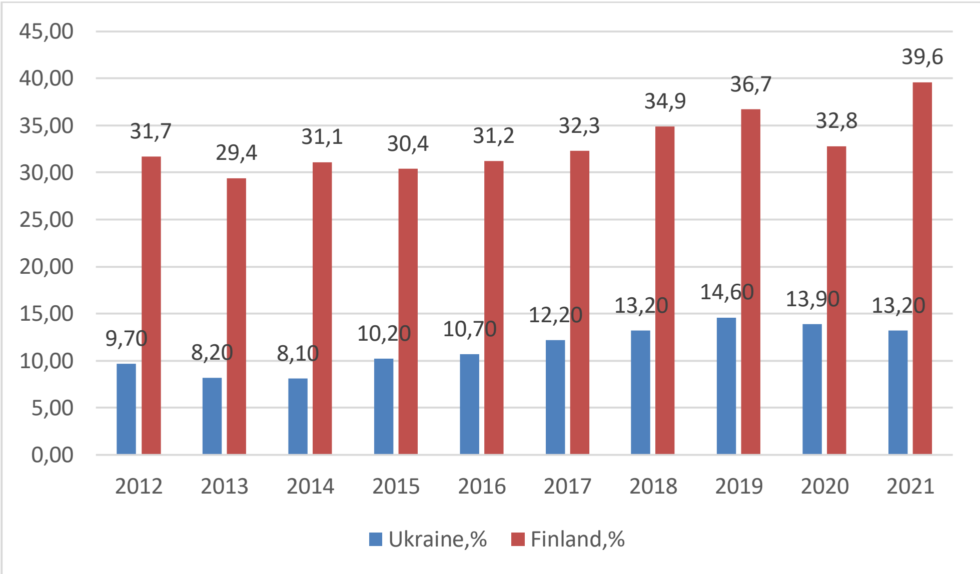

Fig. 2 – Dynamics of adult participation in education in Ukraine and Finland, %

Source: compiled on the basis of statistical and informational materials of Eurostat

Open adult education has certain advantages, but it can also have disadvantages. Lack of structure: Open adult education can be less structured than traditional education because it is often delivered in the form of online courses or self-study. Some adults may find it difficult to organize the learning process and sort the material to study.

Lack of control and motivation: The physical absence of the teacher and lack of contact with other students can lead to a lack of control and motivation among students. Some adults may find it difficult to maintain interest and discipline while learning material.

Lack of practical experience: Some practical skills, especially those that require hands-on interaction with teachers and staff, are difficult to acquire in an open education setting. For example, skills such as communication, leadership and teamwork may require active interaction with other students and teachers.

Uncertainty about the recognition of degrees and certificates: Some employers and institutions may not recognize degrees and certificates obtained through open education at the same level as traditional education. This can limit the possibilities of career growth and obtaining recognized positions.

Lack of personal interaction and networking: Participants in open adult education may not have the same personal contact with teachers and other students as in traditional educational institutions. This can limit opportunities for collaboration, exchange of ideas, and professional networking.

It should be noted that many of these shortcomings can be overcome with

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proper organization and support from the institution, teachers and students themselves. Providing support, motivation and opportunities to share experiences and network is critical to the success of open adult education (Yaraş & Gündüzalp, 2021). Open education for all citizens is an important factor in the development of society. It can be offered several recommendations for the state in the field of open education:

Develop a strategy for open education: The state should develop a national strategy for open education, which would define goals, priorities and policies in this area. This strategy should take into account the development of digital technologies, access to open resources and the principles of open learning (Petrenko, 2020).

Creation of open educational resources: The state should encourage the development and distribution of open educational resources (OER). This can be done by funding OER development projects, supporting pedagogical teams that create these resources, and popularizing the use of open educational materials in educational institutions.

Development of open learning platforms: Countries can create or support open learning platforms that provide free access to open courses, lectures, learning materials and other resources. Such platforms can be online or organize communities for knowledge sharing and collaboration between participants (Priyma, 2015).

Providing access to the Internet. It is desirable for the state to create conditions for all citizens to have access to high-quality and affordable Internet. This includes expanding the network of Internet providers, developing public Wi-Fi networks, and providing financial support to educational institutions to ensure Internet access.

Improvement of teachers' qualifications. The state should ensure the professional development of teachers in the field of open education (Wang et al., 2021). Teachers should be trained to use open resources and digital tools in the educational process, understand the principles of open learning and promote active learning using open resources. Involvement of communities. The state should support public involvement in the development and use of open educational resources. This can be done by facilitating the organization of meetings, conferences, webinars and other forms of communication for sharing experiences and mutual support.

Recognition of results of open education: The country can develop a system of recognition and accreditation of results of open education. This can help increase the motivation of students and professionals to use open resources and self-education. These recommendations can help governments improve the availability, quality and use of open education, and expand learning opportunities to support economic growth.

Conclusions. Based on the above, it can be assumed that open education is an integral part of the lifelong education system and provides a person with access to information and education. Open education has the potential to transform learning opportunities and economic development. It offers flexibility, accessibility and diversity to students from all over the world, regardless of their location or socio-economic status, underscoring its economic importance and effectiveness. In Ukraine, the percentage of participation in adult education is three times lower than in Finland, which suggests that Ukraine underestimates the benefits of adult education. However, open education has its challenges. For a helpful effect, measures should be taken by the state regarding access to rejected education, as well as its cost.

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Conflict of Interest and other Ethics Statements
The authors declare no conflict of interest.

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ЕФЕКТИВНІСТЬ ВІДКРИТОЇ ОСВІТИ В СИСТЕМІ ОСВІТИ УПРОДОВЖ ЖИТТЯ

Анотація. Відкрита освіта відіграє на сьогоднішній день важливу роль у системі освіти упродовж життя. Саме відкрита освіта дає можливість дорослим навчатись у доступний для них час та отримувати формальну та неформальну освіту. Відкрита освіта дорослих є не лише інструментом особистого розвитку, а й важливим елементом соціального прогресу, демократії та побудови суспільства, а також економіки, що трансформується. Забезпечення доступу до якісної освіти дорослих має важливе значення для досягнення сталого економічного розвитку країни та забезпечення гідної якості життя для всіх громадян.

Відкрита освіта створює можливості для дорослих навчатися протягом усього життя, що допомагає змінювати кар'єру, збільшувати кваліфікацію та стежити за оновленням знань у сучасному світі. Країни з високим рівнем освіченості населення мають переваги у високотехнологічних галузях, що допомагає стимулювати економічний розвиток і залучення інвестицій. Навички, отримані через відкриту освіту, допомагають дорослим знайти кращу роботу або підвищити свою конкурентоспроможність на ринку праці. Забезпечення доступу до освіти для всіх верств суспільства допомагає знизити соціальні розбіжності і забезпечити рівні можливості для всіх.

Як інноваційний феномен відкрита освіта сприяє розвитку критичного мислення та аналітичних навичок, що дозволяє дорослим бути більш інформованими громадянами і зробити свідомі вибори. Можливість навчання та розвитку допомагає дорослим реалізовувати свій потенціал, знаходити нові захоплюючі інтереси та досягати особистого зростання. Отримання нових знань та навичок сприяє підвищенню задоволеності життям, покращує самопочуття та психологічний стан,що впливає на соціальні показники країн. Дорослі зі свіжими знаннями і підходами можуть створювати нові ідеї, розвивати інноваційні проекти і внести вагомий внесок у суспільний прогрес.

Дана стаття присвячена визначенню місця відкритої освіти в загальній системі освіти упродовж життя та аналізу її ефективності в Україні та в деяких країнах Європи. Було встановлено, що відкрита освіта є тим інструментом, що надає дорослим можливість здобувати знання поза навчальними закладами та в позанавчальний час, а також відкрита освіта є драйвером розвитку людини як працівника, тобто частини ринку праці і як наслідок д стимулює розвиток економіки країни.

Ключові слова: *навчання упродовж життя, відкрита освіта, ефективність освіти.*

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IMPROVEMENT OF THE INTERNAL SYSTEM OF QUALITY ASSURANCE OF THE EDUCATIONAL PROCESS OF HIGH SCHOOLS

Abstract. The article notes that the system of higher education, as well as other spheres of social and economic life of Ukraine, faced numerous challenges during the war. Despite this, it is necessary to continue its reformation, because it is the educational sphere that will play an important role in ensuring the quality of the country's future post-war life through full entry into the European educational space, ensuring the achievement of the UN sustainable development goals in the field of education (to which Ukraine joined as a country-member of the UN), training of citizens who will build the post-war economy and protect democratic values for a society. At the same time, national higher education needs to take into account world trends affecting the future of education: globalization, digitalization, aging of the population, and also focus efforts on improving the quality of the educational process directly in higher education institutions. In this context, the main documents that are currently used in the field of higher education reform by the Ministry of Education and Culture of Ukraine, the National Agency for Quality Assurance of Higher Education, namely: "Strategy for the Development of Higher Education in Ukraine for 2021-2031" and "Recovery Plan of Ukraine. Education and science", developed taking into account the main problems of the higher education sphere.

In order to systematically support the quality of the educational process in higher education institutions (the necessity of which is emphasized in both mentioned documents), the authors proposed an appropriate diagnostic tool for the internal quality assurance system, namely, an analysis of the expert opinion of key stakeholders (internal and external) of the educational process according to five main parameters: educational ambition, effective leadership, teacher collaboration, supportive educational environment, stakeholders involvement. Such an analysis will allow higher educational institutions, relying on the perception of the educational process by its main stakeholders, to maintain a high-quality educational environment, to establish a comprehensive system for assessing the quality of the educational process, and to lay the foundation for actions to improve it.

Keywords: *quality of higher education, European educational space, system of internal quality assurance of higher education institutions, stakeholders of the educational process, leadership, globalization, digitalization.*

Introduction. Today, during a full-scale war, when institutions of higher education and the higher education system of Ukraine as a whole are faced with

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a number of new challenges, the issue of reforming the education sector continues to be relevant. Steps to support the quality level of higher education in wartime are currently being carried out by the National Agency for Quality Assurance of Higher Education together with the School of Political Analytics of the National University "Kyiv-Mohyla Academy" with the support of German partners from the Friedrich Naumann Fundationn. They conduct a "comprehensive study of the work of the Ukrainian higher education system – both at the institutional and individual levels – after the beginning of the full – scale invasion of кussia into Ukraine" on the issues of "identifying individual experience, needs, problems, expectations, opportunities and challenges for students and scientists who arose during the war" and the development of proposals for stakeholders "regarding education policy under the new conditions in which Ukraine found itself" (http://surl.li/isbsc). This kind of work is extremely important and is a reaction to what is happening. At the same time, proactive decisions are needed to improve the internal system of ensuring the quality of the educational process in Ukrainian higher education institutions with the aim of its full entry into the European educational space.

Analysis of recent research and publications. The Organization for Economic Cooperation and Development (OECD), with which Ukraine has been cooperating since 1997, cites three megatrends that affect the future of education: globalization, digitalization, and aging of the population. "Strategy for the development of higher education in Ukraine for 2021-2031" (hereinafter referred to as the Strategy) was approved by the Cabinet of Ministers of Ukraine on February 23, 2022. It defines the place of higher education in the society and economy of the country, contains an analysis of the current state and singles out, among others, such problems of the development of the system of higher education in Ukraine, which indicate a gap between the system of higher education and the labor market, the insufficiency of feedback mechanisms between employers and higher education institutions:

– inconsistent autonomy of higher education institutions, the unwillingness of many of them to use the opportunities provided by legislation;

– low level of trust in the innovative activities of higher education institutions, insufficient practice and experience in the implementation of digital technologies;

– lack of readiness of higher education institutions to conduct applied research demanded by business and create innovative intellectual products for the economy;

– insufficient attention of the state and higher education institutions to the education of adults, a formal attitude towards continuous education widespread in society (http://surl.li/dgylw).

The draft Strategy, developed and presented for public discussion in 2020, cites data that "indicates the low interest of the private sector in cooperation and ordering scientific, technical and design developments in higher education institutions", and the reasons are recognized as "on the one hand, distrust of the private commercial sector to the ability of higher education institutions to carry out research and offer a high-quality intellectual product, on the other – the tendency to borrow foreign technologies" (http://surl.li/mphq). The main problem of the development of national higher education is determined by "the lack of a long-term strategy for the socio-economic development of Ukraine, which makes it difficult to create a model of higher education adequate to the country's future goals" (http://surl.li/mphq).

We would like to note that the issues of cooperation of entrepreneurs with higher educational institutions are being actively developed by scientists from different countries of the world. Thus, the authors of the work "The role and function of cooperative research centers in entrepreneurial universities: a micro level perspective" (Dolan, Cunningham, Menter & McGregor, 2019, pp. 3406-3425) justify the need to create cooperative research centers designed to solve numerous scientific, commercial, educational and public tasks in entrepreneurial universities in Ireland. The article "University-industry collaborations: an industry perspective" is devoted to the analysis of university-industry collaboration in Denmark (Giones, 2019, pp. 3258-3279). The publication "Strategic knowledge management within subsidized entrepreneurial university-industry partnerships" investigates cooperation/opportunistic behavior within subsidized partnerships between universities and industry in Mexico as a country with a developing economy (Uerrero, Herrera & Urbano, 2019, pp. 3280-3300).

From year to year, no less attention is paid to the issue of ensuring the quality of higher education as in the context of the formation of institutional concepts of ensuring the quality of the educational process (Khalil, 2021, pp. 41-52; Kolodii, Kostolovych, Kolomiiets, Muratova & Tsoi, 2021, pp. 292-300; Nemchenko & Starokogko, 2018, pp. 926-931), and the involvement of students and other stakeholders in this process (Chaudhary & Dey, 2021, pp. 32-40).

The purpose of the article. The purpose of the article is to develop a diagnostic tool for the system of internal quality assurance of higher education institutions to support the quality of the educational process.

Formulation of the main material. On the official website of the Ministry of Education and Science of Ukraine, the "Recovery Plan of Ukraine. Education and Science" is posted and dated November, 2022. It summarizes the main problems that must be solved in the field of higher education by 2032. Among the problems related to the destructive consequences for the infrastructure and institutional foundations of higher education in Ukraine as a result of the war, systemic problems accompanying it throughout the years of independence are also presented. Among these (http://surl.li/isbtu):

– high level of corruption (assessment of academic subjects for bribes, academic dishonesty);

– insufficient integration of Ukrainian higher education into the world, including obstacles for teachers and students regarding participation in academic mobility programs;

– a significant percentage of entrants gain access to higher education bypassing the full independent external evaluation;

– the Ukrainian network of higher education institutions is ineffective and does not correlate with the financial capabilities of the country;

– insufficient financial autonomy of higher education institutions prevents, among other things, attracting investments from businesses and grants from foundations;

– there are no legal instruments regarding the freedom to study according to an autonomous educational trajectory, which would allow to extend or to reduce the time for studying.

It should also be noted that in April, 2022, the Council of the European

Association of Universities (EAU) approved a set of measures to help the Ukrainian higher education sector with the aim of promoting the "full integration of Ukrainian universities into European activities" (http://surl.li/isbue), which should accelerate the European integration processes of the national higher education as an important factor in its improvement. The plan for the restoration of the "Higher education" direction contains three periodized stages: Stage I – until the end of 2022, Stage II – January, 2023 – December, 2025, Stage III – January, 2026 – December, 2032. We will analyze the path that is drawn (Table 1).

Table 1

The main problems that need to be solved within the framework of the "Higher Education" recovery plan

Necessary to achieve by 2032	Measurable indicator of goal achievement in 2032	Connections of the goal with economic recovery and development of other spheres
1	2	3
Problem 1. Inefficient use of resources in the system of higher education	Goal: effective management of higher education	
provision of wide, including financial, autonomy of higher educational institutions	degree of autonomy of higher education institutions (according to the methodology of the European Association of Universities) is: academic – 70 %; organizational – 80 %; personnel – 87 %; financial – 70 %	restoration and development of the economy; the Euroatlantic integration
Problem 2. Out-of-system perception and mistrust of institutional mechanisms for ensuring the quality of higher education	Goal: public, state and business trust to the educational, scientific and innovative activities of higher educational institutions	
formation of zero tolerance for corruption, discrimination on various grounds and academic dishonesty of those involved in the educational process	– at least 80 % of the participants of the educational process during the previous 3 years did not face corruption, discrimination or academic dishonesty (according to the results of the National Student Survey through the Diya application); – the sums of funds have been raised by the Higher Education Institution for public projects; – number of established (recognized) associations of graduates of higher education institutions	digitization; the Euroatlantic integration; anti-corruption policy
Problem 3. Low level of availability of higher education for certain groups of the population	Goal: provision of competitive higher education that is available to various segments of the population;	
modernization of infrastructure, educational space, educational and scientific equipment, especially considering inclusive requirements	reconstruction and reequipping of 1,000 laboratories and classrooms (according to the World Bank project); reconstruction of 200 dormitory buildings; ensuring that 100 % of students who need it are accommodated in dormitories with appropriate living conditions; construction of 10 academic buildings	infrastructure recovery and development; planning, building, modernization of cities and regions
	Goal: to provide a high-quality competitive higher education that meets the standards of the European Higher Education Area and quality assurance recommendations	

1	2	3
legislative regulation of the status of accreditations by foreign accreditation agencies and agencies for quality assurance of higher education	the results of satisfaction with the quality of higher education among students, graduates and stakeholders made by the national monitoring are at least 60%	digitization; the Euroatlantic integration;
Problem 4. Low level of integration of higher education into modern globalization processes		Goal: internationalization of higher education in Ukraine
inclusion of Ukrainian higher education institutions in the list of 1,000 best universities in the world	20 universities in the ranking of the 1000 best universities in the world; distribution of graduates according to the level of foreign language proficiency in accordance with the Common European Competences for Foreign Language Proficiency (CEFR)	the Euroatlantic integration; restoration and development of the economy;
Problem 5. Low attractiveness of higher education institutions for study and academic career		Goal: to gain attractiveness of higher education institutions for study and academic career
ensuring a high social status and career prospects for teachers in order to increase the attractiveness of an academic career	the correlation coefficient between the salary of scientific and pedagogical personnel and the national average (1.5); 5 analytical centers are included in world and national rankings; 5% of the total number of Master's graduates are holders of scientific degrees	restoration and development of the economy; employment policy
Problem 6. Loss of human potential (teachers, scientists, potential entrants) and destruction of higher education infrastructure of Ukraine during martial law		Goal: to restore the potential of higher education, ensuring the rights and freedoms of internally displaced persons and residents of temporarily occupied territories in relation to education, resuming the activities of higher education institutions in the liberated territories
provision of infrastructure for the activities of the higher education institutions in the de-occupied territories	100% of the infrastructure facilities supporting the activities of the higher education institutions operating in the de-occupied territories have been restored or newly built (as needed by the end of 2032)	economic policy (formation of human potential necessary for acceleration of economic development); audit of damages caused by war; planning, construction, modernization of cities and regions; infrastructure recovery and development

Source: (http://surl.li/isbtu, pp. 158-168)

We will dwell in more detail on the first two goals outlined in the Recovery Plan in "Higher Education" Sector. We believe that they are basic for the further development of higher education in Ukraine, the foundation for the formation of competitiveness of higher education institutions on the international market, Euro-Atlantic integration.

The first of them is the effective management of higher education, the achievement of which by 2032 involves the provision of broad autonomy of higher education institutions. The autonomy of higher education institutions is measured in four directions: academic – the sphere of student recruitment, development of educational programs, ensuring the quality of the educational process; organizational – independent decisions regarding the formation of academic and administrative structures, management models of higher education institutions; personnel – the degree of independence of higher education institutions in relation to hiring employees, ensuring their professional and scientific development; financial – the ability to attract funds, dispose of buildings and property, set tuition fees.

In (http://surl.li/isbwj) presented an expert assessment of a representative of the Ministry of Education and Science of Ukraine regarding the level of autonomy of higher education institutions in Ukraine as of 2019 (the data mainly concerns state higher education institutions) and noted that "university autonomy is implemented with great distrust and numerous reservations", namely:

– academic autonomy did not push higher education institutions to consider the improvement of educational programs as a competitive advantage, they continue to compete at the expense of other advantages: the size of the tuition fee, favorable location, development of opportunistic specialties, etc.;

– organizational autonomy is almost completely absent in state higher education institutions, if considered according to the criteria of the EAU. Detailed procedures for the formation of governing bodies and the practice of their application make the university a rather closed environment, largely dependent on internal groups of influence, which preserves university life;

– personnel autonomy legally meets the criteria of the EAU to a large extent, but in practice it has many limitations: the personnel policy of the higher education institutions is influenced by loyalty and nepotism; the practice of certification of scientific and pedagogical personnel, formation of teaching load, and setting of salaries ensure compliance with qualification and legislative requirements, but promote paternalism and provide little incentive for significant achievements;

– financial autonomy was and still remains the most problematic aspect for Ukraine, which is connected both with the specifics of the legislation and with the unwillingness of the higher education institutions themselves to use the opportunities provided by the legislation.

The second goal is the trust of the public, the state, and business in the educational, scientific, and innovative activities of higher education institutions. involves digitalization at the national level of the process of surveying the participants of the educational process regarding corruption, discrimination, academic dishonesty, as well as the improvement and commercialization of public practices of higher education institutions. As mentioned above, today experts note the unpreparedness of higher education institutions to conduct applied research and the creation of innovative intellectual products for the economy on the one hand, and a low level of trust in the innovative activities of higher education institutions of business on the other. The criteria (links) proposed by (Chaika, 2020, p. 356) of the marketing mechanism for the cooperation of higher education institutions and stakeholders and indicators for evaluating their effectiveness should help to form a partnership network between higher education institutions and business, to achieve understanding and increase mutual trust.

However, the central issue of higher education remains the construction of a system of internal quality assurance based on measurable results of the educational process – target performance indicators. Social indicators that allow in practice to record the component qualities of the educational process, to be its research tools, were proposed in (Chaika, 2018, p. 45). As an additional tool for diagnosing the practice of implementing the internal quality assurance system, we suggest conducting regular (once a year) surveys of teachers, students and stakeholders according to five main parameters: educational ambitions, effective leadership, cooperation of teachers, supportive educational environment, stakeholder involvement (see Fig. 1).

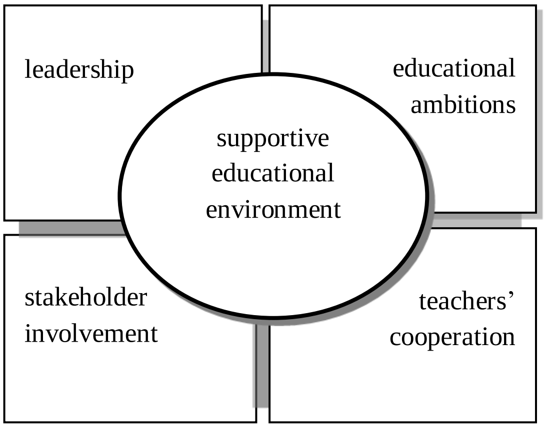

Fig. 1. – Parameters of internal assessment of the quality of the educational process in higher education institutions
Source: based on (http://surl.li/isbwp)

Let us describe each parameter in more detail:

1. Educational ambitions. In universities with ambitious education, classes should be complex, interactive, and practically oriented; evaluation of the results is transparent and objective; task instructions are clear, well-structured and such that they encourage students to accumulate and apply knowledge. Ambitious learning combined with a supportive educational environment should have a direct impact on students' academic performance. These are: clearly defined points for specific learning outcomes and the existence of procedures for ensuring the objectivity of evaluation; constant active and equal interaction of all study participants, which encourages students to apply the knowledge they have acquired; the possibility of practical application of theoretical knowledge at partner enterprises; maintaining a constant intensive pace of learning in order to ensure the necessary dynamics; a logically coordinated structure of the educational process according to the courses.

2. Leadership. In universities with effective leaders, managers, structural units and teachers work together to effectively implement the educational process. In such educational institutions, people and resources are focused on continuous improvement of educational programs. Leaders: create a shared vision; set ambitious goals for the quality of education; maintain relationships of mutual respect and mutual trust; support professional growth of teachers and staff; strive for continuous improvement of educational programs.

3. Teachers' cooperation. In universities with strong teaching-research staff collaboration, everyone works together to promote professional growth. In such a higher education institution, teachers are active partners in its improvement, are dedicated to their work and are oriented towards continuous professional development.

3.Supporting educational environment. Its essence lies in safety for the life and health (including mental health) of the participants of the educational process, satisfaction of their needs and interests, the value of the academic community for everyone through the built-in practices of social interactions, which are based on mutual respect and mutual demands. In such universities: students feel safe both during educational activities and outside it (on campus, dormitory, etc.); they find organizational support from teachers, dean's offices, auxiliary units regarding their academic needs; they receive high-quality advisory and social support (in relation to employment, psychological needs, etc.).

4. Stakeholder involvement. In a higher education institution with stakeholders (entrepreneurs, employers, university graduates, etc.), the entire staff builds strong external relations. Such universities: consider stakeholders as partners who have authority in the relevant field and help students learn by providing classes with students, passing the latest industrial practices at their enterprises; value the contribution and participation of stakeholders in promoting the mission of the university; support efforts to strengthen student community resources; involve stakeholders in the joint implementation of scientific and research works; teachers' internships are carried out directly at enterprises.

Teachers, students and stakeholders are offered to evaluate the internal quality assurance system of higher education institutions on a 100-point scale divided into five segments – parameters of the internal quality assurance system of higher education institutions – 20 points each: up to 20 a very weak parameter, 21-40 – weak, 41-60 – medium level, 61-80 – strong, 81-100 – very strong. The evaluation process must be anonymous and digitalized.

In addition, the sample of respondents must be stratified, that is, the entire population of people who will be interviewed must be previously divided into strata according to the principle of belonging to the following groups in terms of education levels (junior bachelor, bachelor, master): students, teachers and employees of structural units of higher education institutions, stakeholders. Next, a random sample is formed from each stratum in a number proportional to the size of this stratum compared to the population. For example, if there are 3,000 students studying at the educational level, the support group consists of 150 teachers and 35 employees of structural units, and 100 external stakeholders are involved in the programs, then in the process of stratified random sampling three layers are created: students – 91 %, teachers and employees of structural units divisions – 6 %, stakeholders – 3 %. The research team then needs to sample and randomly select 300 people (about 10 % of the general population), of which 273 will be students, 18 will be faculty/staff, and 9 will be stakeholders. Thus, with a confidence probability of 0.95, the theoretical statistical measurement error will be 0.05 or 5.0 %. Such a sample is stratified and reflects the structure of the general population. Also, departments can independently conduct such research in the context of separate educational programs. Such a stratum of the sample is much smaller in number, which allows the survey to cover as many members of the stratum as possible.

Conclusions. The method of measuring the perception of the educational process by key stakeholders proposed in the article makes it possible to improve the system of internal quality assurance of higher education institutions, the results of the analysis of respondents' answers set a vector for its improvement, provide a basis for further goal setting. A true and systematic assessment of the quality of the educational process takes into account a wide range of indicators that shape the success of students, including (but not limited to) academic growth of students, expanding the range of academic opportunities, university culture and climate, preparation for successful employment after graduation.

Systematic work of higher educational institutions with external stakeholders and evaluation of its results in the proposed way will allow to increase the level of trust in the activities of higher educational institutions on the part of practitioners, will contribute to the wider implementation of a dual form of education, which is currently a rarity for national education, and the conduct of applied research demanded by business.

Thus, this practice establishes a comprehensive system for evaluating the success of higher education institutions in order to monitor the process of ensuring the quality of the educational process, establishes standards of efficiency, and also creates a basis for actions to improve it and correct academic deficiencies.

In the Recovery Plan of the "Higher education" direction, the plan for the "Adult education" direction was separately considered. The perspective of further research is its analysis in the context of world educational trends in order to form proposals for a holistic approach to adult education.

Conflict of Interest and other Ethics Statements
The authors declare no conflict of interest.

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УДОСКОНАЛЕННЯ ВНУТРІШНЬОЇ СИСТЕМИ ЗАБЕЗПЕЧЕННЯ ЯКОСТІ ОСВІТНЬОГО ПРОЦЕСУ ЗВО

Анотація. В статті відзначається, що система вищої освіти, як й інші сфери суспільно-економічного життя України, зіткнулася з численними викликами у воєнний час. Незважаючи на це, необхідно продовжувати її реформування, адже саме освітня сфера буде відігравати важливу роль в забезпеченні якості майбутнього післявоєнного життя країни через повноправний вхід в європейський освітній простір, забезпечення досягнення цілей сталого розвитку ООН в галузі освіти (до яких Україна долучилася як країна-член ООН), підготовку для суспільства громадян, які будуть розбудовувати післявоєнну економіку та захищати демократичні цінності. При цьому національній вищій освіті потрібно враховувати світові тренди, що впливають на майбутнє освіти: глобалізація, цифровізація, старіння населення, а також зосередити зусилля на покращенні якості освітнього процесу безпосередньо у ЗВО.

У цьому контексті проаналізовано основні документи, якими наразі послуговуються у сфері реформування вищої освіти МОН України, Національне агентство із забезпечення якості вищої освіти, а саме: «Стратегію розвитку вищої освіти в Україні на 2021-2031 роки» і «План відновлення України. Освіта і наука», розроблені з урахуванням основних проблем сфери вищої освіти. Для системної підтримки якості освітнього процесу у ЗВО (на необхідності якої наголошується в обох зазначених документах) авторами запропоновано відповідний інструмент діагностики системи внутрішнього забезпечення якості, а саме, аналіз експертної думки ключових стейкхолдерів (внутрішніх і зовнішніх) освітнього процесу за п’ятьма основними параметрами: освітні амбіції, ефективне лідерство, співпраця викладачів, підтримуюче освітнє середовище, залученість стейкхолдерів.

Такий аналіз дозволить ЗВО, спираючись на сприйняття освітнього процесу його основними стейкхолдерами, підтримувати якісне освітнє середовище, встановити комплексну систему оцінювання якості освітнього процесу, закласти основу для дій з його удосконалення.

Ключові слова: *якість вищої освіти, європейський освітній простір, система внутрішнього забезпечення якості ЗВО, стейкхолдери освітнього процесу, лідерство, глобалізація, діджиталізація*.

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RECOMMENDATIONS ON COMPULSORY ONLINE LEARNING FOR EDUCATIONAL INSTITUTIONS DURING WARTIME ON THE BASIS OF THE BEST INTERNATIONAL PRACTICES *

Abstract. The purpose of this article is to research and summarize the best international experience for the development of recommendations for compulsory online education in Ukraine. To achieve this goal, a detailed analysis of a number of scientific publications devoted to the study of advanced distance learning practices among countries that faced similar challenges due to military conflicts or a global pandemic was conducted. Various aspects were investigated, including the structure and content of distance learning, the development of technological platforms for the educational process, ensuring the physical and psychological safety of participants in the educational process, as well as the development of innovative approaches to learning and developing the competencies of students and pupils.

As a result of the analysis, key aspects and directions were identified that can contribute to the successful implementation of the set goal. The experience of such advanced countries as Israel, South Korea, Singapore, Finland and Estonia was studied. Areas for improving the process of forced online education and the future educational process in Ukraine as a whole have been identified. Based on the studied material, recommendations are given regarding possible

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future implementations in the education system of Ukraine.

The need for a comprehensive approach to ensuring the identified aspects of education requires investments in the construction of protective structures, strengthening of the existing infrastructure and the creation of safe spaces for educational activities. Also, the need to equip the technical infrastructure for the effective implementation of distance learning was mentioned. This includes the development and maintenance of educational platforms, provision of Internet access, creation of online resources and availability of learning tools. The importance of creating psychological and professional support centers for students and teachers was outlined. The creation of education and management platforms could simplify the administrative complexities for education workers and establish communication between different stakeholders in education, including students, parents, teachers and senior management. The importance of introducing the subject of cyber security into the educational process from an early age was also noted. At the level of higher education, the need for a gradual shift from a teacher-centered approach to a student-centered approach, with an emphasis on the development of practical competencies and skills in students necessary for life in the real world, is becoming apparent.

Keywords: *military conflict, compulsory online learning, education system, cybersecurity, higher education, digitalization, educational programmes, educational initiatives.*

Introduction. Considering the current global political and social environment, armed conflicts and wars frequently affect all spheres of society, including education. The educational process is one of the important aspects that requires attention and adaptation. Compulsory online learning during a conflict requires steps to ensure the safety of participants in the educational process and the continuity of learning. This topic is especially relevant in the case of Ukraine, that has experienced the devastating impact of the russian federation's invasion and a severe setback to social and economic processes. The education system has been particularly affected by the destruction and damage to infrastructure, loss of professional staff, suspension of the educational process, reduced funding for education, psychological pressure on pupils, students and teaching staff, and a general sense of instability and uncertainty. In order to ensure the sustainability of the educational process and normalise the situation in the Ukrainian education system, it is important to identify approaches and innovative solutions used in countries that have faced similar challenges in order to develop and implement best practices and recommendations that would facilitate effective learning in the context of military conflict.

Analysis of recent research and publications. Recent years the significant focus was on the advancement of online education both in Ukraine and globally. Research related to higher education and its adaptation to difficult socio-political conditions is of great importance for modern society.

Notably, researchers such as T. Shmis, A. Sava, J. Teixeira and H. Patrinos have conducted studies examining the repercussions of the Covid-19 pandemic on education in Europe and Central Asia (Shmis et al., 2020). In paper written by Bekerman Z. presented a comprehensive exploration of peace education, offering an assessment of pivotal initiatives within the Israeli-Palestinian conflict context (Bekerman, 2023). In their collaborative work, Bekerman Z. and Zembylas M. offer a critical analysis of the prevalent essentialized notions surrounding identity, culture, and education within modern peace education discourse. Their paper delves into the repercussions of these assumptions on teacher education within societies affected by conflict and its aftermath (Bekerman & Zembylas, 2014). The transformative potential of peace education finds articulation in Soli Vered's research, envisaging its role in reshaping the sociopsychological underpinnings of entrenched conflicts (Vered, 2016).

The ramifications of the pandemic extend further into South Korea’s educational landscape, as elucidated by Byun S. and Slavin R.E. in their joint article. Framed through the lens of risk and resilience, their investigation dissects South Korean educational responses to pandemic-induced school closures (Byun & Slavin, 2020). Seonkyung Choi’s study navigates the complex intersection of education and employment, advocating for a reevaluation of South Korea’s education strategy (Choi, 2021). Lavonen J., associated with the University of Helsinki, turns the spotlight on Finland’s teacher education, illuminating the iterative enhancements that permeate teacher education programs (Lavonen, 2018). With a focus on cybersecurity talent development in Estonia, researchers Kikkas K. and Lorenz B. examine the program of the Estonian Cyber Olympiad/CyberSpike (2017-2019). This study provides insight into how to build a skilled cybersecurity workforce (Kikkas & Lorenz, 2020).

The purpose of the article is to explore and synthesise the best international practices to develop recommendations for compulsory online learning in Ukraine.

Formulation of the main material. Ukraine is experiencing an ongoing military conflict following russia’s military invasion of Ukraine on 24 February 2022. This conflict has precipitated profound humanitarian consequences for the nation and its populace. According to statistics, a total of more than 21 million people in Ukraine are affected by its effects. Among them, refugees fleeing Ukraine account for an estimated 5.9 million in Europe. However, the crisis runs deeper and more overtly in the form of internally displaced persons, numbering over 5.1 million. While the harrowing physical and psychological toll of the war is evident, the humanitarian crisis in Ukraine is equally pervasive and conspicuous (OCHA, 2023).

Furthermore, the military conflict in Ukraine is having a serious impact on the country’s education system. Reports elucidate that over 3,582 educational institutions, encompassing schools and academic establishments have been affected by bombing and shelling. Among them, 341 institutions being completely destroyed, many children and young people have been left without educational opportunities (Education is under threat, 2022).

The disruption and fragility imposed upon the educational process by the conflict are challenges of significant magnitude. Ukrainian pupils and students have lost the opportunity to access quality education due to the ruination and closure of educational establishments. Notably, educators and pedagogical staff have been compelled to abandon their roles in light of the instability and peril ensuing from the military conflict.

Other pivotal dimensions affected by ongoing military conflict within the education ecosystem are notably manifested as a reduction in government spending on tertiary education and a concomitant constriction of state-sponsored slots within higher education establishments. This leads to a decrease in the accessibility of education for the broader populace. Concurrently, the conflict’s depleting economic streams contribute to the practice of "educational migration", in which individuals seek knowledge abroad to take advantage of enhanced educational opportunities. Importantly, the conflict has acted as a catalyst for paradigm adjustments in higher education. Nonetheless, the most visible ramification has been a shift in educational perception. The growing number of degree holders from higher institutions has eroded the fundamental worth of their accreditations. While the number of university graduates continues to grow, the number of comparable job opportunities is limited. As a result, the landscape has been defined by increased competitiveness and an increase in the rate of graduate unemployment (National Institute for Strategic Studies, 2022).

The continuous armed war in Ukraine has thrown the country into a humanitarian catastrophe, affecting the lives of millions. As the Ukrainian country grapples with complex issues, it becomes clear that urgent and coordinated actions are needed to alleviate the far-reaching impacts of this protracted conflict. The current juncture needs the formulation of precise recommendations, underpinned by the experiential insights gained from educationally advanced nations.

Primarily, a thorough review of the requirements for the technical infrastructure to ensure the effective implementation of compulsory online learning during military conflict is essential in focusing on the optimal use of information and communication technologies, thereby ensuring the robustness of virtual platforms and safeguarding the digital realm against escalating cyber vulnerabilities.

In a report presented by the education search platform Erudera the list of the world's top ten countries with the most educated populations and the share of citizens holding higher education degrees is performed. The inquiry has found scientifically supported association between higher levels of educational attainment and an intersection of important socioeconomic events. These encompass not only economic prosperity, but extend to domains such as overall quality of life and an array of favorable outcomes, including psychological well-being and health.

Particular attention should be paid to the fact that the country of Israel, located in the complex dynamics of the Arab-Israeli conflict, ranks fifth on the list of the world's top 10 leaders among the most educated nations across the world. Israel also finds itself embroiled in the regional Palestinian-Israeli conflict, fundamentally emanating from the juxtaposition of competing territorial aspirations held by Jewish and Arab communities residing within the region of Palestine.

Israel has ingeniously evolved a suite of resilient strategies and crisis management protocols. Among safety measures implemented in Israel to ensure the physical well-being of its citizens are:

– the construction of protected rooms in homes to provide refuge during rocket attacks;

– the placement of concrete sculptures on streets to serve as protective barriers;

– the incorporation of fortified structures in schools to shield students and staff during crises.

Additionally, specialized training programs are conducted for teachers, community leaders, and first responders to equip them with crisis management skills and safe behaviors. The Israeli army's logistical service is involved in community support during emergencies, and educational institutions conduct regular crisis drills to prepare students and staff for various scenarios. The emphasis on psychological well-being is evident through specialized training sessions and support provided to the "frontline" professionals who work with people, such as teachers, rescue workers, medical personnel, and police officers (The Israel Innovation Authority)

These initiatives, which combined highlight the society's resilience and readiness for adverse conditions, reflect Israel's proactive posture in navigating the necessities of its geopolitical setting. Furthermore, an important aspect of this comprehensive approach is the development of leadership capacities within local communities, allowing them to disseminate and perpetuate these strategies, fostering a long-term framework conducive to the well-being and sustainability of future generations.

One of the concepts for regulating emotions and reactions in stressful situations, developed in Israel, which holds potential for implementation in Ukraine, is the "4 Elements" framework. This methodology is grounded in four elementary exercises designed to facilitate an individual's reassertion of dominion over their physiological responses and emotional states during instances of stress, crisis, or trauma. This innovative paradigm of self-regulation and stress modulation carries the promise of contributing substantively to the psychological equilibrium and psychological prosperity of the populace amid the throes of uncertainty and adversarial occurrences. The implementation of the 4 Elements concept in educational programmes and trainings in Ukraine may cause increasing the level of psychological resilience among children and youth. Schools and educational institutions can integrate these techniques into the curriculum, helping younger generations to develop the ability to effectively manage emotions and respond to stressful events. This can have a positive impact on the overall psychological well-being and academic achievement of students, preparing them to function effectively in their environment.

Another view on Israel points that Israel is home to various educational initiatives that aim to enhance the quality of education and make it accessible to all. In Israel, education institutions are evolving to prepare students for future job markets by incorporating technology to acquire digital skills. This involves fostering collaborative learning, active participation, and the use of investigative and creative technologies. These attempts address the demand for educational innovation as well as the difficulties in recruiting investment.

The Israel Innovation Authority prioritizes impact investments that generate both social and environmental benefits as well as financial returns. Programs like the 'GovTech' initiative promote creative technological solutions to public-sector concerns such as education. Educational technological advances are influencing the ed-tech scene, with projects aimed at providing relevant educational experiences. Eureka World and Annoto are two examples that are having an influence on students, instructors, and learning methodologies. Eureka World provides a multi-participant 3D creative learning experience with virtual and physical interfaces. It focuses on developing a collaborative, creative, and community-driven learning environment that fosters 21st century skills. Annoto turns passive video viewing into a collaborative and active learning experience. It optimizes student communication and video learning quality, overcoming the limits of one-way online education. Initiatives like the Digital Israel Campus, powered by Annoto, promote equal access to education and foster discussions on important topics, such as multiculturalism, across diverse populations (The

Israel Innovation Authority).

Exploring the experience of Israel, the following recommendations for the Ukrainian education system should be taken into account:

– implementation of safety protocols in educational institutions, such as constructing protected spaces and fortified structures within schools to ensure the physical well-being of students and staff during crises;

– conduction of regular crisis drills to prepare for various scenarios;

– provision of specialized training for teachers, community leaders, and first responders to equip them with crisis management skills and safe behaviors;

– development of specialised trainings and support systems for educators, rescuers, medics and other professionals working with people on the frontline;

– utilising technologies such as virtual and physical interfaces to enable collaborative, creative and community-driven learning, including platforms like Annoto to transform passive video viewing into active, collaborative learning;

– encouraging the adoption of similar tools to overcome the limitations of one-way online education.

The subsequent focus of this comprehensive survey is directed towards the nation of South Korea. South Korea ranked fifth in the 2018 PISA rankings organised by the OECD - Programme for International Student Assessment. This major international survey assesses the knowledge and skills of 15-year-old students in reading, maths and science. Its value is that it also reveals the extent to which students can apply their knowledge to non-standard situations, both inside and outside of school (Yang, 2015).

Advanced technical infrastructure plays an important role in distance education. In this context, the experience of South Korea is an inspiring example. The time of the COVID-19 pandemic confirmed how important it is to be prepared for the effective use of technology in the educational process. South Korea was able to successfully adapt its educational system to the new realities, providing the pedagogical process with quality online resources and tools. Shift towards online education across nearly all tiers of educational institutions in South Korea has been facilitated by the nation’s exceptional information technology (IT) infrastructure.

Preceding the global outbreak, South Korea had achieved a noteworthy milestone with 99 % coverage of the advanced 4G network, and the ongoing implementation of the cutting-edge 5G network. This technological prowess was further complemented by the accessibility of computer resources within approximately 75 % of households, alongside a staggering 99,5 % penetration of internet connectivity. In response to this dire situation, the administration, led by President Moon Jae-in, has showed a steadfast will to assure the ongoing continuation of educational activities. This dedication has been profoundly manifested through meticulous efforts aimed at augmenting public IT infrastructure, culminating in a significant increase in the scalability of e-learning platforms to efficiently accommodate the exigencies of online education across a large student population, thereby surpassing their previous operational capacity.

Concurrently, efforts have been made to enhance pedagogical proficiency among educators. This is reflected by the launch of initiatives such as piloting and peer-mentoring programs, as well as the "Community of 10,000 Representative Teachers". To enhance distant learning inside schools, this collaborative platform brings together recognized teachers, the Ministry of Education, provincial education offices, and related organizations. The platform, which is distinguished by collaborative information sharing among educators, exemplifies the educational community's proactive approach to online teaching. Furthermore, the government's proactive approach includes the promulgation of key rules and the provision of real-time support to educators, parents, and students, arming them with the necessary knowledge to navigate the online educational landscape. Concerted efforts have been implemented in collaboration with the corporate sector to address digital inequities, in keeping with the inclusive spirit. This dedication is visible in the supply of no-cost, rentable computer devices to a large number of students, thus meeting the imperatives of accessibility for underprivileged groups within the scope of virtual education.

However, South Korea's experience is not only useful in the context of accessible internet connectivity and developed technical infrastructure, also important is the path of educational reforms. It became necessary following the dissatisfaction of students and parents within the country. The main reasons are:

– according to Korean parents, a poor public education system raises private education costs, and the education system is viewed as incapable of nurturing creative genius;

– according to the teachers, the biggest issue is an enormous administrative load and government intervention;

– exam stress and young unemployment are two of the numerous issues among students (Yang, 2015).

The prospective hazards associated with the erroneous adoption of a universal tertiary education strategy encompass the increase of youth unemployment rates and the potential adverse effects on small and medium-sized enterprises, which could encounter challenges stemming from insufficient skilled labor resources (Choi, 2021).

Educational reforms have engendered a shift from a knowledge-centric pedagogical approach to an instructional framework that is centered on students' competencies. This transition is characterized by a profound emphasis on six essential core competencies: self-management, knowledge-information processing, creative thinking, aesthetic and emotional competence, communication skills, and community competence.

Next point is the fact that South Korea has established Future Education Centers within higher education institutions that offer initial teacher training to further consolidate potential teachers' digital capabilities. These centers are intended to develop digital abilities in pre-service teachers, as well as other skills necessary for students' future success.

The decision to delay the start of the 2020 spring semester for elementary and secondary schools until April 6th stimulated a joint response from the Ministry of Education and the Korea Education and Research Information Service (KERIS) in order to guarantee students' continuous educational progress during this national emergency. KERIS introduced an innovative online learning platform named "School-On", tailored for elementary and middle school educators. This platform serves as a dynamic hub for the exchange of educational resources and ideas among teachers across the nation. It gives instructors the ability to design their own learning resources and share innovative ways for remote teaching and learning activities. The School-On platform provides extensive information on how to set up, manage, and efficiently run online classes. This resource-rich platform contains links, instructional videos, and user manuals for a variety of online teaching-learning platforms, including KERIS-operated services such as Wedorang and e-Hakseupteo cyber learning services, as well as privately-owned platforms such as Google Classroom, MS Teams, and Classting. As a complementary offering, for grades 3-9, KERIS gives countrywide access to Digital Textbook services in essential areas like as social studies, math, and science.

Starting from 2018, South Korea has been progressively developing the foundation for integrating Artificial Intelligence (AI) education by gradually expanding the scope of software education in primary and middle schools. As of 2020, the nation took a significant step by inaugurating 247 AI pilot schools and designating 34 high schools to spearhead the implementation of innovative AI education models (Yang, 2015).

Considering the experience of South Korea, the following strategies and approaches may be useful for Ukraine's education system in times of war:

– implementation of initiatives to enhance pedagogical proficiency among educators;

– launching pilot programs, peer-mentoring initiatives, and collaborative platforms for information sharing among educators;

– providing real-time support to educators, parents, and students to navigate the online educational landscape effectively;

– collaboration with the corporate sector to address digital inequities for no-cost or rentable supply of computer devices to underprivileged students to ensure accessibility to online education;

– shifting from a knowledge-centric pedagogical approach to one centered on students' competencies;

– exploring the integration of Artificial Intelligence (AI) education in primary and middle schools for future modeling the digital competent society.

Before the onset of the global COVID-19 pandemic, certain countries, such as Singapore, had proactively devised contingency measures for emergency distance learning. Notably, Singapore had developed a comprehensive emergency distance learning framework in response to prior public health emergencies, including the Severe Acute Respiratory Syndrome (SARS) outbreak in 2005. This preparedness strategy encompasses various facets, including the training of educators in effectively orchestrating and overseeing distance learning utilizing pre-established tools and resources. Additionally, both educators and students partake in regular simulations of distance learning scenarios to ensure familiarity and competence in this mode of education delivery.

Singapore proved successful in responding quickly to the challenges posed by the COVID-19 pandemic and efficiently transitioning educational activities to the online domain. In Singapore, the implementation of full home-based learning in response to the COVID-19 pandemic yielded participation from approximately 96 % of all students. As the period progressed, stability improved and educators maintained communication with parents, seeking collaborative solutions. Additionally, school counselors and social welfare officers reached out to students requiring supplementary assistance through various digital channels (Teng, 2020).

In Singapore Student Care Centres play a crucial role in supporting students' holistic development and well-being. These centers are designed to provide a safe and nurturing environment for students, particularly during non-school hours, such as before and after regular school hours or during school holidays. Student Care Centres offer a range of services and activities that aim to meet students' academic, social, emotional, and physical needs. One of the key functions of Student Care Centres is to provide a conducive space for students to complete their homework and engage in supervised learning activities. Trained staff members assist students with their assignments, ensuring that they have the necessary resources and guidance to excel academically. Additionally, these centers often offer enrichment programs, workshops, and recreational activities to enhance students' interests and skills beyond the academic curriculum (Student care centres in Singapore).

The educational landscape in Singapore features the "Student Learning Space", a digital platform that plays a pivotal role in facilitating learning activities. Introduced across all schools in 2018, the Student Learning Space is a meticulously crafted platform that offers a diverse array of curriculum-aligned digital resources covering a wide spectrum of subjects and grade levels. This platform serves as a valuable repository of high-quality teaching and learning materials, accessible to both educators and students. The comprehensive scope of the Student Learning Space underscores Singapore's commitment to nurturing effective digital teaching and learning practices within its educational framework.

Based on research into Singapore's experience and how effectively remote learning is implemented, the following recommendations for Ukraine's education system during martial law can be suggested:

– development and further implementation of a comprehensive concept for remote learning in emergency situations, which will take into account the training of teachers and students in the use of digital resources and tools;

– collaboration with the community, teachers, parents and students to ensure interaction and exchange of ideas, implementing collaborative practices and mutual support;

– providing access to supplementary materials, books, video lectures and other resources for students' self-development.

In Finland, a notable example of educational support is the implementation of the "tutor-teacher" network, which was funded at the national level from 2015 to 2019. Over the period, the Finnish government allocated a substantial sum of 23 million euros to support this activity. This endeavor was a collaborative effort between the Finnish National Agency for Education and the Ministry of Education and Culture. The implementation of tutor teacher activity was widespread, with 2,300 tutor teachers operating in basic education by 2017. This accounted for about half of the primary schools in Finland, highlighting the significant reach and influence of this program. The program aimed to create a coherent network of tutor-teachers who would act as mentors to their fellow educators. The principal goals of the tutor teacher activity included a broad range of educational progress. This included fostering pedagogical innovation, advocating for the seamless integration of technology into instructional methods, cultivating expertise and collaborative teaching strategies within the school

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community, reinvigorating educational institutions' operational cultures, and proficiently implementing the curriculum's core tenets. The breadth of tutor teachers' activities varied depending on the unique needs of various schools and localities, but they always played an important role in the execution of these initiatives. Tutor-teachers undertook responsibilities such as mentoring and training fellow educators, facilitating comprehensive community development through local, regional, national, and thematic networks, focusing on digital competence development, engaging in co-teaching, motivation, and assisting in curriculum implementation. They often collaborated with data management staff, assessed ICT skills of their peers, organized training, and participated in procurement processes. In 2017, the Finnish National Agency for Education conducted a comprehensive survey to evaluate the training and activities of tutor teachers and to gauge the effects of the discretionary government transfers. The survey revealed that respondents expressed a strong desire for ongoing robust support from the government in terms of training and enhancing the competence of tutor teachers. Additionally, they emphasized the necessity for more stable and extended funding mechanisms to replace the current practice of short-term project allocations spanning 1 to 3 years (Hakamies, 2019).

The Finnish experience demonstrates the successful application of the teacher-mentor programme, which can also be implemented in Ukraine and will contribute to the development of the education system by providing teachers with support and reducing their workload. The following recommendations can be applied:

– implementation of a teacher-mentor network at the national level, similar to the Finnish initiative;

– ensuring stable and long-term allocation of financial resources for the implementation of teacher-mentor support programmes;

– providing mentor teachers with opportunities for training, professional development and learning new teaching methods;

– creating networks for mentor teachers to share experiences, ideas and resources;

– ensuring a system for assessing and developing the competencies of mentor teachers.

The PISA 2018 evaluation scores confirm to Estonia's status, with its general education system placing first in Europe. Estonia significantly invested in its educational infrastructure in 2005, which was characterized by the establishment of the educational technologist post.

Educational technologists provide an array of services that combines current educational insights with digital technological expertise. Their role revolves around bridging the gap between conventional educational practices and the dynamic digital era. As facilitators of digital learning, educational technologists act as catalysts for change, guiding educational institutions toward effective integration of technology in pedagogical strategies.

Educational technologists shoulder a range of crucial responsibilities, including:

– evaluating the digital proficiencies of educational staff;

– providing essential insights that blend pedagogical principles with technical expertise;

– curating and sharing relevant digital learning information;

– producing resources that intertwine digital learning with instructional strategies;

– devising comprehensive digital learning strategies;

– ensuring seamless digital learning environments;

– engaging actively in national and international collaborative networks;

– initiating and overseeing digital learning and ICT projects (How did Estonia become a new role model in digital education, 2020).

This strategy reflects the country's overall achievement in e-governance, as seen by the complete infrastructure that offers online access to 99 percent of government services. The entire integration of digital solutions into vital government processes has prepared the path for technology to be incorporated into the educational environment.

In the contemporary educational landscape of Estonia, the school environment has transitioned to the digital realm, effectively residing within the cloud. Remarkably, 95 % of schools in Estonia have embraced e-school solutions, exemplified by platforms such as eKool and Stuudium. These tools simplified educational experience by offering a user-friendly conduit for smooth collaboration and efficient organization of essential information amongst parents, educators, and students. In effect, these innovative solutions have redefined the contours of teaching and learning, fostering a holistic and technologically empowered educational ecosystem.

Commencing in 2014, Estonia embarked with the inception of a lifelong learning strategy, encompassing a comprehensive digital transformation program. This program is meticulously designed to enhance the digital competencies of both educators and students alike with the implementation of IT-training courses and instructional resources. By the year 2000, Estonia rendered every school within the nation digitally connected. In tandem, the government embarked on a strategic endeavor, extending complimentary computer training to 10 % of its adult citizens. This concerted push for digital empowerment brought a remarkable shift, raising the percentage of Estonians harnessing the internet from 29 % in 2000 up to an impressive 91 % in the year 2016 (How did Estonia become a new role model in digital education, 2020).

Digitalisation in Estonia has reached both higher education institutions and kindergartens. The ELIIS Kindergarten Platform has been implemented in order to reduce the time spent on paperwork, administration, and curriculum planning. ELIIS liberates teachers from bureaucratic procedures and revitalizes the ability of teachers to devote their time to the proper care of children. The next educational initiative is the eKool school management platform, which aims to connect students, families, schools and regulators. For authoritative bodies, this is an opportunity to study and explore the scope of their activities in depth. Opiq, an acclaimed learning management environment, stands as a cornerstone in the majority of Estonian primary and secondary schools. This comprehensive platform boasts resources, encompassing textbooks, learning kits, a study log, a self-assessment system, and an array of pertinent information tailored for instructors, students, and parents. Of noteworthy significance, Opiq's versatility extends to its accessibility via various devices including cellphones, PCs, and tablets, obviating the need for a separate application. This seamless integration fosters a unified and dynamic learning experience that transcends conventional boundaries. DreamApply is the leading student application management software. It optimises university admissions by centralising application management and making applications more user-friendly. Integrations, analytics and automation rationalise budgets and reduce workload. The software provides scholarship management, payment integration and customisation. An intuitive interface makes it easy to publish content, while agent access and performance tracking increase transparency.

Cyber education and the ability to withstand cyberattacks has become a particularly important topic in Ukraine during times of war. It is becoming evident that the average person in the era of digitalisation must have the skills to defend against such attacks. Following this logic, cyber education in Estonia starts from kindergarten, which has been significantly influenced by The Centre for Digital Forensics and Cyber Security. In co-operation with partners, they have created a system of interconnected competitions for different school levels, with the aim of teaching children to understand cyber security in a playful way. There are both formal and informal computer science curricula and learning competitions, which promotes the use of digital security awareness in schools and at home. From 2017 to 2021, more than 150,000 students aged 7 and above and 5,000 school teachers have been involved in such programmes. Subsequently, the children will grow up and progress beyond simple computations in the CyberPin competition for little ones to the large-scale CyberDrill and CyberCracker cybersecurity competitions (Cyber security education in Estonia, 2022).

The Estonian experience underlines the significance of advance technological equipment, digitalisation of education from kindergarten onwards, together with the importance of integrating cybersecurity into the learning process. On the basis of the data reviewed, the following recommendations could be provided:

– introducing the position of educational technologist in educational institutions, who will be responsible for promoting the integration of technology into the educational process, supporting teachers in the use of digital resources, and improving technological competencies;

– organising IT training for teachers to improve their digital competencies, as well as providing access to training courses and resources that promote the effective use of technology in education;

– introducing educational platforms such as ELIIS, eKool and Stuudium, which will allow teachers, parents and students to communicate effectively, share information and simplify the learning process;

– facilitating cooperation between teachers, educational technologists and other stakeholders in the educational process;

– engaging parents, students, and the public in the process of implementing digital initiatives, implementing information activities, consultations, and reports;

– incorporating cybersecurity education into the curriculum at different levels of education;

– developing special courses and materials to teach students and teachers about cybersecurity and protection against cyberattacks, and making them freely available;

– organising regular training and simulations of cyberattacks for teachers and students;

– cooperating with cybersecurity experts to receive up-to-date information and recommendations on how to protect against cyber threats.

Conclusions. In conclusion, it is essential to outline the imperative to ensure the continuity of the educational process within a nation during the global pandemic, such as the Covid-19 crisis, and the exigencies of an ongoing armed conflict, as exemplified by russia’s incursion into Ukraine in 2022. To realise the continuity of the educational process in conditions of physical danger, destruction and psychological instability necessitates a meticulous exploration of strategies provided by foreign jurisdictions that have navigated analogous contexts of crisis or warfare.

Foremost, the adoption of online education emerges as a salient solution to sustain pedagogical endeavors in times of conflict. The acquisition of insights from the experiences of other nations highlights the paramount significance of prioritizing the physical safety and psychological well-being of both students and educators. Manifestly, a comprehensive approach towards ensuring these facets necessitates investments in the construction of protective structures, fortifications of extant infrastructure, and the establishment of secure spaces for educational activities, thus cultivating an environment conducive to learning. The establishment of multifaceted support centers, encompassing not solely psychosocial aid but also educational reinforcement, serves as a pivotal conduit to alleviate the burdens borne by students in isolation. Moreover, these centers provide a communal platform to address unarticulated challenges, fostering a collaborative atmosphere conducive to resilience. The creation of educational and managerial platforms could streamline administrative complexities for educators, thereby facilitating the process of collecting and checking assignments.

Cybersecurity education assumes paramount significance in this digital age, warranting a proactive approach to equip individuals with the competencies essential for safeguarding against cyber threats. This endeavor ensures the cultivation of a technologically adept populace capable of navigating the intricacies of a digitally interconnected world. At the tertiary level, the gradual adoption of a student-centric approach, inspired by the educational paradigm of South Korea, offers a transformative outlook for higher education institutions. By accentuating the development of core competencies and skills, this approach substitutes the traditional knowledge-centered pedagogical model, better preparing graduates for the contemporary professional landscape.

Additionally, novel roles such as tutor-teachers and educational technologists could be introduced to enhance the educational landscape. These specialized positions would assume responsibilities to alleviate the workload of educators while fostering innovative pedagogical strategies and providing technical expertise in online teaching methodologies. The educational outcomes in this publication were created with the support of the EU Erasmus+ program within the framework of projects ERASMUS-JMO-2021-HEI-TCH-RSCH-101048055 "AICE – With Academic integrity to EU values: step by step to common Europe" and ERASMUS-JMO-2022-HEI-TCH-RSCH-101085198 "OSEE – Open Science and Education in Europe: success stories for Ukrainian academia".

Conflict of Interest and other Ethics Statements
The authors declare no conflict of interest.

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РЕКОМЕНДАЦІЇ ЩОДО ВИМУШЕНОГО ОНЛАЙН-НАВЧАННЯ ДЛЯ ЗАКЛАДІВ ОСВІТИ В ПЕРІОД ВІЙНИ НА ОСНОВІ КРАЩИХ СВІТОВИХ ПРАКТИК

Анотація. Мета цієї статті полягає у дослідженні та узагальненні найкращого міжнародного досвіду для розробки рекомендацій щодо вимушеного онлайн-навчання в Україні. Для досягнення зазначеної мети було проведено детальний аналіз ряду наукових публікацій, що присвячені вивченню передових практик дистанційного навчання серед країн, які зіткнулися зі схожими викликами через військові конфлікти або глобальну пандемію. Було досліджено різні аспекти, включаючи структуру та зміст дистанційного навчання, розробку технологічних платформ для освітнього процесу, забезпечення фізичної та психологічної безпеки учасників навчального процесу, а також розробку інноваційних підходів до навчання та розвитку компетенцій учнів та студентів.

У результаті проведеного аналізу було визначено ключові аспекти та напрямки, які можуть сприяти успішній реалізації поставленої мети. Досліджено досвід таких передових країн як Ізраїль, Південна Корея, Сінгапур, Фінляндія та Естонія. Виявлено напрямки, за якими можна покращити процес вимушеного онлайн-навчання та майбутнього освітнього процесу в Україні в цілому. На основі вивченого матеріалу надано рекомендації, щодо можливих майбутніх впроваджень в систему освіти України.

Необхідність комплексного підходу до забезпечення виявлених аспектів навчання потребує інвестицій у будівництво захисних споруд, укріплень наявної інфраструктури та створення безпечних просторів для освітньої діяльності. Також, було зазначено про необхідність оснащення технічної інфраструктури для ефективного впровадження дистанційного навчання. Це включає розробку та підтримку освітніх платформ, забезпечення доступу до Інтернету, створення онлайн-ресурсів та доступність інструментів для навчання. Була окреслена важливість створення центрів психологічної та професійної підтримки для студентів та вчителів. Створення освітніх та управлінських платформ могло б спростити адміністративні складнощі для працівників сфери освіти та налагодити зв’язок між різними стейкхолдерами у сфері освіти, у тому числі учнями, батьками, вчителями та вищим керівництвом. Також було зазначено важливість впровадження предмету кібербезпеки в освітній процес змалечку. На рівні вищої освіти стає очевидною потреба поступового зміщення підходу, орієнтованого на викладача до підходу, орієнтованого на студента, з акцентом на розвитку практичних компетенцій і навичок у студентства, необхідних для життя у реальному світі.

Ключові слова: *військовий конфлікт, вимушене онлайн-навчання, система освіти, кібербезпека, вища освіта, цифровізація, освітні програми, освітні ініціативи.*

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INTERNATIONAL NORMS AND THEIR ROLE IN THE GENDER VECTOR OF UKRAINE IN THE POST-WAR PERIOD: ANALYSIS OF SOCIAL, ECONOMIC AND POLITICAL ASPECTS

Abstract. This paper examines the role of international norms in shaping the gender vector of Ukraine in the post-war period, with a focus on analyzing the social, economic, and political aspects. The study highlights the significance of international norms in influencing gender equality policies and practices in Ukraine and explores the implications of these norms on various dimensions of Ukrainian society.

The analysis begins with an overview of the post-war period in Ukraine, highlighting the challenges and opportunities faced by the country in terms of gender equality. Then it delves into the role of international norms in shaping the gender agenda in Ukraine, in particular those established by international agreements and conventions. The article analyzes how international norms have influenced the legislative and political framework, institutional mechanisms, and public discourse on gender equality in Ukraine. Furthermore, the study explores the social aspects of the gender vector in Ukraine, including changes in societal attitudes and cultural norms toward gender roles and expectations. It investigates the impact of international norms on empowering women, promoting gender mainstreaming, and combating gender-based violence in Ukrainian society.

The economic dimension of the gender vector is also analyzed, focusing on the influence of international norms on women's participation in the labor market, access to economic opportunities, and the gender wage gap. The paper examines the role of international norms in promoting gender-responsive budgeting, entrepreneurship, and women's empowerment through economic initiatives. Finally, the political aspect of the gender vector is explored, examining the impact of international norms on women's political representation, participation in decision-making processes, and the creation of gender-sensitive governance structures. The study assesses the extent to which international norms have influenced political reforms and the integration of a gender perspective in political institutions and practices.

Overall, this analysis demonstrates the significant role played by international norms in shaping the gender vector of Ukraine in the post-war period. It underscores the importance of aligning national policies and practices with international standards to achieve gender equality. The findings of this study contribute to a better understanding of the complex interplay between international norms and the gender dynamics in post-war societies, offering insights for

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policymakers, researchers, and advocates working towards advancing gender equality in Ukraine and beyond.

Keywords: *international norms, gender vector, Ukraine, the post-war period, social aspects, economic aspects, political aspects, gender equality.*

Introduction. The post-war period in Ukraine presents a critical juncture for addressing gender equality and promoting women's rights in the country. In the aftermath of conflict and instability, the reconstruction and development processes offer an opportunity to reevaluate social, economic, and political structures through a gender lens. The scientific problem addressed in this paper revolves around understanding the role of international norms in shaping the gender vector of Ukraine during this transformative phase.

Gender equality is not only a fundamental human right but also a key driver of sustainable development and social progress. Recognizing this, the international community has established a wide range of norms, principles, and frameworks to guide countries in advancing gender equality and women's empowerment. These international norms, rooted in various agreements and conventions, encompass diverse areas such as human rights, labor rights, political participation, and social inclusion.

Analysis of recent research and publications. NGO working group on women, peace, and security presented a gender analysis of the situation in Ukraine in April 2022, focusing on the disproportionate impact of the conflict on women and girls, particularly those from marginalized groups.

They also provided a list of recommendations to address the consequences (NGO working group on women, peace and security, 2022). UN organization "UN Women" dedicated to gender equality and the empowerment of women highlighted several key points regarding gender equality and the impact of the ongoing conflict in Ukraine from 2020 to 2022 (UN Women – Europe and Central Asia, n.d.).

The purpose of the article. Analyze the role of international norms in shaping the gender vector of Ukraine in the post-war period, specifically focusing on the social, economic, and political aspects. Highlight exactly how international norms influence the policy and practice of gender equality in Ukraine, and investigate this influence on various dimensions of Ukrainian society. By examining the interplay between international norms and gender dynamics in post-war societies, the article seeks to provide insights for policymakers, researchers and advocates working towards advancing gender equality in Ukraine and beyond.

Formulation of the main material. The conflict in Ukraine has not only caused immense human suffering and economic devastation but has also had far-reaching implications for gender equality in the country. In the post-war period, it becomes crucial to examine the role of international norms in shaping the gender landscape of Ukraine. This article aims to analyze the social, economic, and political aspects of Ukraine's gender vector, considering the influence of international norms and the challenges that lie ahead.

The mechanism for implementing gender equality ensures equal rights and opportunities for all individuals, regardless of gender, without any restrictions or privileges. It includes methods such as creating and enforcing laws that prevent discrimination, monitoring compliance with anti-discrimination requirements, providing channels for reporting and addressing discrimination, supporting motherhood and childhood, implementing measures for labor protection and women's health, and evaluating the effectiveness and legality of state authorities' actions (Rezvorovych, 2021).

In order to address the challenges that lie ahead, Ukraine must continue to align its policies and practices with international norms on gender equality. This involves not only enacting and enforcing legislation that protects the rights of all individuals, regardless of gender, but also working towards changing societal attitudes and norms that perpetuate gender inequality. It is crucial for the government and civil society organizations to collaborate in implementing comprehensive strategies that promote gender equality and empower women economically, socially, and politically.

The economic consequences of the conflict have had a profound impact on gender equality in Ukraine. The disruption of economic flows, the destruction of infrastructure, and the decline in GDP have affected women's economic participation and worsened gender disparities. Efforts should be made to restore the economy in a gender-responsive manner by ensuring equal access to employment opportunities, entrepreneurship, and financial resources. The international community can provide support through development programs that prioritize women's economic empowerment and promote inclusive growth.

The impacts of war are disproportionately felt by specific vulnerable groups, namely women, children, and individuals with disabilities. Since the initiation of russia's full-scale invasion of Ukraine, the United Nations has confirmed the tragic deaths of at least 2,296 women and girls as of the beginning of 2023. However, the actual number is expected to be significantly higher. Among the 7.9 million people who have been compelled to seek refuge in other countries, women and their children make up 90 percent of this population. Within Ukraine itself, 68 percent of internally displaced individuals are women, many of whom have experienced the loss of their homes and jobs, while lacking access to essential social services and protection. One year into the conflict, the dire situation resulted in 7.8 million women and 2 million girls requiring urgent assistance in the country (UN Women – Europe and Central Asia, n.d.).

Gender equality is a fundamental human right and a key driver of social and economic development. Ukraine can create a more inclusive and equitable environment for women, enabling them to fully participate and thrive in the economy:

1. Establish policies and initiatives aimed at achieving gender equality in the labor market. Encourage employers to adopt fair compensation practices, eliminating any wage gaps based on gender. Eliminate discriminatory hiring practices and foster an inclusive work environment that accommodates the diverse needs of women, including providing maternity leave and supporting access to affordable childcare services.

2. Develop programs that enable women entrepreneurs to access funding, receive business training, and benefit from mentorship opportunities. Provide specific assistance and resources tailored to women-owned businesses, such as access to markets, networks, and support services.

3. Promote financial literacy and equal access to banking, credit, insurance, and tailored financial services to empower women economically.

4. Rebuild and prioritize essential social services, including schools, healthcare facilities, and support services, considering the specific needs of

women, children, and individuals with disabilities.

5. Provide comprehensive assistance, including housing, healthcare, legal aid, and psychosocial support, to internally displaced women. Address their specific challenges and ensure their participation in decision-making processes.

6. Prioritize gender-responsive budgeting to allocate resources equitably, address women's needs, and evaluate the impact on gender equality.

By implementing these recommendations, Ukraine can make significant progress in promoting gender equality in economic aspects and ensure that women are empowered to actively participate in and benefit from the country's economic recovery and development.

In the aftermath of the conflict, Ukraine faces significant social challenges that impact gender equality. Displacement, trauma, and the breakdown of social structures have disproportionately affected women and girls, particularly those from marginalized groups. International norms, such as the Istanbul Convention, provide a framework for addressing violence against women and domestic violence. The Convention represents a pioneering European measure designed to address gender-based violence effectively. Its primary objective is to establish legal frameworks that prevent such violence, ensure the protection of victims, and impose appropriate penalties on perpetrators. The Convention outlines clear guidelines and obligations for countries to proactively prevent and combat violence targeting women and domestic settings (European Disability Forum, 2022). The ratification of the convention by Ukraine demonstrates a commitment to protecting women's rights and fostering a safe society for all.

Gender-based violence is exacerbated in conflict-affected areas due to factors like insecurity, weakened rule of law, widespread impunity, distrust in occupying authorities, and the stigma surrounding disclosing incidents of sexual violence (Women in Ukraine face grave risks as russia's full-scale invasion enters its second year, 2023). During conflicts, women and girls are at a higher risk of experiencing gender-based violence including being killed, tortured, sexually assaulted, and forced into marriage. Sexual violence is often used as a deliberate strategy in warfare, primarily targeting women and girls. However, it's important to note that men and boys can also be victims of sexual violence, particularly in situations of detention. Moreover, post-conflict societies witness a surge in gender-based violence due to factors such as the breakdown of the rule of law, easy access to weapons, disrupted social and family structures, and the normalization of such violence, which further exacerbates pre-existing discrimination. Additionally, trafficking is intensified during and after conflicts due to political, economic, and social upheavals, heightened violence, and increased militarization (United Nation Human Rights, n.d.).

There is a need for comprehensive measures to address the specific social aspects in the post-war period. Following recommendations highlight key areas for Ukraine to focus on, including access to justice, support services, prevention and awareness, and international cooperation:

1. Ukraine should place a high priority on establishing dedicated courts or tribunals that specifically deal with cases of gender-based violence. These specialized judicial bodies would ensure that survivors of such violence can access justice in a fair and timely manner. It is crucial to provide legal aid and support services to victims, adopt a survivor-centered approach throughout the legal process, and actively address the problem of impunity by ensuring that

perpetrators are held accountable for their actions.

2. Ukraine must make significant investments in holistic support services for survivors of gender-based violence. It is essential to establish and secure funding for shelters, counseling centers, and helplines that offer immediate aid, psychological support, and rehabilitation programs. These vital services should be easily accessible to all survivors, irrespective of their geographical location or socio-economic status, with special attention given to marginalized communities that are at higher risk.

3. Ukraine should prioritize the implementation of nationwide awareness campaigns aimed at challenging and changing societal norms and stereotypes that contribute to gender-based violence. Educational initiatives should be introduced in schools, universities, and communities to foster gender equality, promote respect, and encourage non-violent approaches to conflict resolution. It is crucial to incorporate comprehensive sexual education programs that address topics such as consent, healthy relationships, and violence prevention.

4. Ukraine should actively seek and foster international cooperation, collaborating with other countries that have experienced similar post-conflict challenges. By engaging with international organizations, civil society groups, and regional initiatives, Ukraine can access valuable support, resources, and expertise in addressing gender-based violence and advancing gender equality.

By implementing these recommendations, Ukraine can make significant progress in addressing the social challenges faced by women and girls in the aftermath of the conflict. By prioritizing gender equality, promoting women's rights, and ensuring access to justice and support services, Ukraine can build a safer and more inclusive society for all its citizens.

Women's rights are often overlooked and marginalized in Ukraine, as well as in many other parts of the world. A notable instance is the limited opportunities available to women in Ukraine to actively participate in political affairs, thereby hindering their ability to shape and advocate for their own priorities and concerns (Kachynska, 2018). Political participation and representation of women remain critical aspects of gender equality in post-war Ukraine. Despite some progress, women's political participation still lags behind international standards. Enhancing women's presence in decision-making positions is crucial for promoting inclusive governance and ensuring that women's voices are heard in post-war reconstruction efforts. International norms, such as United Nations Security Council Resolution 1325, call for women's meaningful participation in peacebuilding and conflict resolution processes. This document highlights the crucial involvement of women in the prevention and resolution of conflicts, peace negotiations, peacekeeping operations, humanitarian responses, and post-conflict reconstruction. It emphasizes the equal participation of women in all endeavors related to maintaining peace and security. A primary objective of the resolution is to enhance the representation of women in UN peace and security initiatives, while also integrating gender perspectives.

It explicitly calls for concrete actions to safeguard women and girls from gender-based violence, particularly rape and other forms of sexual abuse in times of armed conflict (Office of the special adviser on gender, n.d). Strengthening the implementation of such norms can contribute to a more inclusive political landscape in Ukraine. Women are active agents in both war and peace; they can be both victims and perpetrators of violence, as well as agents of change in peaceful conflict resolution. Women contribute to human security in their local communities, as well as at national, regional, and international levels (The Global Partnership for the Prevention of Armed Conflict, n.d).

The promotion of gender equality and women’s rights is a crucial aspect of post-war recovery in Ukraine. Despite the progress made, women continue to face significant challenges in political participation and representation. This set of recommendations aims to address these issues by prioritizing women’s political empowerment, enforcing gender equality legislation, challenging gender stereotypes, creating support networks, promoting inclusive decision-making processes, and seeking international cooperation:

1. Ukraine should place a strong emphasis on promoting and increasing women’s political participation and representation across all levels of governance. To achieve this, it is crucial to implement measures such as introducing gender quotas or targets for political party candidate lists. Furthermore, empowering women’s leadership within political parties and establishing mentorship and training programs will provide the necessary resources and support for women to actively engage in political affairs.

To further enhance women’s political participation and representation in Ukraine, it is recommended to strengthen the implementation and monitoring of the existing gender quota of 70/30 for political party candidate lists. This should be accompanied by empowering women’s leadership within political parties through mentorship programs and creating opportunities for them to participate in decision-making processes. Additionally, capacity building and training programs should be developed, focusing on political leadership and skills specific to women. Promoting a gender-sensitive political culture, sharing best practices, and conducting research and data collection will contribute to creating a more inclusive and equitable political landscape in Ukraine (Anisimova, 2023).

2. Ukraine must prioritize the effective enforcement of gender equality legislation to ensure equal opportunities for women in political participation. This entails addressing discriminatory practices and removing barriers that hinder women’s access to decision-making positions. To monitor progress and identify areas requiring improvement, it is crucial to establish robust monitoring and reporting mechanisms. By doing so, Ukraine can proactively work towards creating a more inclusive political environment that upholds gender equality.

3. Ukraine should undertake nationwide awareness campaigns aimed at challenging and transforming gender stereotypes, while highlighting the significance of women’s political participation. It is essential to implement educational programs in schools and universities that foster gender equality values and inspire young women to actively engage in politics. Collaborating with civil society organizations and the media can play a pivotal role in reshaping societal attitudes, recognizing the valuable contributions of women in political spheres, and promoting a culture that values gender equality.

4. Ukraine should establish robust support networks and platforms that promote collaboration and the exchange of information among women in politics. These networks can serve as valuable sources of mentorship, peer support, and skill development opportunities. By creating a supportive environment, women in politics can overcome challenges, share their experiences, and collectively advocate for policies and initiatives that prioritize

gender equality. These networks play a crucial role in empowering women and fostering a strong community of female leaders in political spheres.

5. Ukraine should actively promote inclusive and participatory decision-making processes that embrace diverse perspectives, including those of women and marginalized groups. It is crucial to foster dialogue and consultation with women's organizations and civil society groups, ensuring that their voices are not only heard but also incorporated into post-war reconstruction efforts and policymaking. By prioritizing inclusivity, Ukraine can create more effective and equitable policies that address the needs and aspirations of all segments of society, contributing to a more sustainable and inclusive post-war landscape.

6. Ukraine should actively seek and foster international cooperation to enhance women's political participation in the post-war period. This can be achieved through collaborations with international organizations, donors, and regional initiatives. By leveraging these partnerships, Ukraine can access valuable resources, expertise, and best practices that support women's political empowerment and advance gender equality. Engaging with the international community will contribute to the exchange of knowledge and experiences, fostering a more inclusive and effective approach to promoting women's rights in the political sphere.

By implementing these recommendations, Ukraine can work towards creating a more inclusive and representative political landscape, where women's voices are heard, their concerns are addressed, and their active participation in decision-making processes is valued. This will contribute to a more equitable and gender-responsive post-war society.

Despite the russian invasion in 2022, the Ukrainian government remained committed to gender-responsive budgeting. They prioritized gender equality even during the management of public finances in the crisis. The Ministry of Finance consistently requested gender-responsive budget proposals from line ministries, ensuring fair distribution of limited crisis funds. The government's dedication is reinforced by the State Strategy for equal rights and opportunities, along with its operational implementation plan. Challenges in integrating gender analysis into financial processes are being addressed through combined finance and gender expertise. These efforts set the stage for the effective application of gender-responsive budgeting in the post-war recovery and reconstruction (Meyer, 2023).

Looking ahead to the post-war recovery and reconstruction phase, the government's dedication to gender-responsive budgeting will be crucial. By applying gender analysis to the allocation of resources during this phase, the government can ensure that the specific needs and priorities of women and marginalized groups are not overlooked. This approach will contribute to a more inclusive and equitable recovery process, fostering social cohesion and sustainable development.

Overall, the Ukrainian government's unwavering commitment to gender-responsive budgeting during the crisis exemplifies its determination to promote gender equality and prioritize the well-being of all citizens, even in challenging circumstances. By incorporating gender considerations into financial decision-making, the government sets the stage for a more inclusive and just society, both during the crisis and in the subsequent recovery and reconstruction efforts.

Conclusions. The conflict in Ukraine has had significant and far-reaching implications for gender equality in the country. The economic consequences of the conflict have worsened gender disparities, affecting women's economic participation and access to employment opportunities. The war has disproportionately impacted vulnerable groups, such as women, children, and individuals with disabilities, resulting in tragic deaths, displacement, and loss of essential social services. The breakdown of social structures and the prevalence of violence against women pose significant social challenges that hinder gender equality. International norms and frameworks, such as the Istanbul Convention and UN Security Council Resolution 1325, provide guidelines and obligations for addressing gender-based violence, protecting women's rights, and promoting women's meaningful participation in decision-making processes. The ratification of the Istanbul Convention demonstrates Ukraine's commitment to fostering a safe society and preventing violence against women.

Despite the challenges, the Ukrainian government has shown dedication to gender equality by prioritizing gender-responsive budgeting and integrating gender analysis into financial processes even during the crisis. This commitment sets a foundation for effectively applying gender-responsive approaches in the post-war recovery and reconstruction efforts. Moving forward, it is crucial to continue implementing and strengthening international norms and frameworks, address the root causes of gender inequality, support women's economic empowerment, ensure the provision of essential social services, and promote women's meaningful participation in political affairs. By addressing these challenges and supporting gender equality, Ukraine can build a more inclusive and resilient society in the aftermath of the conflict.

Furthermore, the post-war period in Ukraine presents an opportunity to address the underlying societal factors that perpetuate gender inequality. It is essential to recognize that gender equality is not just a matter of laws and policies but also involves changing social norms and attitudes. Efforts should be made to challenge traditional gender roles and stereotypes that limit women's opportunities and hinder their full participation in various spheres of life.

Additionally, the empowerment of women in economic and entrepreneurial activities is essential for sustainable development and gender equality. This can be achieved through targeted interventions, such as providing access to financial resources, promoting entrepreneurship training, and creating supportive environments for women to start and grow businesses. The international community can play a significant role in supporting these efforts by providing technical assistance, financial resources, and capacity building.

Conflict of Interest and other Ethics Statements
The author declares no conflict of interest.

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Кристина РЕЗВОРОВИЧ

МІЖНАРОДНІ НОРМИ ТА ЇХНЯ РОЛЬ ЩОДО ФОРМУВАННЯ ҐЕНДЕРНОГО ВЕКТОРА УКРАЇНИ В ПІСЛЯВОЄННИЙ ПЕРІОД: АНАЛІЗ СОЦІАЛЬНИХ, ЕКОНОМІЧНИХ І ПОЛІТИЧНИХ АСПЕКТІВ

Анотація. В цій роботі розглядається роль міжнародних норм у формуванні ґендерного вектора України в післявоєнний період з акцентом на аналізі соціальних, економічних і політичних аспектів. Дослідження підкреслює значення міжнародних норм для впливу на політику й практику ґендерної рівності в Україні й розглядає питання, як ці норми відбиваються на різних аспектах життя українського суспільства.

Аналіз починається з огляду повоєнного періоду в Україні, з висвітлення викликів і можливостей, з якими стикається країна у сфері ґендерної рівності. Потім ми заглиблюємось у роль міжнародних норм у формуванні ґендерного порядку денного в Україні, зокрема тих, що встановлені міжнародними угодами й конвенціями. В статті проаналізовано, як міжнародні норми вплинули на законодавчу й політичну базу, інституційні механізми й публічний дискурс про ґендерну рівність в Україні.

Крім того, дослідження вивчає соціальні аспекти ґендерного вектора в Україні, в тому числі й зміни ставлення суспільства й культурних норм, в яких зафіксовано ґендерні ролі й очікування. Відстежується вплив міжнародних норм на розширення прав і можливостей жінок, просування ґендерного мейнстримінгу й боротьбу з ґендерним насильством в українському суспільстві.

Проаналізовано також економічний вимір ґендерного вектора з акцентом на впливі міжнародних норм на участь жінок на ринку праці, на доступ до економічних можливостей і ґендерний розрив в оплаті праці. Досліджується їхня роль у просуванні ґендерно-орієнтованого бюджетування, підприємництва й розширення прав і можливостей жінок завдяки економічним ініціативам.

Насамкінець розглядається політичний аспект ґендерного вектору – вплив міжнародних норм на політичне представництво жінок, їхню участь у процесах прийняття рішень і створення ґендерно-чутливих управлінських структур. У розвідці оцінюється ступінь впливу міжнародних норм на політичні реформи й інтеграцію ґендерної перспективи в політичні інститути і практики.

Загалом цей аналіз демонструє значну роль міжнародних норм у формуванні ґендерного вектору України в післявоєнний період. Він підкреслює важливість погодження національної політики й практик з міжнародними стандартами для досягнення ґендерної рівності. Результати цього дослідження сприяють кращому розумінню складного взаємозв'язку між ґендерною динамікою й міжнародними нормами в повоєнних суспільствах, пропонуючи інформацію для політиків, дослідників й активістів, які працюють над просуванням ґендерної рівності в Україні й за її межами.

Ключові слова: *міжнародні норми, ґендерний вектор, Україна, післявоєнний період, соціальні аспекти, економічні аспекти, політичні аспекти, ґендерна рівність.*

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THE INFLUENCE OF SOCIAL STANDARDS AND SOCIAL GUARANTEES ON IMPROVING THE QUALITY OF LIFE OF CITIZENS: LEGAL ANALYSIS AND SOCIO-ECONOMIC CONSEQUENCES

Abstract. This article makes an essential contribution to the understanding and analysis of social standards and guarantees in an international legal context, focusing on theoretical and legal aspects. The experience of two influential regions – the European Union and the United States of America – in the context of ensuring social standards and guarantees is considered in detail. The article conducts a comparative analysis of the state's role in ensuring social standards. It demonstrates how the EU and the US develop their systems, providing citizens access to education, healthcare, and other social services. Particular attention is paid to the functioning of healthcare systems in both regions. Key aspects that help to ensure efficient and equal provision of medical services to citizens are identified. The article analyzes in detail measures designed to

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provide social inclusion and equality. This includes initiatives to protect the rights of minorities, create equal opportunities, and ensure participation in society for all sections of the population. Issues of support for the most vulnerable groups are also adequately studied, emphasizing programs and initiatives to improve their situation and to provide them with equal opportunities. A separate section is devoted to tax policy and financing. The article's authors analyze the taxation systems in the EU and the USA, determining their influence on the funding of social programs and the development of state initiatives. The article's conclusions emphasize the importance of interaction between the state, civil society, and business to ensure sustainable social development. The exchange of experience between the EU and the USA is an essential factor for solving common challenges and promoting the development of effective strategies in the field of social security.

Keywords: *social standards, social guarantees, international experience, role of the state, EU, USA.*

Introduction. In a globalized society, where economic and socio-cultural interactions are becoming increasingly important, the state's role in shaping and ensuring social standards is becoming a key component of sustainable development. The European Union and the United States of America, as two major world powers, not only act as decisive participants in this process but also provide vital experience for understanding and improving social security mechanisms.

This article examines the state's role in ensuring social standards, focusing on the theoretical and legal aspects of this phenomenon and studying the experience of the European Union and the United States of America. The analysis will take place at the level of the legislative framework, the health care system, support for the most vulnerable groups, social inclusion and equality, as well as tax policy and financing. By comparing the two regional approaches, we aim to identify best practices, identify challenges, and understand how states influence the social development of their citizens.

This topic provides an opportunity to dive into the complex world of social law and to study how states form policies aimed at the harmonious development of society. Analysis of the experience of the EU and the USA will reveal the key challenges countries face in implementing social standards. It will guide us toward a fairer and more effective social security.

Analysis of recent research and publications. In the light of constant changes in the political, economic, and socio-cultural context of the current century, the issues of social standards are becoming one of the most relevant and discussed topics. In the growing interaction of international citizens, regulation of social aspects is becoming a task facing many world countries. In this context, it is essential to examine how states define and enforce social standards, adapting their approaches to this issue (Nalyvaiko, 2023).

Given the wide range of factors that affect social standards, the European Union and the United States of America represent two distinct models for managing this issue. On the one hand, the EU is defined by its high degree of social protection, a universal health care system, and active measures to guarantee equality and inclusion. On the other hand, the United States of America, with its multi-layered healthcare system and strong private sector, provides a different approach to social support for citizens.

The purpose of the article. This article aims to analyze how the state's role determines and shapes social standards, studying theoretical and legal aspects of the example of the European Union and the United States of America. Emphasizing the differences and similarities in their approaches will help determine the prospects and challenges facing modern states in achieving social justice and harmonious development. Having plunged into theoretical and legal analysis, we intend to determine how various strategies can improve citizens' living conditions and create a stable foundation for further social development.

Formulation of the main material. In ensuring social standards, the healthcare system is a critical aspect that directly affects the population's quality of life. A comparison of the healthcare systems of the European Union and the United States of America reveals excellent differences in approaches to providing medical care and guaranteeing its availability.

In most EU countries, the universal medical care model operates, providing free or affordable access to essential medical services for all. This system is based on the principles of solidarity and equal rights of citizens to medical care. Basic services, such as doctor's visits, treatment, and hospitalization, are provided at the expense of taxation and social contributions. This creates high accessibility for the population and promotes disease prevention and effective treatment (Bosak, 2022).

In the United States, the health care system differs from the rich taxonomy. Health care is often provided through a system of insurance companies, employers, or other parties that finance health care services. Obtaining medical care can be costly and time-limited for citizens without insurance or in difficult financial circumstances. A wide range of payments and excessive bureaucratic regulation can create difficulty in accessing medical services (Stetsenko, 2013).

Comparing the two systems, it can be determined that the healthcare system in the European Union is aimed at providing all citizens with equal opportunities to receive medical care. Although high-tech health services exist in the United States, access to them can be limited due to financial barriers.

In the context of social standards, the healthcare system is a critical component that demonstrates how the state determines its priorities regarding public health. The state's role in the European Union is to create a system that maximizes equality and accessibility, supporting universal access and the universal nature of medical care. In the US, the emphasis is more often on the insurance system and private payments, reflecting different approaches to balancing health care's public and private sectors.

The healthcare system also has a significant impact on the economy and society as a whole. In the European Union, the universal health care model helps to reduce the costs of secondary and tertiary care, as the main emphasis is on prevention and early detection of diseases. This contributes to increasing the productivity of citizens and reducing absenteeism.

In the United States, where the cost of health care can be significant, having adequate insurance and accessing health care can be a challenge for particular social groups. This can lead to decreased productivity due to untimely treatment and lack of opportunity for medical advice.

The health care system directly affects social standards, as it determines access to services, particularly the provision of medical care and its quality. In the European Union, where social justice and equality are substantial, the healthcare system serves as a tool to ensure equal opportunities for all sections of the population.

In the United States, the difference in approaches to the health care system can create significant social inequalities since access to quality medical care can depend on the financial status of citizens. This raises questions about social justice and equal opportunities for all members of society.

In the context of the future development of healthcare systems, both models have their challenges. In the European Union, it is essential to ensure the stability and financial sustainability of the universal system, especially in the context of demographic changes. In the United States, it is necessary to develop a plan to provide all citizens with access to quality medical care without significant financial difficulties.

The conclusion is that the health care system is critically important in forming social standards. The state determines its priorities and values by choosing a system that provides citizens access, quality, and equality in medical care.

Social inclusion and equality are critical concepts in ensuring social standards. Analyzing the experience of the European Union and the United States of America in these aspects, it is possible to discover how states contribute to the creation of a just and inclusive society through legal and theoretical frameworks.

In the EU, the emphasis is on creating conditions for the active participation of all citizens in society. Anti-discrimination policies that protect the rights of minorities, as well as initiatives to promote equality and inclusion, define strategic goals. Programs aimed at supporting persons with disabilities and other vulnerable groups are implemented to create a fairer and more democratic society (Kudryachenko, 2008).

In education and employment, initiatives aim to ensure equal opportunities and access to the labor market. Legislative acts that guarantee equal rights in all spheres of life help to create an inclusive society where every citizen feels their importance and the opportunity to develop (Cherlenyak, 2008).

In the US, the concept of social equality and inclusion also occupies an important place in legislation and social programs. Federal laws such as the Civil Rights Act and the Americans with Disabilities Act aim to protect the rights of minorities and guarantee equal opportunities in all aspects of life.

In employment, state and federal government agencies determine affirmative action initiatives and policies aimed at reducing social inequalities. Organizations and non-profit foundations are actively involved in projects to improve vulnerable population groups’ situation and support their social development.

Despite the achievements, both regions face challenges in social equality and inclusion. In the European Union, there is a need for additional measures to protect the rights of minorities and ensure equal opportunities in all member states.

In the United States, stratification and social differences may be a significant challenge, and the social equity system may need strengthening. Balancing support measures for vulnerable groups and healthy community development is essential.

Critical legal norms and policies generally determine the state’s role in ensuring social inclusion and equality to create a fair and inclusive society. Further development of these aspects will require joint efforts of citizens, government, and public organizations to achieve sustainable social equality and inclusion in both regions (Maksymchuk, 2006).

Promoting social inclusion and equality is inextricably linked to economic development. In the European Union, inclusive programs and equal conditions for all citizens create conditions for more efficient use of human capital, ensuring more sustainable and stable economic growth. Emphasis on equality can contribute to increased work productivity and the development of new ideas and initiatives.

In the United States, where diversity is a crucial feature of society, equality and inclusion are fundamental to creating an innovative and competitive economic environment. Giving all citizens equal access to education, health, and labor market opportunities contributes to balanced and sustainable economic growth.

Social inclusion and equality are also closely related to the healthcare system. Ensuring equal access to medical services and healthcare programs for all citizens in both regions is essential. Measures aimed at reducing social inequalities can positively impact the health of the population and reduce the costs of the healthcare system as a result of preventing diseases and improving the overall quality of life (Kovtun, 2022).

One of the challenges is to identify and address structural inequalities that can hinder social inclusion and equality. Ensuring equal opportunities in all areas of life, including education, employment, housing, and health care, will require an active role of the state in implementing effective policies and programs.

It is also important to improve mechanisms for monitoring and evaluating the results of inclusion and equality measures for continuous improvement of strategies and policies. Engaging the public, civil society organizations, and the business sector in partnership with the government can help address challenges and accelerate achieving inclusive and equitable socio-economic development (Radaev, 2021).

The effectiveness of legislative and social measures in each region largely determines social inclusion and equality. The interaction of these principles with socio-economic development and the health care system reveals key aspects of forming a sustainable and inclusive society. Overcoming challenges in these areas will require systemic solutions to support all segments of the population and ensure conditions for their full participation in socio-economic life.

Supporting the most vulnerable populations is an important aspect of social standards in the European Union and the United States of America. A special focus on these groups helps to solve social problems and identify support mechanisms that ensure their inclusion in society and reduce the risks of exclusion and social inequality.

In the EU, several initiatives and programs determine support for the most vulnerable groups. These include measures for social housing, provision of the lowest incomes, and educational and professional opportunities for vulnerable populations. Social programs are aimed at improving the situation of children, the elderly, people with disabilities, and other categories that find themselves in difficult life circumstances (Boychuk, 2014).

In health care, the most vulnerable groups are given access to accessible or affordable medical services, and projects for the prevention and treatment of diseases are implemented, which is especially relevant in connection with the health of these population categories.

Various programs and organizations in the US pay attention to the most

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vulnerable groups. Federal and state initiatives, such as Medicaid and Supplemental Security Income, aim to provide financial and medical support to low-income people, people with disabilities, and other vulnerable populations.

Civil society organizations and charitable foundations also play an important role in providing support. Accessible or affordable food, housing, education, and health care programs give the most vulnerable a chance for a better life and more active social participation (Button, 2021).

Support for the most vulnerable groups in both regions is determined by ensuring equal opportunities and justice. Interventions aimed at supporting these groups must take into account their unique needs and take into account socio-cultural characteristics. Legal frameworks, anti-discrimination policies, and social control mechanisms are essential in creating a just and equal society. In general, supporting the most vulnerable groups is necessary to create a socially just society where every citizen has equal access to opportunities and resources to achieve their potential.

Tax policy and financing are vital in ensuring social standards in the European Union and the United States of America. These aspects determine how the state collects funds for implementing social programs, including the health care system, education, social services, and support for the most vulnerable groups.In the EU, the tax system is often characterized by a high level of taxation, especially for high-paying jobs and large corporations. Taxes are used to fund social programs, including health care and education. Progressive income taxes can help reduce social inequalities.

Much attention is paid to consumption taxes, which can be used to raise funds for various social programs. In addition, the EU often uses innovative taxes, such as a carbon tax, to encourage environmental responsibility. In the US, the taxation system is determined at the level of the federal and state governments. Income, corporate, and consumption taxes are the primary funding sources for government programs.

Compared to many EU countries, the overall level of taxation in the US can be lower, and the progressivity of income taxes can vary depending on political decisions. In addition, the American system has its characteristics, such as a high degree of regulation of tax freedoms and exceptions for different population groups and sectors of the economy.

Tax collection is a key financing mechanism for social programs in both regions. In the European Union, high taxation and progressive taxes make it possible to provide various social services and guarantee broad access for citizens to medical care, education, and other social benefits. In the United States, where the tax model may be less progressive, the state’s role in social security may be more minor, and reliance on private initiatives and social organizations may be more significant.

One of the challenges is finding a balance between the need to finance social programs and minimizing tax pressure on citizens and businesses. In economic difficulties or crises, states must effectively manage budgetary resources, ensuring the stability of social programs and support for the most vulnerable sections of the population.

Further development of these aspects will require attention to financial innovations, transparency in using budget funds, and effective communication with the public regarding financial mechanisms and tax policy goals. Ensuring sustainable sources of funding for social standards remains an urgent task for both regions and solving this issue will determine the possibilities of realizing social goals in the future.

Conclusions. The article considered social standards and social guarantees as objects of legal support, focusing on theoretical and legal aspects in the context of international experience, particularly the European Union and the United States of America.

Both regions define the state as a key agent in ensuring social standards. The European Union emphasizes the creation of an inclusive society through anti-discrimination policies and programs of equal opportunities. In the US, diversity is emphasized through federal and state equality initiatives and affirmative action. In both regions, healthcare systems play a crucial role in providing social guarantees. The EU and the US are considering mechanisms to ensure access to medical care and the development of citizens' health.

Both regions recognize the importance of social inclusion and equality. The EU has developed programs to support vulnerable groups, emphasizing equal opportunities and social participation. The US emphasizes legislation and initiatives aimed at protecting the rights of minorities and promoting social equality. Both regions are improving support mechanisms for the most vulnerable groups. In the EU, this is done through social programs and initiatives, and in the US, through federal and state initiatives, as well as the work of civil society.

Taxation determines the financing of social programs. In the EU, high taxation and progressive taxes contribute to providing various social services. The system has its peculiarities in the US, such as multiple state rules and tax exemptions.

Ensuring social standards and guarantees is a complex task that requires the interaction of the state, civil society, and business. The exchange of experience between the European Union and the United States allows for identifying effective practices and solving social development and justice challenges. Measures aimed at overcoming inequalities and ensuring equal opportunities for all citizens determine the further development of society in the direction of sustainable social progress.

Conflict of Interest and other Ethics Statements
The authors declare no conflict of interest.

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Ігор НАЛИВАЙКО, Роберт В. МакГІ

ВПЛИВ СОЦІАЛЬНИХ СТАНДАРТІВ ТА СОЦІАЛЬНИХ ГАРАНТІЙ НА ПІДВИЩЕННЯ ЯКОСТІ ЖИТТЯ ГРОМАДЯН: ПРАВОВИЙ АНАЛІЗ ТА СОЦІАЛЬНО-ЕКОНОМІЧНІ НАСЛІДКИ

Анотація. Ця стаття робить суттєвий внесок у розуміння та аналіз соціальних стандартів і гарантій у міжнародно-правовому контексті, зосереджуючись на теоретичних і правових аспектах. Детально розглянуто досвід двох впливових регіонів – Європейського Союзу та Сполучених Штатів Америки – у контексті забезпечення соціальних стандартів і гарантій. У статті проведено порівняльний аналіз ролі держави в забезпеченні соціальних стандартів. Він демонструє, як ЄС і США розвивають свої системи, надаючи громадянам доступ до освіти, охорони здоров'я та інших соціальних послуг. Особлива увага приділяється функціонуванню систем охорони здоров'я обох регіонів. Визначено ключові аспекти, які допомагають забезпечити ефективне та рівне надання медичних послуг громадянам.

У статті детально аналізуються заходи, спрямовані на забезпечення соціальної інтеграції та рівності. Це включає ініціативи щодо захисту прав меншин, створення рівних можливостей і забезпечення участі в житті суспільства для всіх верств населення. Питання підтримки найбільш уразливих груп також належним чином вивчаються, наголошуючи на програмах та ініціативах, спрямованих на покращення їхнього становища та надання їм рівних можливостей. Окремий розділ присвячено податковій політиці та фінансуванню.

Автори статті аналізують системи оподаткування в ЄС та США, визначаючи їх вплив на фінансування соціальних програм та розвиток державних ініціатив. У висновках статті підкреслюється важливість взаємодії держави, громадянського суспільства та бізнесу для забезпечення сталого суспільного розвитку. Обмін досвідом між ЄС та США є суттєвим чинником для вирішення спільних завдань та сприяння розвитку ефективних стратегій у сфері соціального забезпечення.

Ключові слова: *соціальні стандарти, соціальні гарантії, міжнародний досвід, роль держави, ЄС, США.*

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MODERN ASPECTS OF THE USE OF ARTIFICIAL INTELLIGENCE BY THE ARMED FORCES OF UKRAINE UNDER MARTIAL LAW

Abstract. In today's globalized, technologized and, at the same time, unstructured world, the role of information and analytical activity is objectively growing. This is due to the martial law in Ukraine and the uncontrolled development of all processes and phenomena related to the war in Ukraine, both in the world economy and in politics around the world. The activities of any structures, and first of all the algorithm of conducting military operations by the Armed Forces of Ukraine and other militarized structures on the territory of Ukraine with the aim of liberation from the invading russia, require today the predictable development, protection from risks, dangers and challenges. Such universal tool in the information society is information-analytical activity, which is transformed into a close interaction with technical methods of supporting a full-fledged complex of conducting hostilities within the framework of a full-scale war, which is what our article focuses on.

Our research reveals the modern conditions of the technical activity of the Armed Forces, which is accompanied by the first and quick response to threats, as well as the adoption of management decisions at the command level and at the state level to ensure the stages of conducting hostilities. After all, effective decision-making, the personal life of every citizen of Ukraine, and the territorial integrity of the state, depend on the technical and predictable activity of the Armed Forces of Ukraine. Today, the state of management in the information activities of the Armed Forces of Ukraine under the conditions of martial law is characterized by an increase in specific activities that require the use of modern computer tools, the informatization of various components of their activities, the introduction of new information technologies in the collection and processing, taking into account the secret nature of this information, which requires the latest computer technology.

Keywords: *information activity, informatization of technical support, legal regime of martial law, artificial intelligence, Armed Forces of Ukraine, administrative legal support, state regulation, military administration.*

Introduction. The trend towards robotization, which has covered various aspects of human activity, is especially noticeable in the military sphere. The world's leading countries are making significant efforts to equip military units

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with robotic systems for various purposes and improve the effectiveness of their combat use.

The experience of military-technical cooperation with NATO member states and relevant partner countries shows that military analysts consider artificial intelligence as a breakthrough technology for the development of military capabilities. The introduction of artificial intelligence is an important trend in the development of battlefield and weapons control systems, in connection with the maintenance of the legal regime of martial law in the territory of Ukraine (https://zakon.rada.gov.ua/).

Analysis of recent research and publications. AI researchers are concerned that people are using the technology to get legal, medical, psychological or financial advice. The power of generalized models opens up unlimited opportunities for their application, but seriously reduces the ability of a person to perceive information. According to the scientist who researched this issue, V. Hlushkov, the structure of information and analytical activity should contain information support, information and analytical work, creation of databases, which includes information search, goals, motives, methods and methods of their implementation (Encyclopedia of Cybernetics, p.134).

The purpose of the article is to explore the modern aspects of the use of artificial intelligence by the Armed Forces of Ukraine under the conditions of martial law.

Formulation of the main material. In the field of military management, artificial intelligence technology is considered an important complement to human resources in many aspects, including: expanding situational awareness and data sharing; command of the coordinate unit; targeted; coordinate the work of sensors and means of destruction; detect and identify threats, reduce reaction time to them; evaluate the intention; selection of semi-autonomous weapons; working with fewer resources, with partial removal of a person from the decision-making process, etc. In the future, the optimal choice of a combination of sensors and means of destruction, depending on the threats, should be carried out with the help of artificial intelligence, the role of which will constantly grow both in solving the tasks of forming a situational image and supporting decision-making.

From the diagnosis of diseases to the provision of business advice, from the automation of mechanical operations to the creation of works of art – the wide possibilities of artificial intelligence have permeated all spheres of life in the twenty-first century and until now. In a rapidly changing technology landscape, cautious researchers are paying attention to the potential risks behind the benign appearance of friendly chatbots. The creators of ChatGPT claim that the development of artificial intelligence cannot be stopped. They warn of dire consequences if the process is left unchecked. Governments of leading countries regulate the market so that artificial intelligence does not become a monopoly of technological giants, as well as to protect society from potential dangers (Brusakova et al., 2022).

The development of artificial intelligence has touched every aspect necessary to create and operate artificial intelligence technologies: for manufacturers of servers, cooling systems and cables, and even for real estate owners who rent out data centers. Every year, artificial intelligence will become more deeply integrated into people's everyday life. It will become not only a source of practical knowledge, but also an important element of equipping the Armed Forces. During the war, artificial intelligence was used in completely different directions: from detecting cruise missiles to recognizing the faces of dead russians.

Conducting intelligence and information-analytical activities in the interest of preparing the state for defense is enshrined in Article 3 of the Law of Ukraine "On the Defense of Ukraine" of December 6, 1991 (https://ips.ligazakon.net/document/view/t193200). The activities of the bodies of the Armed Forces of Ukraine, which carry out intelligence activities in order to protect the national interests of Ukraine from external threats, the procedure for control and supervision of their activities, and also establish the legal status of employees of these bodies, their social guarantees are enshrined in the Law of Ukraine "On Intelligence Bodies of Ukraine" of March 22, 2001 (https://ips.ligazakon.net/document/view/t0123313).

Three major and effective AI systems are currently in use at the forefront: the Delta National Military Platform, Clearview AI software, and Zvook software and hardware.

First, we want to look at drones that use AI systems to track and disable enemy equipment. Now we have a national military platform "Delta" that meets NATO standards. It was transferred to the Ministry of Defense in the fall of 2022. With the help of such a platform, it is possible to determine the position of the enemy on a digital map.

On February 4, 2023, the Cabinet of Ministers of Ukraine officially allowed the Ukrainian army to use the Delta platform. It was used earlier, but only by individual units. Now all forces involved in the defense of Ukraine will be able to use it. A situational awareness platform is a system that provides insight into the tactical and operational situation on the battlefield at a specific moment in time. The information is primarily intended for commanders of the highest and middle ranks, writes the BBC (Moroz, 2022).

How it works – it's basically a web service with an interactive map. It displays processed data from dozens of sources: satellite images of reconnaissance UAVs, radio intercepts, etc. In addition, it meets all NATO standards, so it can exchange data with similar platforms serving the North Atlantic Alliance. Access can be obtained from a phone, tablet or computer.

That is, no special equipment is required – only an Internet connection. Delta is used to plan combat operations and missions, coordinate with other units, securely share information about enemy positions, and more. For example, this system was one of the elements of the operation to sink the flagship of the Black Sea Fleet of the russian federation "Moscow", and was also used in the operation to liberate Zmiiny Island.

The Delta development team has repeatedly become the winner of the Hackathon. Since the beginning of the full-scale invasion, she has not just participated in the competition, but has shared her experience in order to increase the contribution to the overall security (https://zakon.rada.gov.ua/laws/). Few people in the world have the experience of building and using such systems in the conditions of a full-scale war on the territory of Ukraine.

Another artificial intelligence that we want to look at and help in wartime is the facial recognition system developed by the American company ClearView AI. With its help, the dead russians are identified, then their families are notified of their death. This system has access to 10 billion photos posted on social networks (https://zakon.rada.gov.ua/laws/). In addition, this technology is partially used at roadblocks or roadblocks.

In more detail, we would like to analyze some information about this technology, which is considered illegal in the world. Facebook, YouTube, LinkedIn and Twitter refuse to cooperate with the American startup Clearview AI. For what? The company collects millions of photos from social networks without permission and uses them for facial recognition. During the war, the startup gave its technology to Ukrainians for free, so although it helped the Ukrainian military a lot, so let’s talk more about how dangerous is it.

The world first learned about the Clearview AI startup from an investigation by The New York Times in 2020. An unknown company founded by Australian developer Hoan Ton-To and American politician Richard Schwartz has created facial recognition technology used by police in the United States. To identify a person, the Clearview AI algorithm compares his image with photos in a database that contains more than 10 billion photos, the recognition accuracy is 99.6 %. Clearview AI software is usually used by law enforcement agencies in the US to identify criminals, but back in 2020, BuzzFeed News journalists learned about the company’s plans to expand to 22 international markets, including Ukraine.

This artificial intelligence technology with Clear view AI software is used in many areas of life and has many uses for Clear view AI, but the company does not openly talk about it. But the exception for Ukraine is the use of technology by the Ministry of Internal Affairs to identify russian servicemen killed or captured in Ukraine, to reunite refugees separated from their families, to identify Russian servicemen and to expose fake posts about the war in social networks. Networks (http://www.uintei.kiev.ua/).

Although many global experts on digital security criticize this company and consider its use by the Armed Forces during a large-scale invasion of the territory of Ukraine an irreparable mistake that causes an error in the process of facial recognition and the police can arrest innocent people, since of course a soldier’s face can be scanned incorrectly, but it is never used as a source of unique identification. Therefore, this artificial intelligence technology with the help of Clear view AI software still gives many advantages to the Armed Forces of Ukraine on the battlefield.

And finally, in our work, we want to look at artificial intelligence technologies that help detect cruise missiles, drones, helicopters and fighter jets. Today, this is possible thanks to the combination of Zvook hardware and software - a machine learning technology that allows you to recognize the engine sounds of enemy aerial targets. About 40 Zwook hardware and software complexes are currently operating in Ukraine. This system is used to interact with air defense systems and detect enemy air targets "in dead zones".

In the first days of the large-scale invasion, the Kyivstar team was involved in the operation of this hardware and software complex, which installed the first Zwook systems at its facilities and provided support, round-the-clock assistance in emergency situations. Therefore, in the future, it is very important that the flight of the cruise missile can be recorded 4 hours after the installation of the Zwook complex and inform the relevant military structures.

We currently have two divisions – hardware and software development.

A physical product (iron) is a physical system located in a certain place on the territory of Ukraine. The main task is to receive sound from a special device and focus it with a mirror. Then, with the help of artificial intelligence, this sound is amplified and transmitted for processing inside a secure data transmission network. There is no single data center, now they are served by several nodes, which makes the hub unbreakable, even if there is one. Such a network is difficult to destroy (http://www.uintei.kiev.ua/).

Then there is the process of recognizing the recorded signal, which goes through the artificial intelligence departments of this company, as well as product advertising.

Therefore, machine learning is the basis of the Zvook hardware and software complex. Thanks to ML, the Zvook can detect unfriendly aerial objects. The company has an audio stream in which certain sound objects exist in time, not in space. There are a lot of such objects. It is the wind, the noise of the road, small flies, the voices of engineers, the shine of cows, chainsaws felling the forest. These sounds account for 99.9 %. At the same time, this type of artificial intelligence separates a very small percentage (0.1 % of the time) of those objects that are really interesting to them – in fact, the sounds with which enemy air targets move.

The uniqueness of the Zvook hardware and software complex lies precisely in its ability to detect cruise missiles, where russia uses these missiles en masse. Even if another country goes to war against Ukraine, the Zvook hardware and software complex will still be able to detect air targets of this non-russian enemy. Cruise missiles are built on the same principle – each missile has a jet engine.

No system can guarantee one hundred percent. But one complements the other. It is very important to have a good air defense system – it is 90 % successful in destroying enemy air targets. And the remaining 10 % will be compensated by other, special technologies, such as the Zvook hardware-software combination.

Conclusions. Therefore, we would like to conclude that today, during the active phase of the war on the territory of Ukraine, in order to maintain at a high level all the work of technical activity and the coordinated work of all spheres and processes of intelligence of artificial weapons, it is constantly necessary to improve the qualifications of all workers in the technical field, because time passes, a large number of the latest technologies are introduced in our country, and for this we need qualified workers who will always follow it and constantly learn. Currently, artificial intelligence can both help optimize processes, brainstorm, detect enemy equipment, and harm. Many years of research await us, so that we can determine all the risks of using artificial intelligence in the territory of Ukraine, stop exposing ourselves to danger and protect artificial intelligence from fraudulent manipulations.

Conflict of Interest and other Ethics Statements
The authors declare no conflict of interest.

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СУЧАСНІ АСПЕКТИ ВИКОРИСТАННЯ ШТУЧНОГО ІНТЕЛЕКТУ ЗБРОЙНИМИ СИЛАМИ УКРАЇНІ В УМОВАХ ВОЄННОГО СТАНУ

Анотація. В сучасному глобалізованому, технологізованому і разом з тим неструктурованому світі роль інформаційно-аналітичної діяльності об'єктивно зростає. Це обумовлено на сам перед воєнним станом в Україні і неконтрольованим розвитком усіх процесів і явищ пов'язаних з війною в Україні, як в світовій економіці, так і в політиці в усьому світі. Діяльність будь-яких структур, а насамперед алгоритм ведення воєнних дій Збройними силами України та іншими мілітаризованими структурами на території України з метою звільнення від загарбницької росії сьогодні потребує прогнозованого розвитку, захисту від ризиків, небезпек і викликів. Саме таким універсальним засобом в інформаційному суспільстві є інформаційно-аналітична діяльність, яка трансформується в тісну взаємодію з технічними способами супроводження повноцінного комплексу ведення бойових дій в рамках повномасштабної війни на що зосереджена наша стаття.

Наше дослідження розкриває сучасні умови технічної діяльності ЗСУ, що супроводжується першим та швидким реагуванням на загрози, а також прийняттям управлінських рішень на рівні командування, та на рівні держави по забезпеченню етапів ведення бойових дій. Адже від технічної, прогнозованої діяльності Збройних сил України та кожного залежить ефективне прийняття рішень, особисте життя кожного громадянина України та територіальна цілісність всієї держави.

На сьогодні стан управління в інформаційній діяльності Збройних сил України в умовах дії воєнного стану, характеризується збільшенням специфічної діяльності, яка вимагає використання сучасних комп'ютерних засобів, інформатизації різноманітних складових їх діяльності, впровадження нових інформаційних технологій у зборі та обробці, враховуючи таємний характер даної інформації, що потребує новітньої комп'ютерної техніки.

Ключові слова: *інформаційна діяльність, інформатизація технічного забезпечення, правовий режим дії воєнного стану, штучний інтелект, Збройні сили України, адміністративно-правове забезпечення, державне регулювання, військове управління.*

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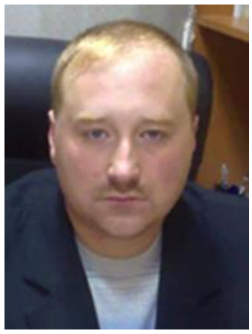

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REGIME OF FOREIGN OCCUPATION AND ITS IMPACT ON HUMAN RIGHTS: FROM POLISH AND UKRAINIAN POLITICAL-LEGAL RETROSPECTIVE AND NOWADAYS

Abstract. The research article deals with different regulatory and doctrinal (mostly based on Polish and Ukrainian sources) concepts of foreign occupation and current means of its enforcement, providing a description of the legal, political and social consequences caused by it, which are primarily suffered by the civilian population as a non-combatant, with the possibility of a full or partial retrospective analogy.

The authors have concluded when the foreign occupation, from one hand, is committed aggressively to seize the alien territory and enslave its population the list of criminal manifestations of occupation state is quite wide and, unfortunately, endless. On the other hand, the possibility of establishing a real legal regime of foreign occupation is seen when the occupation is carried out as a countermeasure to the occupation with the aim of overcoming its negative consequences, restoring law and order and life in the de-occupied territory with the collective participation of international organizations, that will be the subject of further publications.

Keywords: *foreign occupation, regime, war crimes, international law, occupying power.*

Introduction. Since World War II ended and the establishment of a seemingly fair international legal order based on respect for fundamental human

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rights and the right of nations to self-determination, the world community should exist, building the same standards of relations for all its members, which includes, in particular, the principle of the inviolability of borders and the inadmissibility of resolving interstate disputes, including territorial ones, through the use of weapons and military aggression aimed at the occupation and annexation of a sovereign state or part of its territory. Unfortunately, the world has not become perfect and harmonious. The facts of the two world wars, related to the conquests of even entire countries, and on the European continent, should have gone down in history. Moreover, hope was inspired not only by such foundational documents as the UN Charter of 1945 and the Helsinki Accords of 1975 and the processes of the disintegration of colonial empires, but also later – the events of de-sovietization and de-communization as the end of the Cold War, as a result of which international law was replenished with new, mostly by democratic actors.

However, rules and principles established by international law, or rather the mechanism of their action, turned out to be not so desirable for the civilized world. The facts of the occupation, but for now, fortunately, at the local level, constantly accompany the modern world. Some interstate conflicts with the occupation were resolved either through the use of military force by one of the states participating in the conflict (establishment of control over Nagorno-Karabakh by Azerbaijan in September 2023, over which the conflict with Armenia had been ongoing since 1988), or with the help of international subjects led by one or more states (the liberation of Kuwait from the Iraqi invasion through the operation of multinational forces "Desert Storm" in 1991), etc.

At the same time, the majority of military conflicts with the subsequent occupation of foreign territories remain unresolved today, at least in such forms as their freezing (e.g. unrecognized by the world community of the Transnistrian Moldavian Republic, the Republic of Abkhazia, the Republic of South Ossetia – the State of Alania), annexation (also the internationally unrecognized accession of the Autonomous the Republic of Crimea of Ukraine to the Russian Federation as the Republic of Crimea as part of the Krasnodar Territory of the Southern Federal District), the division of the country (the Turkish Republic of Northern Cyprus is also recognized only by Turkey), ongoing conflicts (Israeli-occupied East Jerusalem, the West Bank, the Golan Heights and the Sector Gaza as the capital of the partially recognized State of Palestine[*]).

The occupation of parts of the Luhansk and Donetsk regions of Ukraine (ORDLO) by the Russian federation in 2014 could be added to the last list. However, as a result of the full-scale invasion of the Russian Federation into Ukraine on February 24, 2022, which is actually considered the largest armed conflict in Europe after the World War II, but so far with the direct participation of only two states, the Luhansk region became almost completely occupied, and the entire south of the Donetsk region was added to the occupation, large parts of the Zaporizhzhia and Kherson regions were also under Russian occupation, which together constitute 18 % of the territory of Ukraine within its internationally recognized borders as of 1991 (Dulyaba, 2023). This area is comparable to most of Italy, the Czech Republic and Slovakia, or Austria and Switzerland together, half of Great Britain or Germany, or Slovenia, Croatia and

[*] Official names of pseudo-states approved by their puppet or separatist governments.

Bosnia and Herzegovina together. While the total area of the already mentioned post-Soviet territories of frozen conflicts does not exceed the area of Crimea and at the same time exceeds the area of Slovenia.

However, the main thing is not purely the territory with its natural and material resources, but the value is primarily the human capital of these territories. According to various data, the complete reliability of which is rather difficult to prove due to permanent forced migration processes, in the occupied territories of Ukraine (excluding the Crimea annexed since 2014 with almost 2 million and the occupied ORDLO with 1.6 million people) from the moment of the full-scale invasion, a total of more than 2 million citizens of Ukraine – residents of certain districts of Zaporizhzhia, Kherson, Kharkiv, Kyiv and Mykolaiv regions, which in total exceeds the population of, for example, Latvia.

Foreign military occupation entails the establishment of a kind of occupation regime on the occupied territory by the occupying state, which has legal, socio-economic and humanitarian components. Our research should be aimed primarily at the legal and political characteristics of the occupation regime, i.e. its compliance / non-compliance with internationally recognized principles in the context of ensuring fundamental human rights.

The purpose of the article: on the basis of regulatory and doctrinal approaches to the interpretation of the concept of foreign occupation, to determine the current means of its enforcement, providing a description of the legal, political and social consequences caused by it, which are primarily suffered by the civilian population as a non-combatant, with the possibility of a full or partial retrospective analogy. To achieve the goal, we applied general scientific methods of analysis and synthesis, as well as systematic and comparative research methods.

Analysis of the recent research and publications. In social sciences, the concept of "regime" is interpreted in at least two ways in combination with such attributes as "legal" and "political". At the same time, the category of political regime (as a rule, in the dichotomy "authoritarianism/democracy") is also studied by such a branch of legal science as the theory of the state and law.

In the general theoretical aspect, the concept of "legal regime" was considered by such Ukrainian authors as K. Bondareva, T. Drobotova, I. Sokolova, V. Sukhonos, as well as foreign researchers H. Kelsen (Austria, USA), E. Klunzinger (Germany), W. Hurst (USA). The legal regime has also become the subject of research by representatives of other branches of legal sciences in Ukraine and abroad, in particular constitutional law – V. Berezenko, Ya. Kolinko, Łukasz Mikowski (Poland), L. Rozhok, Rémi Rouquette (France); labor law – L. Vakaryuk; of civil law – Pierre-Dominique Ollier (France), Ludwik Kos-Rabcewicz Zubkowski (Poland) and others. Criminal law studies are concerned mainly with issues of the regime of serving punishments, and research in the field of international law is devoted to international legal regimes mainly of territories as an object of international law.

The largest share of research into the problems of legal regimes belongs to administrative law. In the most general terms, works of Ukrainian researchers N. Kovalenko, T. Minka, S. Popovchuk, A. Slavko and others deal with them. Among the features of the legal regime, some of these authors distinguish, in particular, the following: the legal regime is a structured set of regulatory-legal methods (restrictions, prohibitions, permits, additional obligations); application of the legal regime is always an exception to the systematic legal regulation of social and political relations in the state, connected with the need to limit or, on the contrary, to grant additional rights and powers to persons in a specific sphere or in a specific and situations; application of the legal regime must take place with mandatory restrictions according to such parameters as the time of application, the territory of application, the object, the actor (Kovalenko, 2017, p. 106).

Therefore, it can be argued that the purpose of introducing a legal regime is to ensure exclusive legal regulation in a specifically defined territory of all or individual social relations caused by extraordinary circumstances, with the establishment of stricter legal responsibility for the violation of such a regime. Hence, concepts with a special semantic load are considered to be: "regime territory" ("restricted area"), "regime institution", "regime object", "regime premises", "regime-secret body" etc.

In Ukraine, the works of A. Basov, S. Kuznichenko, S. Mahda, and others are devoted to the topic of emergency regimes. However, in their works there is no information about the legal regime of the occupied territories, i.e. also what is established by another state. On the other hand, similar issues, and mostly from the period of the World War II and after it, were considered in some historical-legal studies (S. Kondratyuk, A. Makarchuk, I. Mamontov, D. Petsa, P. Rekotov, Yu. Saifulina, L. Trepak, Ye. Shybko), but most of all – in monographic publications on historical sciences, that is quite natural.

At the same time, problems of the legal regime of occupation were highlighted in the studies of foreign authors, such as: Yoram Dinstein (USA), Tristan Ferraro (Switzerland), Peter Haggenmacher (France), Kaja Kowalczewska (Poland), Roman Kwiecień (Poland), Nathan Lerner (Israel), Piotr Migdał (Poland), Andreas Th. Müller (Austria), Adam Roberts (USA) and others. In addition, most of these authors' works relate to the modern period of the existence of this problem, but they do not cover the current stage of international relations, marked by some problems of the effectiveness of international law in relation to the Russian-Ukrainian war, which determines the relevance of the chosen direction of research.

Formulation of the main material. An attempt to establish legal boundaries of foreign occupation at the international level was made a few years before the start of the World War I – in the Hague Convention respecting the Laws and Customs of War on Land of 1907. It defines that the territory is considered occupied when it is actually placed under the authority of the hostile army; occupation extends only to the territory where such authority has been established and can be exercised; the authority of the legitimate power having in fact passed into the hands of the occupant, the latter shall take all the measures in his power to restore, and ensure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country; a belligerent is forbidden to force the inhabitants of territory occupied by it to furnish information about the army of the other belligerent, or about its means of defense; it is forbidden to compel the inhabitants of occupied territory to swear allegiance to the hostile power; family honor and rights, the lives of persons, and private property, as well as religious convictions and practice, must be respected; private property cannot be confiscated; pillage is formally forbidden; all seizure of, destruction or willful damage done to institutions of this character, historic monuments, works of art and science, is forbidden, and should be made the subject of legal proceedings (Convention (IV) respecting the Laws and Customs of War on Land and its annex, 1097). As can be seen, what has been stated fully corresponds to the modern spirit of the rule of law.

After World War II, international humanitarian law was supplemented by the four Geneva Conventions of 1949, among which, in the course of our research, a prominent place is given to the Geneva Convention relative to the Protection of Civilian Persons in Time of War. It significantly improved the mechanism for ensuring the rights of civilians by introducing such a term as "occupying state", to which the Convention applies, in particular, such prohibitions: Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive; the occupying power shall not hinder the application of any preferential measures in regard to food, medical care and protection against the effects of war, which may have been adopted prior to the occupation in favor of children under fifteen years, expectant mothers, and mothers of children under seven years; the occupying power may not compel protected persons to serve in its armed or auxiliary forces; the occupying power may not alter the status of public officials or judges in the occupied territories, or in any way apply sanctions to or take any measures of coercion or discrimination against them, should they abstain from fulfilling their functions for reasons of conscience; protected persons shall not be arrested, prosecuted or convicted by the Occupying Power for acts committed or for opinions expressed before the occupation, or during a temporary interruption thereof, with the exception of breaches of the laws and customs of war. The Occupying Power should, in particular, bring in the necessary foodstuffs, medical stores and other articles if the resources of the occupied territory are inadequate (Geneva Convention relative to the Protection of Civilian Persons in Time of War, 1949).

At the same time, most acts of international law do not contain specific provisions regarding responsibility for violations of their norms. That is, due to the lack of development of the sanctions mechanism, the norms of international law are actually reduced to the category of principles.

The connection between international law and politics is very close, even natural, since the norms of international law operate primarily in international relations, that is, in political reality, which is an axiom. In addition, as some American scholars have thought, international relations are regulated by the distribution of power between states. Their concept of "Politics between nations" (1948) was considered as the beginning of a new direction of international relations – "realism" and at the same time as instructions on the practical limitations of law in international reality. Although they themselves did not deny the binding force, effectiveness and significance of most norms of international law, arguing that international law was ineffective in striking situations that directly related to the distribution of political power and the struggle for it (Morgenthau, 1954, p. 251).

According to the "realists", international legal rules and principles in themselves are a rather weak constraint on the use of force by states. Therefore, the search for actual rules in political reality, rather than legal rules, characterizes "realism" as the opposite of "idealism" or legalism, based on the belief in the force of law. Previously, international law was considered as an imperfect and

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incomplete legal order due to the lack of a unified system of sanctions and the trivialization of violations of legal norms. However, in international law there are both institutional sanctions and countermeasures in response to these violations. Rather, the international legal order should be examined to find out whether states really feel obliged to obey legal norms and principles and respond to their violations (Kwiecień, 2022, p. 14).

According to some Ukrainian experts, in its essence, every norm of international humanitarian law is a balance between humanity and military necessity. Moreover, international humanitarian law does not contain a ban on waging war – this ban is contained in other norms of international law. International humanitarian law applies only in the event of an armed conflict and was created by states precisely in order to impose certain limits on violence during war, limit suffering, and protect the victims of war. That is why, in order to achieve the goal with which the states created it, international humanitarian law does not assess the legality or illegality of an armed conflict, it can be applied equally to the victim and the aggressor, without requiring reciprocity (Korotkyy, & Dotsenko, 2020).

Instead, such a document as the Rome Statute of the International Criminal Court already establishes specific types of punishment for crimes of genocide, crimes against humanity, war crimes, and crimes of aggression. These are only two main types of punishment – imprisonment for up to 30 years or life imprisonment; fines or confiscation of income, property and assets obtained as a result of the crime are applied as additional punishments. Therefore, the crime of aggression is an invasion or attack by the armed forces of a state on the territory of another state or any military occupation, regardless of its temporary nature, resulting from such an invasion or attack, or any annexation with the use of force on the territory of another state or its parts. At the same time, war crimes include, in particular, the transfer, directly or indirectly, by the occupying power of a part of its own civilian population to the territory occupied by it, or the deportation or transfer of all or part of the population of the occupied territory within or beyond the borders of this territory (Rome Statute, 1998).

The Rome Statute was signed on behalf of Ukraine on January 20, 2000, but it has not yet been ratified by it on the basis of the opinion of the Constitutional Court of Ukraine of July 11, 2001, by which it was recognized as not in accordance with the Constitution of Ukraine, namely the norm that "the International Criminal Court .. complements the national bodies of criminal justice". And by the Law of Ukraine of June 2, 2016 "On Amendments to the Constitution of Ukraine (concerning justice)", Article 124 of the Constitution of Ukraine was supplemented with part 6 stating that Ukraine can recognize the jurisdiction of the International Criminal Court under the conditions defined by the Rome Statute of the International Criminal Court (Constitution of Ukraine, 1996).

In fact, Ukraine remains only the object of action of the Rome Statute of the International Criminal Court (that is, the war crimes of the Russian Federation against Ukraine are already being examined, but exclusively by foreign specialists), while its subjectivity would involve the delegation of Ukrainian citizens as judges to this organization, as is done in relation to the European Court of human rights on the basis of the Convention on Human Rights and Fundamental Freedoms ratified by Ukraine. As the national legal academic community insists, the ratification of the Rome Statute is a necessary condition for Ukraine's accession to the EU, as it is an obligation of Ukraine under the Association Agreement (https://nlu.edu.ua/uni/zaklyk-providnyh-universytetiv...). At the same time, some arguments regarding the prematurity of ratification, such as the possibility of the Russian Federation, which is not even a signatory country of the Rome Statute, through third countries to bring the military of the Armed Forces of Ukraine to justice for war crimes, are completely groundless.

The Law of Ukraine "On Ensuring Rights Freedoms of Citizens and the Legal Regime on the Temporarily Occupied Territory of Ukraine", adopted on April 15, 2014, that is, after the beginning of the armed aggression of the Russian federation against Ukraine, clearly and unequivocally defines the concept and legal status of the temporarily occupied territory of Ukraine, concepts of de-occupation and occupation state – the Russian Federation – has been named and its occupation administration is defined, as well as goals of the state policy of Ukraine in the temporarily occupied territory have been outlined (On ensuring rights and freedoms of citizens and the legal regime on the temporarily occupied territory of Ukraine : Law of Ukraine). Not only a legislative framework was created, but also an institutional component – the Ministry for the Reintegration of the Temporarily Occupied Territories of Ukraine, which has been operating since 2016 through the merger of the State Agency for the Reconstruction of Donbas and the State Service for the Autonomous Republic of Crimea and Sevastopol under the initial name – the Ministry for temporarily occupied territories and internally displaced persons of Ukraine.

These concepts are somewhat expanded in international organizations practice reviews. Thus, according to the conclusions of several meetings of experts of the International Committee of the Red Cross, the beginning of the occupation is considered to be: 1) presence of foreign forces; 2) exercising power in the occupied territory; 3) absence of the country's consent to the occupation of its territory; 4) presence of geographical limits of occupation (https://www.icrc.org/en/doc/assets/files/publications/icrc-002-4094.pdf).

Since occupation takes place mainly during armed conflict, the advantages of the belligerent may not be final. It is in the interests of the party whose territory is occupied that the occupier does not take steps that would make its conquest final or irreversible. There are a number of rules that are based on the principle that the situation of occupation is transitional and temporary, as embodied in the title of the aforementioned law of Ukraine.

However, temporality is a rather relative concept. For example, during the World War II, the occupation of Poland was the longest (1939-1945), although Czechoslovakia and Austria came under Nazi occupation a year before the start of the war. Instead, the Soviet occupation of Eastern Europe countries according to the Yalta Agreements of 1944 lasted for more than 40 years thanks to puppet communist governments controlled by deployed groups of troops and special services of the USSR, which were then sent with the support of additional forces to suppress anti-Soviet riots in Hungary in 1956 and Czechoslovakia in 1968 p.

In the Baltic countries, in addition, in the late 1980s and early 1990s, laws were adopted that interpreted the communist regime as an occupation, the annexation by the Soviet Union in 1940 as an act of occupation (Estonia) and an international crime (Latvia), and soviet special services outlawed (Lithuania). It was forbidden to use symbols of the Nazi and Soviet totalitarian regimes on the territory of the Baltic States. Persons repressed during the Soviet period were restored in their rights and received symbolic and material compensation. Lustration legislation was passed, according to which citizens who worked for or secretly collaborated with the Communist or Nazi authorities and their secret services were not allowed to enter the civil service (Ohhiyenko, 2013). On the other hand, in Ukraine, lustration and de-communization legislation (although its quality and state of implementation wish for better) was adopted as early as the 23rd year of independence after the fateful events of the Revolution of Dignity at the end of 2013 – beginning of 2014. The Western public was comprehensively informed about them by representatives of their media in order to convince their societies in the need to support comprehensive reforms in Ukraine as a guarantee of its successful integration into the European community (Nowacki, 2017, p. 116).

The Soviet occupation of Afghanistan unfolded in a completely different way in 1979-1989, namely through the violent overthrow of the legitimate government and subsequent active combat operations against rebel units supported by Western governments. And since 2001, US troops have been in Afghanistan for almost 20 years to remove the Taliban from power. As the American government believed, radical Islamists were hiding Osama bin Laden and other al-Qaeda operatives who were behind the September 11 terrorist attacks. In 2003-2011, the military conflict in Iraq continued, which began with the invasion of the armed forces of an international coalition led by the United States and Great Britain with the aim of overthrowing the regime of Saddam Hussein, who was suspected of having weapons of mass destruction and connections with international terrorism, in particular "Al-Qaeda".

However, these types of occupation in the form of participation, as a rule, not by one state, but by united international forces, do not aim at the occupation of states with the elimination of their independence and subsequent annexation, which is carried out mainly by violent means against the civilian population in violation of rules and principles of international law. In the same legal way, West Germany was occupied in 1945-49 by the allied forces of the USA, Great Britain and France with the aim of demilitarization, liquidation of the remnants of Nazism in society and the subsequent post-war revival of the country on the basis of democracy and a market economy under the programs of powerful American financial support of all Western Europe, known as the Marshall Plan.

Despite the temporary nature of the regime of military occupation, the contemporary appearance of armed conflicts, according to the conclusions of some Polish authors, gives a different impression. Particularly interesting from a legal point of view is the issue of the occupied Palestinian territories, the status of which has become the source of extensive case law of the Supreme Court of Israel. The country’s highest court has often had the opportunity to resolve dilemmas related to the plight of a generation of Palestinians living under prolonged military occupation. However, the time factor itself was never mentioned as an element affecting the revision of powers and legal prohibitions addressed to the occupier. The value that influenced the reinterpretation of certain provisions of Geneva and Hague law was the interests of people living in these territories. The Supreme Court argued that, in particular, the peaceful character of the occupation phase, which was practically devoid of military action, contributed to a gradual change in the nature of the administration of the occupied territory, which increasingly resembled the exercise of state functions in a situation of peace, and where the military mission became secondary. It's important to consider proportionally and casuistically the admissibility of introducing changes with long-term consequences, which, on the one hand, may be necessary for the development of social life in the occupied territories, and on the other hand, create ideal conditions for conspiratorial actions aimed at excessive penetration and, as a result, annexation of the occupied territory (Kowalczewska, 2015, p. 264).

However, in our opinion, the immediate occupation phase is preceded by the so-called preparatory, which, for its part, has several components – military-political, economic, ideological-informational, which the occupying state must strengthen for itself in order to confidently commit and further maintain the occupation. After all, wars are started by the aggressor who is more confident, prepared and mobilized than its victim, who must be weakened and discredited before the attack.

Political mobilization begins with securing public support for the ruling class through the following measures: indoctrination of its own citizens; speculation on national defeats and "humiliations" (Germany in the World War I, the collapse of the USSR after the Cold War); nationalization of natural resources and capital goods (actually – control over them by a narrow circle of persons); control over the budget with the removal of control over it and the rest of the political processes of the opposition and its further destruction; the regime of managed (limited) democracy (preserving some elements of the market economy, even attracting foreign investments, while strengthening authoritarianism), preventing political competition; conclusion of an unspoken social contract, when citizens do not interfere in politics (control over power) in exchange for social benefits and stability; eradication of "parasitic" elements; transition of the economy to military lines with elements of "import substitution", etc.

In addition, there is a search and identification of internal and external "enemies" – the culprits of all troubles (in Nazi Germany – Jews, in the USSR – cosmopolitans, spies and world imperialism, in the current Russian Federation – "grant eaters" and "foreign agents": cohesion around the "leader" is formed due to the fear of the "enemy environment"; media freedom is replaced by state propaganda based on lies, hate speech, and calls for war (for the first time, this was established at the state level in Nazi Germany through the specially created Reich Ministry of Public Education and Propaganda and even some anti-Semitic print media, one of whose leaders was executed by hanging for by the Nuremberg Tribunal judgment in 1946) (Samotuha, 2022, p. 254). The occupying power put on the conveyor belt the ideological discrediting of the country – the future victim of the occupation, the defamation of its history, language, culture and the denial of national sovereignty, or the accusation of its citizens "in a coup d'état" (in this regard, the messianic subtext of Russia presented its war against Ukraine as a "special military operation" "from the "demilitarization" and "denazification" of Ukraine in order to "protect people … who faced humiliation and genocide carried out by the Kyiv regime") (Mälksoo, 2022, p. 6). There is a process of creating and applying labels like "terrorist" or "fascist" to the perspective victims. It aims at building negative emotional associations with them to decrease compassion towards them when the acts of war are in place.

Along with the violation of information sovereignty, there is an increase in the destructive impact on the economy of the victim country due to the monopoly supply of energy resources to it; introduction of influence agents into its power structures and political establishment, including during elections with the support of the desired candidate; reconnaissance and sabotage measures in the defense-industrial and infrastructure sector, cyber-attacks on state information resources; interference in church affairs; building a network of pseudo-public organizations, historical and cultural societies, for example, the revival of Cossacks; formation of a negative image of the occupied state abroad through the media network and agents in NGOs; blocking diplomatic initiatives and measures at the level of international organizations (e.g., the right of veto in the UN); development of ideological expansionist concepts: the USSR – the idea of a world communist revolution; Nazi Germany – theories of "living space for the Aryan nation"; the "russian world" of the today Russian federation – with anti-Western rhetoric, criticism of gender equality, sexual freedom and non-discrimination of minorities and other "liberal values", which “requires victims”

The next phase is the direct implementation of the occupation by: 1) organizing a coup d’état or mass riots, provocations with calls to "introduce troops to protect the population that speaks the occupier’s language and shares its culture and views on history"; 2) direct military invasion. As an example, Hitler’s occupation of the Sudetenland region of Czechoslovakia and the Anschluss of Austria under the pretext of protecting the German-speaking population; the annexation by the Russian Federation of the Autonomous Republic of Crimea and the occupation of ORDLO also under the pretext of protecting the russian-speaking population. At the same time, the occupier almost does not conduct active hostilities, with the exception of ORDLO, in order to ensure the loyalty of the local population and preserve the infrastructure, material and spiritual values of the occupied territories for the subsequent occupation of the adjacent territories. For analogy, we can cite examples of the actions of the Nazi occupiers of the Second World War: "soft power" for the countries of Western Europe and exceptional cruelty for the Eastern, especially in relation to Poland and the Slavic republics of the European part of the USSR – Ukraine and Belarus.

However, according to many recent studies, the Second World War did not begin on September 1, 1939, with the open armed aggression of Germany and the USSR against Poland, and not when Czechoslovakia was divided, and not during the Munich conspiracy or the Anschluss of Austria. The beginning was made when, in March, 1936, three years after coming to power, Hitler led his troops into the Rhine Demilitarized Zone – the territory of Germany on the left bank of the Rhine and a strip on its right bank 50 km wide, established by the Versailles Peace Treaty, 1919 in order to complicate the German attack on France. In this zone, Germany was forbidden to deploy troops, build military fortifications, conduct maneuvers, etc. British Prime Minister S. Baldwin declared that the entry of German troops into the Rhine region "does not pose a threat of military conflict", which actually meant recognition of the liquidation of the Rhine demilitarized zone. The rest of the European countries and the League of Nations also limited themselves in this regard to a number of statements the fact of Germany’s violation of the Locarno Agreements which only pushed Hitler to new acts of aggression in Europe. Even now, former US President B. Clinton expressed regret when he convinced Ukraine to give up its nuclear arsenal in exchange for guarantees of its security under the Budapest Memorandum, signed in 1994 by the nuclear powers – the USA, Great Britain and Russia (Gordiychuk, 2023).

However, some Polish authors emphasize that it is important to distinguish between occupation and invasion. The latter is the invasion of armed forces into the territory of another country, but without the establishment of any authority or organization in that territory. If the invasion does not lead to the capture of the territory and the establishment of occupying power, then it is usually only the beginning of the transition to the next stage of land appropriation – occupation. It usually has the character of a military operation, since the occupier is not interested in establishing an administration in the occupied territory. Then the actual power is established and the occupied territory is managed. The introduction of troops into a certain area after hostilities is not occupation, although it is a prerequisite for it. It is necessary to preserve this territory and establish an occupation administration on it. That is, we can conclude that the invasion is only a possible beginning of the occupation and in itself is nothing more than the march of troops on foreign territory.

Therefore, occupation is the seizure of territory by the enemy's troops and it must be temporary, effective and efficient. Occupation is such from the moment of establishment of power in the occupied territory and involves only the seizure of someone else's territory (Haberland, 2017, p. 359).

The first step of the aggressor to subjugate the population in the occupied territories is to restrict and deprive them of their fundamental rights: freedom and personal inviolability, dignity, inviolability of housing and freedom of movement through such repressive measures as illegal deprivation of liberty, interrogations, torture, confiscation of vehicles and personal food stocks; restriction of supply and access to food products, goods of daily use, medicines and medical care, termination of energy supply and provision of other communal services. All this is a violation of both rules and principles of international law, as well as the provisions, first of all, of articles 5-8 of the Law of Ukraine "On ensuring rights and freedoms of citizens and the legal regime in the temporarily occupied territory of Ukraine" (On ensuring rights and freedoms of citizens and the legal regime on the temporarily occupied territory of Ukraine : Law of Ukraine).

One of the most severe legal and socio-humanitarian consequences of foreign occupation as a crime of aggression is not only the physiological and moral suffering of the persons remaining in the temporarily occupied territory, but also the forced migration of large masses of the population – as refugees or persons seeking asylum, as well as in the status of internally displaced persons.

The legal basis for the protection of these categories of persons has been established since the beginning of the russian aggression against Ukraine in 2014 – with the adoption of the Law of Ukraine "On Ensuring the Rights and Freedoms of Internally Displaced Persons", in which armed conflicts, temporary occupation, manifestations of violence and violations of human rights are recognized as circumstances that force people to leave their place of residence. In addition, the law not only declares the rights of these persons, but also provides for a real mechanism for ensuring them, in particular through the prohibition of discrimination, and establishing the procedure for the interaction of state executive authorities and local self-government bodies with public associations for providing assistance to internally displaced persons (On ensuring rights and freedoms of internally displaced persons: Law of Ukraine).

Among the forms of implementation of this law is, in particular, the provision of legal aid. As some authors note, by the end of 2022, the most common legal issues with which internally displaced persons addressed to free legal aid centers were: restoration of lost documents; receiving social assistance; solving the issue of men traveling abroad as accompanying persons; alienation or purchase and sale of immovable property under martial law, as well as any other transactions with immovable and movable property; consultations on family issues: assignment and payment of alimony, divorce; inheritance issues; resolving issues related to the restoration of property destroyed as a result of military aggression; legal issues in the field of application of labor legislation (Nalyvaiko, & McGee, 2023, p. 198-199). That is, most of the issues are familiar in everyday life, the normal course of solving of which was interrupted by the war.

Aggression of Russia and occupation also caused, as already mentioned, an external migration crisis, the most serious in the world since World War II. According to various data, more than 6 million of its citizens are currently living outside Ukraine, forced to escape from the war. All this places a significant socio-economic burden on the recipient countries and even leads to major changes in the political configuration of the states as a result of the coming to power, but in a quite democratic and legitimate way, of political forces professing populist anti-migration slogans with demands to reduce financial and military aid to Ukraine which, of course, fully fits into plans and hopes of the russian government in force (Samotuha, 2023).

Another harmful consequence of foreign occupation, according to some authors' conclusions, is the criminalization of social relations. It occurs as a result of the destabilization of the socio-economic situation of a significant number of the population (for example, young refugee women are frequent victims of sexual violence and harassment). And if a significant number of people, who are employed in the informal (shadow) economy, survive at the expense of any kind of work and do not have institutionalized social systems, they lose a cultural and psychological connection with their society. And this leads to a clash of interests with other persons, conflict interaction and, as a result, its criminogenic varieties (Nikitin, & Nikitina, 2023, p. 222). In addition, education, introduced by occupational state, has a long-term influence on destruction of national identity of young Ukrainians. Children born in Crimea, which has been occupied for almost ten years, have been studying in schools with russian narratives for more than one year, not to mention more than twenty years of ideological treatment of an entire generation of russians under the continuous Putin's rule.

In general, crime is considered to be a defining and constant companion of separatism and occupation. Persons previously convicted of violent crimes or, in general, persons with criminally oriented behavior, are one of the constant tools in the hands of rogue politicians and adventurers: first, to organize mass riots with the seizure of administrative buildings, intimidation of patriotic activists, disruption and dispersal of events organized by them; in the future – to replenish regular and private military companies, punitive and sabotage squads, puppet occupation administrations and its pseudo-law enforcement structures, as they are well versed in the forms and methods of intelligence and counterintelligence work, the use of physical and psychological violence and cruelty. Moreover, occupied territories and separatist enclaves in the form of unrecognized "republics" are a favorable environment for the development and spread of such crimes as smuggling, illegal trafficking of weapons and narcotic substances, human trafficking, manufacturing of counterfeit products, etc. After all, occupied territories and all kinds of pseudo-states and "gray zones" are a dream place for hiding wanted persons, stolen property and transit of sanctioned goods to the aggressor state (Samotuha, 2016).

We also consider the information policy of the occupying state implemented in the occupied and adjacent territories to be both a consequence and a constant accompanying factor of foreign occupation. Its defining features are the restriction or, in general, the denial of access of the population of the occupied territories to objective information. Instead, propaganda based on the narratives of the aggressor state is being intensified with the aim of discrediting the state – the victim of aggression in its inability to ensure people’s rights of in the occupied territories and its armed forces in their inability to resist and liberate the occupied territories, which ultimately achieves the occupier’s goal of subduing the occupied population on their side.

There are more than enough examples of occupation propaganda in history. For example, during the German-Soviet war, the propaganda of each side did not differ in any particular way. Although both in Germany and in the occupied territories of the USSR, the Nazis actively mastered such audiovisual means as radio (including wireless) and cinematography. The most common method of psychological pressure on the population of the occupied territories was the use of threatening messages in the press regarding the mass execution of local residents in the event of their resistance to the Nazi occupation authorities, as well as collective responsibility for criminal cooperation with Soviet partisans and the Red Army. According to the testimony of former employees of the "Wineta" propaganda apparatus of the Reichskommissariat "Ukrayina", which operated in the occupied Ukrainian territories, including in the agency and intelligence direction, the staff of this organization numbered up to 3 thousand people (Dolhoruchenko, 2021, p. 196).

A kind of media terror reigned also on the territory of Nazi-occupied Poland during World War II. The Germans imposed a curfew there, which was strictly enforced throughout the occupation. The organization of meetings and rallies, movement and use of public means of communication were prohibited. Poles could use them only with special passes and in cars designated for them. Radios and cameras were prohibited (Chinciński , 2022).

Even today methods of information occupation have not changed. As noted by Ukrainian researchers, the coup d’état in the ARC took place in the best traditions of Bolshevism: the seizure of the Crimean Television and Radio Company with the disconnection of Ukrainian TV channels, the blocking of transport communications with continental Ukraine, the seizure of airfields, etc. (Kul’chyts’kyy & Yakubova, 2019, p. 406).

The information occupation is also facilitated by the weakness of national identity. Representatives of ethnic groups living compactly in the border regions, succumbing to the propaganda of the neighboring state, begin to identify themselves with its people. The separatist movement is growing. The weakness of the state is used by the repressive political power of the neighboring country, which does not share the political preferences (views) of the ruling party of the country and opposes it by inciting citizens to disobedience, rallies, holding illegal referendums, declaring the independence of a certain region and further ideological and political adherence to its ideology. And if the desire for political control over one's power, ideology, way of life and even the loss of the sovereignty of another state is not achieved, but there is a threat of losing power, as an extreme manifestation a military attack is carried out, which leads to socio-economic decline, the death of people (an entire generation), and the ultimate result of achieving one's goal is the preservation of power (for example, increasing the ratings of the russian government after each act of "collecting land" or "punishing provinces for anti-russian riots"). In this aspect, it is appropriate to emphasize that military conflicts (hybrid wars), which are accompanied by active military actions, should be classified as social disasters (Nikitin, & Nikitina, 2023, p. 223).

A kind of social catastrophe is evidenced by numerous publications about how the russians continue to implement terror in the temporarily occupied territories. For example, in Kherson and Zaporizhzhia regions, they try to bribe the local population with social benefits, but in a primitive way: by blocking social benefits from Ukraine, they deliberately create a humanitarian crisis, offering their own social benefits instead, but on the condition of obtaining a russian passport. The same condition is the provision of employment and health care services. And if there are children in the family, then there is another requirement – an application for enrolling the child in a russian school. That is, in fact, the russians are blackmailing the local population with hunger and forcing them to work in the fields, at the same time counting on this to solve their problems with the pace of passporting and the failure of the "educational process". At the same time, the russians are focused on launching their "educational process", the purpose of which is to create propaganda centers and russify Ukrainian children. However, despite the fact that they have brought their teachers and anti-Ukrainian textbooks, parents refuse to send their children to schools that have been invaded, for which the occupiers threaten them with confiscation of property, fines and even deprivation of parental rights. However, at the same time, they promise to make one-time payments for admission: if they promised $100 earlier, only $20 reaches people in Nova Kakhovka (https://tyzhden.ua/sprotyv-okupatsii...).

A slightly different situation is observed with universities, most of which (i.e. professors and students) were moved to the controlled territory of Ukraine, while the abandoned buildings with material values were adapted by the occupation authorities with newly appointed rectors and collaborating professors from Russia. However, they are unable to fulfill orders even for budgetary specialties, and the youth there prefer universities mostly in Russia, despite the fact that the Ukrainian government allowed applicants from the occupied territories to enter all Ukrainian universities under a simplified procedure.

Along with the realization of certain social rights, forced passporting has such a reverse side as military mobilization in the occupied territories, which in a certain way can be qualified as a violation of Art. 45 of the Hague Convention of 1907, Art. 51 of the Geneva Convention of 1949 and Art. 8 of the Rome

Statute of the International Criminal Court, which, in particular, classified it as a war crime. At the same time, none of these acts criminalizes forced passporting (meaning not the recipient, but the issuer of the passport) and the very fact of coercion is quite difficult to prove, while all documents testify to its seemingly voluntary nature. According to human rights defenders, forced mobilization took place in ORDLO as early as the middle of 2021. That is, Russia already then began to prepare for a large-scale aggression against Ukraine, at the beginning of which on February 24, 2022, more than 100,000 men were mobilized from ORDLO, of which at the end April 2022, 23,000 people died (https://www.ukrinform.ua/rubric-ato/). And already after the full-scale invasion by Russia in the temporarily occupied territories of Ukraine, as of July 2023, from 55 to 60 thousand men were mobilized into its army (Katsimon, 2023). However, the puppet government does not pay compensation to the families of the dead and wounded, mobilized from the occupied territories (Berezhans'kyy, 2022).

In the same way, in Russia, the authorities are mobilizing residents of mainly purposefully created depressed regions, for whom war is the only way out of poverty, as well as representatives of non-russian ethnic groups with the aim of destroying their gene pool. Moreover, social disorganization, aggressiveness, envy, vindictiveness, lack of empathy, low social culture, lack of critical thinking, impervious to manipulations of propaganda, are the driving forces of various deviations, which in the conditions of war manifest themselves in the form of murder, rape and looting.

People with russian passports from ORDLO, as well as from the rest of the pseudo-states in the post-Soviet space, are not full-fledged citizens – on the territory of the great Russia, their rights are restricted, they are not registered, they are not given loans, etc. This is exactly what Stalin did with the citizens of the western lands captured in 1939. The new Soviet people were forbidden to move to the canonical territory of the USSR, there were checkpoints along the old border that turned people away. These points also worked in 1941, when the Nazis crossed the border, refugees were not allowed beyond the town of Proskuriv (now – Khmelnytskyi). And since many people were threatened with death at the hands of the Nazis, Stalin actually left them to be massacred by the occupiers.

The next manifestation of the "legitimization" of the occupation regime is the long-tested methods of "direct democracy" – pseudo-referendums on joining the occupation state and pseudo-elections of pseudo-representative (puppet) government bodies, which can be held after forced passporting, which allows for the formation of the occupation voter register.

After the occupation of Poland in September, 1939, elections to the People's Assembly of Western Belarus and the People's Assembly of Western Ukraine were held in an atmosphere of terror in October, 1939. According to the falsified results, approximately 90 % of the votes were cast for candidates supported by the occupier. "Legitimized" in this way, the People's Assembly appealed to the Verkhovna Rada of the Belarusian RSR and the Verkhovna Rada of the Ukrainian SSR with a request to include Western Belarus and Western Ukraine in the composition of the BRSR and the Ukrainian SSR, respectively, which was carried out already in November, 1939 (Szcześniak, 1990).

Similar tactics were used by the USSR, under whose influence the countries of Eastern Europe fell after the Second World War. The event that finally decided the future of Poland were the elections foreseen by the decisions of the Yalta Conference in 1944. The communists saw in them a chance to legalize their power, and the opposition and underground organizations hoped to demonstrate the weakness of the regime and politically neutralize Stalin's supporters in Poland. Activists of independence hoped that the Western powers, in accordance with the Yalta promises, would ensure compliance with democratic procedures during the elections. However, the refusal of the opposition to offer joint participation in the elections prompted the Polish communists supported by the USSR – the Polish Workers' Party – to another method of falsification – the postponement of the elections by organizing the so-called people's referendum The success of the communists was to be ensured by new repressions. In the spring of 1946, the State Security Commission was created, the purpose of which was to coordinate activities against the opposition and independent underground in the period preceding the "people's referendum" and elections to the Legislative Sejm. Rigged elections contributed to the apparent legalization of communist rule. But more important was the collapse of public sentiment, which was the result of a months-long campaign of terror, the peak of which fell in the period immediately before the elections. Forcing people to vote openly for the Communists meant that for the first time the public, under the pressure of fear, supported the regime (http://www.polska1918-89.pl/poczatki-komunistycznego-rezimu...). And already the first partially free elections in Poland after the Second World War were held in June, 1989, as a result of which the opposition "Solidarity" (https://www.wnp.pl/parlamentarny). And the Soviet Union, as we believe, due to its economic decline and the demands of the West to start liberal reforms as a condition for receiving food aid, was no longer able to carry out military intervention, as it did in Hungary and Czechoslovakia.

Unlike the Soviet one, the Nazi government did not practice such a "formality" with regard to occupied Poland, one part of which was directly included in the Third Reich, the other was transformed into the General Governorate with division into Krakow, Lublin, Radom, and Warsaw districts. Immediately after the invasion of Poland, in September 1939, the government of the Third Reich implemented the first stage of the General Eastern Plan. The main principles of the relevant policy were outlined by the Department of Racial Policy of the NSDAP in a special instruction. According to them, the Slavs who lived in the territories east of the pre-war German borders were to be Germanized, transferred to slave labor or liquidated, depending on whether the territories in which they lived were directly annexed by the German state or entered into of the General Governorate (Waingertner, 2020, p. 187).

Prisons and concentration camps became symbols of the German occupation. The largest concentration camp – Auschwitz – was established in the spring of 1940 in Auschwitz. Two years later, the camp was established in the village of Brzezinka (Birkenau) near Oświęcim. Moreover, in April, 1942, one of the largest concentration camps in the General Governorate was established in Majdanek near Lublin (http://www.polska1918-89.pl/niemiecka-polityka...).

Similar tactics were used by the Nazis in the occupied territory of Soviet Ukraine to continue their anti-Semitic policy. On September 19, 1941, German troops entered the capital of Ukraine, Kyiv. Together with a significant part of

Ukraine occupied by the Germans, the city was included in the Reichskommissariat "Ukrayina", created on September 1, headed by Reichskommissar E. Koch and subordinated to the Ministry of Occupied Eastern Territories in Berlin, headed by Reichsminister A. Rosenberg. Before the Nazi invasion, about 160,000 Jews lived in Kyiv, which was approximately 20 % of the entire population of the capital. The first mass murder of Jews by the Nazis (almost 34,000) occurred at the end of September 1941 in the Babyn Yar tract, which at that time was located near Kyiv. According to estimates, about 100,000 people, both Jews and other nationalities, were shot in Babi Yar during 1941-1943 (https://encyclopedia.ushmm.org...).

In addition to Kyiv, tens of thousands of Jews and other nationalities were exterminated in other cities of Ukraine (Donetsk, Rivne, Vinnytsia, Berdychiv, Lutsk, Kharkiv). It should be recalled that before the German attack on the USSR, Ukraine had the largest Jewish population in Europe – 2.7 million. Part of the population – 3.8 million, including 900,000 Jews – the Soviet authorities managed to evacuate to the east (Shchur, 2023). These are mainly "valuable" personnel for the Soviet authorities: managers, security forces, engineering and technical staff and workers of defense enterprises. Most of the people were left to fend for themselves, unable to escape on their own (there was also a communist ban on free movement, and peasants forcibly driven to collective farms in the early 1930s did not have passports until the 1970s and were bound to live and work in collective farms and could not move anywhere without a special permit), for whom the dilemma then arose – either if to resist to die at the occupier’s hands, or to adapt, avoiding at the same time an open collaborationism). It is not for nothing that after the war there was a kind of discrimination for a long time, when the questionnaires contained a line about the stay of persons and their relatives in the occupation during the war, which meant restrictions on the right to work, education, civil service, etc. This shameful practice was abolished after Stalin’s death in 1953.

The Soviet regime turned out to be no less cruel than the Nazi one, in particular in relation to indigenous peoples. They are Crimean Tatars, Karaites and Krymchaks are already legally recognized in Ukraine (On indigenous peoples of Ukraine : Law of Ukraine). In particular, the policy of the Russian Empire, the USSR and the Russian Federation has always been discriminatory towards the Crimean Tatars. It reached its peak when, in May 1944, nearly 200,000 Crimean Tatars were deported from Crimea to Central Asia on charges of alleged collaborationism and aiding the Nazis, which the NKVD called a special operation for the "resettlement of Crimean Tatars". About 8,000 people, most of them children and the elderly, died during the move in freight cars. Despite certain successes in the struggle for their rights, in particular the cancellation of charges of collective treason, the Crimean Tatars, however, were forbidden to return to Crimea until 1989. In 2015, the Verkhovna Rada of Ukraine recognized the deportation of the Crimean Tatar people in 1944 as genocide (Matviychuk, 2020).

The Soviet authorities committed similar acts of genocide against other ethnic groups (in particular, Volga Germans, individual peoples of the North Caucasus), deporting them also to Central Asia and Siberia on charges of treason. The same tragedy could have befallen the Ukrainians, whom the russian government has branded treason for several centuries (according to its logic, "who is against Russia is a traitor"), but due to the large population and territory, genetic thirst for resistance and freedom, Stalin's plans were not realized.

It would seem that an independent Ukraine should have been the guarantor of the renewed rights of the Crimean Tatars, but Russia's annexation of the ARC in 2014 plunged them into a new tragedy. Even during the "legitimization" of the annexation through "direct popular power", the Sevastopol city council and the parliament of the ARC adopted a declaration on state sovereignty, which was to be confirmed in an all-Crimean referendum. On March 16, 2014, taking advantage of the confusion of the world community, the creators of the "Crimean Spring" changed not only the procedure, but also the wording of the question that was submitted to the "referendum", two of which were determined: "You are for the reunification of Crimea with Russia on the rights of entity of the Russian Federation? Are you in favor of restoring the Constitution of the Republic of Crimea of 1992 and for the status of Crimea as part of Ukraine?" (Kul'chyts'kyy & Yakubova, 2019, p. 406).

At the same time, not a single representative of the Crimean Tatar people was elected to the newly elected puppet representative bodies, and the majority of Crimean Tatars ignored such "elections" and "referendums", thus expressing their loyalty to Ukraine and hope for its support. According to the latest publications, Crimean Tatars living in the temporarily occupied territory of the Republic of Crimea are subject to systematic repression, serious violations of human rights and discrimination, which is manifested, in particular, in the destruction of collective forms of self-organization, suppression of political identity (the russian authorities fear that Crimean Tatars , having historical experience of fighting the regime, can lead the Tatar, Turkic and even the Muslim world of Russia, which will pose a threat to the current government); in the persecution of Crimean Tatars, cases of violence and cruel treatment of them; in the restriction of the right to freedom of religion, persecution of mass media and journalists, restriction of the right to education in their native language (Mazuka, 2023, p. 110-111).

In the same way, it is possible to claim that the collective rights of Ukrainians have been violated, but mainly as a political and not an ethnic nation in the rest of the temporarily occupied territories of Ukraine, in particular due to their accession to the Russian Federation on the basis of a pseudo-popular expression of will already at the level of regions, as it happened at the level of provinces in Russian Empire, in which even Kyiv was a completely russian-speaking city. That is, we see an attempt to implement the program instructions expressed by Putin about the "non-existence of Ukraine as a state, which was as it were invented by Lenin and developed due to being part of the USSR" (Azarov, Koval & Nuridzhanian, 2022).

So, the fact of a kind of humanitarian genocide due to the enemy's efforts to deprive Ukrainians of all signs of national identification is obvious. In addition, a certain de-urbanization (urbocide) and de-intellectualization of entire regions of the state is carried out, when educated, creative, economically active, civically responsible and patriotic individuals are saved both from mental occupation and from physical extermination, under which they fall in the first queue.

For comparison with previous wars, the destruction of national identity with elements of genocide is discussed in the publications of some Polish authors. Polish language was prohibited to eradicate the culture. In the annexed territories, Polish education was abolished, and most Catholic churches were closed, which made it impossible for believers to participate in religious ceremonies. Marriage restrictions were also introduced for Poles – they could be concluded after a woman turned 25 and a man turned 28. It is estimated that as a result of these restrictions, the number of Polish children born in Greater Poland decreased by approximately 100,000. The occupation authorities even interfered with the names of Polish children. In Greater Poland, children whose parents were Poles could only be given a name that was included in the "list of names for Polish children" specially prepared by the Nazi authorities (Chinciński, 2022).

As one of the forms of genocide in the occupied territory, ecocide is spreading – violation of the collective right to exist in a healthy, favorable environment. Not only is the side effect of hostilities pollution by products of explosions, fuel and lubricants and corpses of fallen arable lands and pastures, reservoirs and underground waters, the occupiers also resort to large-scale mines and nuclear terrorism by seizing nuclear power plants. One of the telling facts is the undermining of the Kakhovska hydro power plant dam, as a result of which the stability of the ecosystem of almost the entire southern part of Ukraine was disrupted for many years. Also, Russia plans to use the temporarily occupied territories of Ukraine for landfills, but it is not excluded that it may also be used to bury nuclear waste.

And the most terrible manifestation of the genocide of Ukrainians during the current war was the deportation of Ukrainian children by the russians. It was on the charges of this crime that the International Criminal Court issued an arrest warrant for russian president Putin. As one of the diplomats explained, without children any country is doomed and has no prospects and future. And Russia just wants to take away Ukraine's future, in fact, by kidnapping its children. Moreover, children are not only kidnapped physically, but also try to "re-educate" them, "reprogram" in fact, destroying their Ukrainian identity. The russian war affected all 7.5 million children of Ukraine. Almost two-thirds of them became internal or external migrants.

Unfortunately, children are also direct victims of war. So far, the Office of the UN High Commissioner for Human Rights has confirmed that at least 9,500 civilians, including 545 children, have been killed. Another 17,000 people, including 1,156 children, were injured. In addition, to date, the UN has recorded 173 cases of sexual violence related to the conflict, of which 112 – against men, 57 – against women and four girls (Solomko, 2023).

The actions of the russian occupiers regarding the use of the civilian population and objects of social infrastructure as "human shields" are characterized by considerable cynicism and audacity. In order to prevent the actions of the Armed Forces of Ukraine liberate the occupied territories, combat units with offensive weapons, equipment and ammunition are placed in hospitals, schools, kindergartens and even in households.

The list of criminal manifestations in the conditions of the foreign occupation regime, unfortunately, can be continued. After all, in this article we have given only a general description of the most eloquent ones, about each of which you can prepare more than one lengthy publication.

Conclusions. The possibility of establishing a real legal regime of foreign occupation is seen when the occupation is carried out as a countermeasure to the occupation with the aim of overcoming its negative consequences, restoring law and order and life in the de-occupied territory with the collective participation of international organizations, regional blocs, peacekeeping forces and individual democratic, and civilized states.

In this regard, it is worth citing an example when the German lawyer and political scientist E. Frenkel, who acted as a lawyer for Jews who suffered from the Nazi regime, published the work "Military Occupation and the Rule of Law" in 1944. Studying the already mentioned occupation of the Rhine region after the World War I from 1918 to 1923, he sought to contribute to the "understanding of the problems that the future occupation regime will face". He believed that the traditional law of occupation was unable to cope with the challenges of the inevitable occupation of Germany after World War.

It is interesting that the prism through which E. Frenkel decided to look at the occupation was the concept of the rule of law – "one of the main elements of Western civilization". In this regard, he asked the question "whether the principle applicable to national governments exercising their powers under national laws does not also apply to regimes of foreign governments exercising their powers under international law" (Fraenkel, 1944).

At the same time, it is extremely important to resist the temptation to grant too much legislative freedom to the occupying power in order to promote the rule of law. Treating "the occupier as the bearer of progress can lead to a dangerous mixture of crusade, self-confidence, and self-delusion". Indeed, "experience shows that even overtly transformative occupiers would be wise to recognize the force and continued validity of the law of occupation in general".

Therefore, it is recommended to show restraint when assessing the appropriate measure of prerogatives of the occupying power. Despite the tempting promises of "transformational" and "humanitarian" occupation or the like, the rule of law is also not a panacea that allows us to imagine a "modern" occupation law that would remove the risks inherent in political and military power ruling over foreign populations. These risks do not necessarily decrease over time, but the appetite of a power that controls another territory and population may also increase. This caveat should remain in the mind of the international lawyer, especially when dealing with prolonged occupation and the dangers of not only formal but also factual and creeping annexation.

In this sense, the rule of law ultimately remains a means of mitigating the dangers associated with the existence of situations of occupation, knowing that it can all too easily be used for purposes alien to the noble aspirations underlying the idea of the rule of law (Müller, 2018, p. 168-170). As E. Frenkel soberly and wisely concluded his research, the rule of law in a democratic state is based on the citizens' consent. In the occupied territory, state power is imposed on the inhabitants regardless of their inner feelings. Therefore, the concept of "rule of law" has different meanings for a government based on democratic consent and a government based on military force. It was the failure to recognize this fundamental fact that became the greatest weakness of the above-mentioned Rhine Agreement.

However, the situation regarding the punishment of the current aggressor-occupier, who disregards international law, has not yet found an effective political and legal solution. That is, to draw some analogies with the collapse of the USSR and the possibility of the collapse of the Russian Federation as an authoritarian empire (although all empires are by definition authoritarian and recursive and the condition for their existence is wars, during which power becomes unlimited and unchangeable, and the USSR disappeared thanks to the internal processes of democratization and defeats in wars) are not entirely appropriate. At the time of its collapse, the USSR did not have the kind of international support (with the exception of humanitarian one), which Russia has now built mainly as part of the same authoritarian regimes. And that is why it is extremely difficult for Ukraine and its allies to build a global alliance against russian aggression. The most telling illustration is that two-thirds of the Earth’s population lives in countries (almost all of them belonging to the "Global South") that have not imposed sanctions against the Kremlin’s war machine.

According to some authors, it did not develop as a result of Russian and Chinese influence operations, but due to the fact that large, wealthy countries, which mostly rule the world, tend to selfishly ignore the problem. In particular, it is about the legacy of former colonial states in Africa, Asia and Latin America; the failed wars in Iraq and Afghanistan and the decline of the "global war on terrorism"; inadequate response to global warming, including failure to meet funding obligations under the Paris Climate Agreement; inhibition and stinginess in the matter of releasing countries from debt, which was accompanied by protectionism of wealthy countries; underrepresentation in international organizations.

It is not surprising, then, that over several decades of such an approach, the conviction has taken root that the "rules-based international order" is a Western concept and that even its proponents are sometimes engaged in nothing but demagoguery. Can the majority of people on Earth be expected to concern themselves with the affairs of the West when the West does not concern themselves with theirs (Lucas, 2023).

Therefore, the solution, as we believe and support some experts in this, should be sought among those members of existing alliances who have never had empires and know what it is like to be poor and endure condescending treatment. Perhaps such a real entity will become "Eastern Europe", coordinating positions in which, in our opinion, such relatively large countries by European standards as Poland and Ukraine could eventually occupy. After all, how could they not know more than all the cruelty of the empires that were engaged in their division and extortion several times.

Therefore, the topic of the following publications should be the so-called positive role of occupation, that is, how foreign occupation can contribute to the de-Nazification and demilitarization of an aggressor state or a terrorist state (using the example of post-war Germany).

Conflict of Interest and other Ethics Statements
The authors declare no conflict of interest.

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РЕЖИМ ІНОЗЕМНОЇ ОКУПАЦІЇ ТА ЇЇ ВПЛИВ НА ПРАВА ЛЮДИНИ: З ТОЧКИ ЗОРУ ПОЛЬСЬКОЇ ТА УКРАЇНСЬКОЇ ПОЛІТИКО-ПРАВОВОЇ РЕТРОСПЕКТИВИ ТА СУЧАСНОСТІ

Анотація. Дослідницька стаття стосується різних нормативно-правових та доктринальних (здебільшого на основі польських та українських джерел) концептів, зі спробами повної або часткової ретроспективної аналогії, іноземної окупації та сучасних засобів її встановлення, описуючи спричинені нею правові, політичні та соціальні наслідки, яких зазнають передусім цивільні особи як некомбатанти.

Автори дійшли висновку, коли іноземна окупація, з одного боку, вчиняється агресивно з метою захоплення чужої території та поневолення її населення, перелік злочинних проявів, що зафіксовані передовсім міжнародно-правовими актами, з боку представників окупаційної держави є досить широким і, на жаль, в умовах російсько-української війни нескінченним, як то: геноцид – вбивства, депортації дітей, примусова

паспортизація в обмін на користування мінімумом життєвих прав, екоцид як створення окупаційною владою несприятливого для життя навколишнього середовища; злочини проти людяності – винищення, обернення в рабство, насильницьке переміщення населення, незаконне позбавлення волі та обмеження права на вільне пересування; воєнні злочини – знищення і привласнення майна, що не викликане військовою необхідністю (мародерство), примусова мобілізація окупованого населення до окупаційного війська. Крім того, російською окупаційною владою на окупованих територіях України здійснюються свого роду злочини культурно-освітнього геноциду: знищення та викрадення культурних пам'яток, впровадження освітнього процесу за російськими політико-історичними наративами тощо.

З іншого боку, можливість встановлення реального правового режиму іноземної окупації вбачається тоді, коли окупація здійснюється як протидія незаконній окупації з метою подолання її негативних наслідків, відновлення правопорядку та життя на деокупованих територіях, зокрема за колективної участі міжнародних організацій. Водночас ситуація щодо покарання нинішнього агресора-окупанта, який нехтує міжнародним правом, не знаходить поки що свого ефективного політико-правового вирішення, що стане предметом подальших публікацій.

Ключові слова: *іноземна окупація, режим, воєнні злочини, міжнародне право, окупаційна влада.*

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THEORETICAL AND LEGAL PRINCIPLES OF THE CONVERGENCE OF EQUALITY AND JUSTICE IN THE FIELD OF PERSONALIZED MEDICINE IN THE CONTEXT OF THE STATE'S SOCIAL POLICY

Abstract. In the context of health care, social justice plays a crucial role in ensuring that individuals have equal access to quality and affordable health services. This article delves into the significance of social justice in healthcare and its impact on the overall well-being of individuals. It emphasizes the need for a regulatory framework that fosters the integration of innovative technologies to enhance the quality and duration of human life. Additionally, the article sheds light on the role of the state in upholding and providing human rights and freedoms, particularly in the realm of personalized medicine.

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It concludes that achieving a modern level of convergence of the principles of equality and social justice in health care requires a comprehensive approach that takes into account legal, moral-ethical, financial-economic, and medical-innovative aspects. By addressing these various facets, it is possible to create a healthcare system that is not only efficient and effective but also equitable and just for all individuals.

Keywords: *healthcare, social justice, equal access, regulatory framework, personalized medicine, equality.*

Introduction. Issues of compliance with the principles of equality and justice in the context of the social policy of democratic states always occupy key positions in the rhetoric of pre-election programs of political leaders. The specified topic in the field of health care is one of the most sensitive problems from the point of view of a person's perception of justice. That is why the definition of "justice" becomes an important component of the political culture, social policy of the state and an important regulator in the field of health care. Social justice is the guarantor of social stability and, at the same time, the foundation for the transformation of the economic policy of the state and the well-being of every person who has the right to a dignified life. The Constitution of Ukraine (Article 3) states that a person, his life and health, honor and dignity, inviolability and security are defined as the highest social value in Ukraine. Affirmation and provision of human rights and freedoms is the main duty of the state (Constitution of Ukraine, 1996).

The purpose of the article is to explore the intersection of healthcare, social justice, and innovative technologies within the current regulatory framework. It aims to discuss the importance of equal access to quality and affordable healthcare. The article also seeks to highlight the potential of personalized medicine and convergence of medical-innovative technologies in promoting human rights and equality within the healthcare system.

Analysis of the recent research and publications. The study of the principles of law (in particular, the principles of equality and justice), including their implementation in the field of health care, was carried out by: J. Rawls, O. Skakun, V. Opryshko, S. Pogrebnyak, N. Fedina, V. Studinskyi , O. Agarkov, N. Solonenko, I. Babich, S. Miserzhi, D. Karamyshev, I. Bahnovska, N. Shelever and many other scientists. V. Geets, O. Skrypnyuk, A. Grynenko, H. Pylypenko, M. Hansli Terens, H. Lopushnyak, S. Bondarenko, N. Bugas, U. Motornyuk, V. Lobas, V. Sobchenko and others paid attention to solving the problems of forming an effective social policy in Ukraine at the current stage of state formation in their works.

Formulation of the main material. The general philosophical principles and constitutional provisions of democratic countries profess the idea of raising the status of a person as a bearer of the highest values and a driving force in ensuring comprehensive global development of society. At the same time, taking into account the laws, customs, needs of social justice as the basic values of a democratic society, each subject seeks and has the right to realize his own benefit. At the same time, the rules and norms that ensure the humane coexistence of man and society must be clearly regulated both by the categories of moral, political and social consciousness, and by legal acts that ensure economic development and harmonize the interests of different layers of society (Pylypenko, 2013).

Actually, the very concept of social justice, according to V. Studinskyi, reflects the contradictory unity of the objective and subjective and clearly fits into the framework of one of the main laws of dialectical philosophy "unity and struggle of opposites". It is in such a system of coordinates that the modern principles of the relationship between the object (society) and the subject (individual) are formed, which will allow in the field of new opportunities to ensure an increase in the level of satisfaction in achieving social values. The stated opinion regarding the modern assessment of the content of the category of social justice is not an expression of revolutionary views, but clearly corresponds to the idea of justice formulated by its founder, the English philosopher H. Spencer. It was he who noted that justice includes two elements at the same time – positive and negative. The positive element involves recognition of the subject's right to unimpeded activity and use of the benefits it brings. The negative element of justice, according to H. Spencer, is conditioned by the equal right to use the good of other subjects, respect for which is the basic condition for the organization of the social form of life (http://nbuv.gov.ua/UJRN/Uap_2009).

From the point of view of modern interpretation, the imbalance of the two elements should not contribute to the emergence of inconsistencies in the assessment and understanding of justice in the field of social relations, but as a modern reality in the development of information technologies, when "plus" and "minus" have become a key element of the algorithm for creating new opportunities for the development of abilities and human welfare. Careful "rocking" of the common interests of one's own and the public will make it possible to use the potential of modern innovative technologies as quickly and comprehensively as possible, which will ensure the achievement of the Olympus of sustainable development of a democratic state. It was this approach that did not and will not allow to "conserve" the category of social justice, since it, as a dynamic form of social existence, has the ability to transform under the influence of the level of development of science, culture, productive forces, socio-political consciousness and the legislative framework and its ability to timely sense changes that are characteristic of a certain period.

Given that the phenomenon of social justice, in its origin and content, is a deeply historical topic, it actively and organically generates a fluid, changing, promising and constantly stable system that guarantees a system of self-organization and a dignified human life. In this regard, at each stage of the development of social consciousness, theoretical and legal studies of ideas, foundations and reasons for identifying and justifying the emergence of new vectors and concepts of basic components of justice, necessary for building a successful state, are updated. The problem of reinterpreting justice in the direction of developing the basic principles of the health care system in the context of universal human values at the stage of rapid development and introduction of innovative technologies is of particular importance.

Market transformations in the state oblige citizens to take into account the change of emphasis in the implementation of social policy aimed at creating conditions for independent provision of a decent level of income with the simultaneous right to maximally preserve one's own health and restore physical resources necessary for the creation of public goods.

In the mind of the Ukrainian society, social justice means establishing the correspondence between European standards and achievements of one's own social protection with the right of equal access to health care programs.

Therefore, it becomes clear that precisely at the stage of tectonic changes in the implementation of the social policy of the state, there is an urgent need to bring to the public consciousness the need to modernize the national socio-economic model of equality and social justice in access to the necessary medical services aimed at ensuring the foundations of public health, as well as laying the foundation for timely access by society to use the possibilities of innovative screening technologies for prevention and personalized treatment of various pathological conditions.

The purpose of the study is to review and justify the feasibility of applying modern principles of equality and justice in the context of mechanisms for the development of the functioning of the health care system, which is aimed at preserving universal values in the conditions of reforming the medical industry, guaranteed by equal access of the population to quality medical care, and will contribute to the strengthening of public health I, as well as providing simultaneous access to the window of opportunities and advantages, which will allow to reduce the differences of the population in the use of effective tools of personalized medicine on the way to the formation of a just society.

The issue of justice and equal access of the population to medical services in the health care system is of paramount importance all over the world. However, it becomes especially relevant during the rapid development of innovative technologies, including in the medical field. The high rate of development of fundamental research in various scientific fields contributes to the creation and implementation of new technologies of screening, prevention, diagnosis and treatment, which significantly expand the possibilities of increasing the duration and quality of human life. At the same time, it should be objectively noted that the cost of providing such medical services is also increasing, which limits the population’s access to their timely receipt. The situation and challenges associated with the consequences of military aggression are significantly complicated by socio-economic, demographic, and economic factors that limit the basic constitutional right of Ukrainian citizens to have fair access to medical services. Therefore, it is no coincidence that the strategic plans of the WHO "European work program for 2020-2025. Joint actions for stronger health" are aimed at finding ways to improve the health care system in the countries of the European region, which will contribute to ensuring fair and equal access of the population to medical services. That is why universal health coverage has been recognized as one of the priority tasks worldwide (European Work Program, 2021; Petryshyn et al., 2015).

At the same time, in the process of creating a model of future fair and equal access aimed at preserving health and increasing life expectancy, the world scientific community is becoming increasingly aware of the need to increase socio-economic determinants and their harmonization with innovative and technological ones, which will expand the possibilities of a new society, and will ensure the right of citizens to use the results of scientific progress in the interests of maintaining and preserving their own and, accordingly, public health.

First of all, it should be noted that scientific approaches to defining the key concepts of this study, namely: "equality", "justice", "social justice" are quite diverse. The Constitutional Court of Ukraine in its decision dated September 22, 2005 No. 5-рп/2005 stated that the requirement of certainty, clarity and unambiguity of the legal norm follows from the constitutional principles of equality and justice, since nothing else can ensure its equal application, does not exclude unlimited interpretation in law enforcement practice and inevitably leads to arbitrariness (http://zakon3.rada.gov.ua/laws/show/v005p710-055).

However, in order to unify a certain understanding, it is considered appropriate to take as a basis the following statements proposed by scientists. In particular, the principle of equality in law provides for the requirement to treat identical cases equally, and different ones differently, and also prohibits discrimination as one of the most obvious violations of the principle of equality (Petryshyn et al., 2015). The category of "justice", which is simultaneously philosophical, legal, social and moral-ethical, is quite debatable. Since we are interested in justice as a legal category, it is worth paying attention to the opinion of I. Babich, according to which justice acquires the quality of a principle to the extent that it is embodied in a rule of law. And the corresponding embodiment means narrowing its application. At the same time, the principle of justice as a principle of legislation coincides with the principle of legality (Babich). Even more controversial is the phenomenon of social justice. It is believed that social justice exists as a phenomenon of social consciousness (legal, religious, moral, economic), which fixes social justice as a reward and recognition for work, providing everyone with a minimum socially guaranteed level and quality of life, equal access to social benefits (getting an education, health preservation), to information, to cultural values, etc. (Grynenko, 2009).

At the current stage of the development of society, when opportunities and needs do not always correspond to the interests of citizens, a certain turbulence arises in their consciousness. Such processes actualize issues of social justice, they acquire signs of variability, and in the mass consciousness there is a reassessment of both their own and social values. In the pursuit of minimizing modern determinants that determine the causes of inequality in the field of public health and ways to improve it, we should not lose the opportunity to save each individual person.

Article 2 of the Convention on Human Rights and Biomedicine defines that "the interests and welfare of an individual prevail over the interests of society or science" (https://rm.coe.int/168007cf98). That is why today, in the conditions of rapid scientific and technical progress, it is especially important to focus on the possibilities of innovative technologies as tools capable of increasing the level of health in a new way, fairly reducing gaps in the health status of various social groups of the population. It is worth noting that from the point of view of the currently valid principles of finding justice options, this issue requires additional efforts and, most importantly, an interdisciplinary approach. Understanding the need to start developing regulatory and legal documents, the scientific basis of management restructuring, financing and creating a modern infrastructure network in the field of health care will allow not only timely implementation of European norms and standards, but at the same time to achieve new principles in providing affordable and high-quality medical services to the population of Ukraine.

The development of the concept of justice policy in the field of health care should provide for the timely implementation of the achievements of innovative technologies and find mechanisms and means to incorporate the advantages and opportunities of personalized approaches into the existing public health system. Today, personalized medicine is the forerunner of the medicine of the future, which simultaneously takes into account the interests of one's own and public health, which is necessarily transformed into a socio-economic paradigm for the revival and growth of society's well-being.

Social guarantees and economic incentives aimed at improving public and personal health should be appropriate, justified, balanced and mutually regulated. Perhaps it is worth paying attention to the existing package of social guarantees (Karamyshev & Udovichenko, 2008), where health care is far from the first position in the ranking of priorities, and to revise the ranked series. The question remains open: this order is a coincidence or a deep-seated political consciousness. Such a system unwittingly brings to mind A. Schopenhauer's famous aphorism: "There is no higher goal for science (read – society) than the goal aimed at preserving human health." And to emphasize the importance of his position, the well-known philosopher-publicist expressed an opinion with which it is difficult to disagree: "Health outweighs all the last benefits of life, and in fact a healthy beggar is happier than a sick king." These maxims express the key formula of human existence. It is necessary to clearly understand that the main human capital is health. Health is a multidimensional concept that goes far beyond having a diagnosis, which sometimes sounds like a sentence. Health is a system of numerous coordinates within which a person feels comfortable and generates the creation of his own material and public goods as important components of public health. According to the definition of WHO, health is a state of complete physical, spiritual and social well-being, and not only the absence of diseases and physical defects (WHO Basic documents, 2014). This formula of the main social good should be the starting point for all branches of the executive, research and production vertical in the formation of health care policy in the state and personally for each individual citizen.

It is important that the socio-political position and the creative potential of scientific thought are able to find a golden mean that can help balance the scales in the "individual-society" relationship. The creation of such conditions in the implementation of interrelationships and interdependence will always be in the interests of society and each of its members.

In Ukraine, today, the acceleration of these processes is significantly complicated by russia's aggression against our state, and this objectively creates force majeure circumstances regarding the implementation of the most necessary measures. At the same time, it is worth remembering that farce major challenges (or so-called "black swans") often give rise to unique chances for new advances, including in the sphere of the formation of updated social policy of the state. In addition, Ukraine is in an active phase of reforming the health care system. Ukraine needs new ideas and non-trivial solutions more than ever, because non-standard conditions require non-standard solutions. It will be about the introduction of a new effective model of the functioning of health care and the need for the urgent creation of regulatory and legal support, which would enable the timely implementation of innovative processes not only in the health care system, but also in other related areas, which would allow ensuring the synchronicity of these processes in the interests of society. The pace and patterns of socio-economic development and, in particular, in the medical field, will depend on the role and functions of expert commissions, which are obliged to conduct a timely inventory of existing proposals and contribute to the formation of public opinion on the importance of their systemic perception and the results of their consistent urgent and delayed implementation, as a strategic perspective for the development of a socially oriented and economically motivated society. Undoubtedly, such work must simultaneously be synchronized with the best models of European legislation and meet their standards.

D. Karamyshev in his monograph interprets the role of the health care system and proposes to consider it as a system of measures of a political, economic, legal, social, cultural, scientific, medical, sanitary-hygienic and anti-epidemic nature aimed at preserving and strengthening health of every citizen, providing him with adequate medical care in case of deterioration or loss of health (Karamyshev, 2004). The basis of the modern paradigm of the development of the health care system should be the foundations of the best global practice in this direction, which are provided by partnership public-private functions, powers and responsibilities for improving the level of public and private health, and investments in human health should be recognized as the best form of accumulation of state capital.

The analysis of the latest research and scientific publications shows the evolution of the health care system against the background of public needs and requirements regarding the European integration processes of Ukraine. Today, strategies for carrying out reforms at various levels of government structures are being developed much more actively, methodological principles and legal instruments aimed at optimizing the goals of state policy in the field of health care are being updated (Chehun & Rossylna, 2023; Parubchak & Radukh, 2021; Tereshkevich, 2022). Significant progress on this path is facilitated by the in-depth study of international experience and the adaptation and approval of certain aspects of the reform policy and their impact on the state of public health (https://www.oecd-ilibrary.org/social-iss; Health at a Glance: Europe, 2022). The experience of individual countries of the world shows that high-quality medical services are quite successfully provided in countries with a market economy. At the same time, the socially expected results are ensured by the consolidation of effective technologies and fairness in the access system, which becomes part of economic feasibility (Colonenko et al., 2020).

A deep study of European legislation and the use of their individual provisions as standards helps the authors and experts of domestic bills to speed up the European integration processes in the medical field. Today, their efforts are aimed at finding or developing an optimal model of organization and functioning of the network of health care institutions, which would take into account the advantage of public-private partnership and the possibilities of innovative processes and use them in the interests of social progress. At the same time, it is important to provide that among the significant functions, which include ensuring comprehensive access to medical care and compliance with quality standards, the rights and opportunities to use the latest technologies of screening, prevention and personalized therapy, which will correspond to the global strategic goals of the development of society, are mandatory. It is a proven fact that society needs such a model, which would contribute to the most complete and high-quality satisfaction of human needs.

Despite the fact that market mechanisms remain contradictory and there are certain discrepancies in the models of financial support and the modern interpretation of the term "justice" in relation to health care (Karamyshev &

Udovichenko, 2008), it is worth laying down in the newest model of health care the mechanisms for the introduction of innovative technologies in the medical field as the main principle of guaranteeing medical care to every member of society in the 21st century. Market transformations in Ukraine and the world in general are the main attribute of our present and require a change of emphasis in the implementation of social policy aimed at creating conditions under which every person could enjoy benefits and ensure the restoration of the potential of their own physical resources and the well-being of society.

One of such levers and mechanisms capable of ensuring both progress in economic well-being and one's own health is personalized medicine, which is rapidly becoming part of our reality and is one of the fundamental foundations of 5P medicine, along with predictive, preventive, participatory and precession (Chehun & Rossylna, 2023; Pires et al., 2021; Cohen, 2022).

Personalized medicine is based on the vision of effective screening preventive, diagnostic, therapeutic and rehabilitation strategies based on fundamental achievements in the scientific field and accurate understanding of molecular genetic and environmental determinants of pathological processes. Recent interdisciplinary advances in science have fueled a rapid surge in biomedical discoveries, pharmaceutical innovations, and the adoption of artificial intelligence capabilities that are driving the medical industry's transition into precision technology. Modern medical innovative technologies allow providing individual levels for diagnosis, treatment and strengthening of health and prevention of diseases of social groups in general. Recently, there has been a significant increase in the amount of scientific literature that contains an in-depth analysis of the benefits and economic limitations of the widespread implementation of personalized medicine. Among the deterrents are the fairness of the distribution of social benefits, the genetic diversity of the population, implementation problems, and many less significant issues. However, as Elizabeth G. Cohn rightly points out, the achievements of modern medicine cannot wait until all these questions are answered (Cohn et al., 2017), because this approach can become the highest manifestation of social injustice in the field of health care.

However, the presence of these problems can be considered as short-term deterrent factors. The rate of accumulation and development of modern databases, in particular in the field of health care, and the involvement of information technologies are able to quickly eliminate the existing restraining factors of the introduction of personalized medicine methods, including into the structure and model of optimization of public health. An important aspect in this matter may be control and obtaining new results for the identification and fair distribution of benefits both in the interests of an individual and society in general. Undoubtedly, the mentioned topic is debatable and requires in-depth analysis and research efforts that will allow to prove the effectiveness of such a strategy. However, timely involvement and scientific and economic justification, planning and definition of research and training goals will significantly accelerate the formation of a niche of personal physical and physiological health benefits in the general scheme and structure of public health. In this case, the principle of the system of guaranteed minimum social and medical security declared by the national legislation will be able to acquire a new content regarding the level of opportunities in social solidarity, which is formed in the interests of both the subject and the object. This approach will bring closer the perspective of improving health care, which is defined by the WHO European Bureau "Health for All", and will bring closer the implementation of the statute of the main international coordinating body for health care of the WHO, which states that the possession of the highest attainable level of health is one of the inalienable rights of any person.

The responsibility for the formation of state policy in the field of health care under the conditions of social justice is entrusted to the governments of the respective states, but when we declare the term "solidarity", we must also feel our own role in preserving the health of the nation and the quality of life of each individual person. Policy in the field of health care is one of the most sensitive problems of society. It is always formed and comes out of a certain internal idea of justice, equality and the principles of distribution of benefits.

Conclusions. The globalized world, especially in its period of change, when textbook values are being revised in the mass consciousness, is open to initiatives and new ideas. Therefore, the issue of the theoretical and legal foundations of the convergence of the principles of equality and justice and the possibilities of personalized medicine in the context of the formation of human values in the social policy of the modern state are becoming more and more relevant. Within the framework of meeting the potential needs of modern society, new tasks regarding normative and legal regulation are being formed, which would allow combining public, collective and personal interests aimed at ensuring the principles of public and social justice with a simultaneous compromise between them, aimed at strengthening health and preventing development of diseases.

The dialectical connection of the foundations of social justice based on the principles of law, innovation and humanism is able to lay the foundations for the transformation of socio-political consciousness oriented to the process of economic revival and the growth of physical and material well-being of a person. Formation of the program of state guarantees is a key tool in the field of population protection. Since financial resources are always limited (especially now during martial law), the sources of financial support must be diversified. Market conditions for the development of the country's economy oblige the legislator to normalize and delegate part of social obligations to the private sector.

When developing minimum and optimal standards of medical services and public health support, mechanisms for the introduction of innovative technologies should be established, which will be focused on improving the quality and duration of human life. In order to implement and harmonize the efforts of society-state-individuals, it is necessary to study the world experience more deeply and develop a regulatory framework for the creation of a structure of an aggregate private-state mechanism, which will allow to significantly regulate and control the consumption of medical services and motivate the introduction of new technologies to ensure and improve both one's own and public health.

Thus, achieving a modern level of convergence of the principles of equality and social justice in the field of personalized medicine in the context of the social policy of the state is a complex and multifaceted process, with the proper implementation of which it is possible to achieve a qualitatively new level of functioning of the health care sector. However, the successful achievement of the goal is subject to a comprehensive approach to the specified issue, taking into account legal, moral-ethical, financial-economic, medical-innovative aspects.

Conflict of Interest and other Ethics Statements
The author declares no conflict of interest.

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Ольга РОССИЛЬНА

ТЕОРЕТИКО-ПРАВОВІ ПРИНЦИПИ КОНВЕРГЕНЦІЇ РІВНОСТІ ТА СПРАВЕДЛИВОСТІ У ГАЛУЗІ ПЕРСОНАЛІЗОВАНОЇ МЕДИЦИНИ В КОНТЕКСТІ СОЦІАЛЬНОЇ ПОЛІТИКИ ДЕРЖАВИ

Анотація. У контексті охорони здоров’я соціальна справедливість відіграє вирішальну роль у забезпеченні того, щоб люди мали рівний доступ до якісних та доступних медичних послуг. У цій статті розглядається значення соціальної справедливості в охороні здоров’я та її вплив на загальний добробут людей. Вона наголошує на необхідності нормативно-правової бази, яка б сприяла інтеграції інноваційних технологій для підвищення якості та тривалості людського життя. Крім того, у статті висвітлюється роль держави у відстоюванні та забезпеченні прав і свобод людини, зокрема у сфері персоналізованої медицини.

Зроблено висновок, що при розробці мінімальних та оптимальних стандартів медичних послуг та підтримки громадського здоров'я мають бути закладені механізми впровадження інноваційних технологій, які будуть орієнтовані на покращення якості і тривалості життя людини. Для реалізації та гармонізації зусиль суспільства-держави-особистості потрібно глибше дослідити світовий досвід та розробити нормативну базу щодо створення структури сукупного приватно-державного механізму, який дозволить істотно регулювати і контролювати споживання медичних послуг та мотивувати впровадження нових технологій у забезпечення та підвищення як власного так і громадського здоров'я.

Таким чином, досягнення сучасного рівня конвергенції принципів рівності та соціальної справедливості у сфері персоналізованої медицини в контексті соціальної політики держави є складним і багатогранним процесом, при належному впровадженні якого можна досягти якісно нового рівня функціонування сфери охорони здоров’я. Проте успішне досягнення мети за умови комплексного підходу до зазначеного питання з урахуванням правових, морально-етичних, фінансово-економічних, медико-інноваційних аспектів.

Ключові слова: *охорона здоров’я, соціальна справедливість, рівний доступ, нормативно-правова база, персоналізована медицина, рівність*.

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PROBLEM ASPECTS OF INSTITUTIONALIZATION AND IMPLEMENTATION OF THE RIGHT TO BE FORGOTTEN

Abstract. The right to be forgotten has been institutionalized in the legal space of Europe and continues to cause debate both due to the high level of competition of this right with other rights and legitimate interests of various individuals, and due to the "transatlantic split" regarding the place of this right in the EU legal system and the US legal system.

The article examines important aspects of the institutionalization and realization of the right to be forgotten, in particular: the search for the origins of its "conflict"; substantiation of search engine operators (and not site owners) as data controllers to whom applicants should contact; determination of the appeal procedure and actions of the controller; settlement of territorial jurisdiction of such disputes; determination of grounds for correction, erasure or blocking of information, etc.

Keywords: *search engine operator, personal data controller, personal data processing, transatlantic split, implicit and explicit influence on law.*

Introduction. Humanity is currently experiencing crisis times associated with the confrontation between communities that have advanced through transformation and those in which "transformational matter" has not yet reached critical mass. The new era is gradually but inexorably changing all spheres of life. In particular, new rights are gradually being realized, substantiated and institutionalized. Among them, our attention was drawn to the so-called right to be forgotten. Information in the post-industrial age is constantly, globally and instantly available, easily copied and distributed, and not prone to being lost or forgotten. The right to be forgotten seems to defy an entire era.

Indeed, modern technologies allow the application of unprecedented forms of collection, processing, artificial intelligence analysis of data, without making an exception for personal data. This contributes to the creation of large-scale personal digital files, the development of behavioral and targeted advertising. Individual personal data (website browsing history, search history, physical movement data, etc.) is often collected and used even without the individual's

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knowledge (Ausloos, 2012). As R. Weber notes, the Internet "requires us to reconsider privacy as a concept" (Weber, 2011).

In these conditions, we can observe various threats: the difficulty of protecting personal space; the risk of a quick and large-scale leak of information that a person has shared only with loved ones; the possibility of widely available and permanent linking of one's name to a previously committed mistake, or an indecent act or statement. In such situations, the need of a person, if not to delete the information, then at least to limit its distribution or to break the connection with his personal data, seems natural.

At the same time, the procedure for removing information or erasing its connection with a person's name will undoubtedly interfere with the life of other subjects and create obstacles to the free dissemination of information. In this connection, acute questions arise: what information can be demanded to be "forgotten"? To whom should these requirements be addressed? What is this "forgetting" procedure? Are there mechanisms for compensating entities that take measures to "forget" or suffer from this procedure? How significant is the risk of abuse of such a right and what are the mechanisms for their prevention?

Finally, in Ukraine and other countries that are not covered by the decision of the European Court of Justice, which actually institutionalized the right to be forgotten, other issues are also relevant, in particular: how to prepare lawyers for the future implementation of the concept of this right and to provide assistance.

Analysis of recent research and publications. In recent years, the problems of this right have become the object of study by such researchers as A. Bunn, L. Bygrave, J. Dowdell, F. Manjoo, J. Rosen, N. Tirosh, R. Walker, R. Weber, O. Kokhanovska, O. Legka, Yu. Razmetaeva and others. Lawyers came close to answering six problematic questions related to the "forgetting information" procedure, in particular, why there was a need to "forget information", who should take appropriate measures, how it should be implemented, where it should happen, what can be "forgotten" and why.

The purpose of the article. Based on the mentioned above studies, we aim to emphasize the problematic debatable aspects, which, in particular, had to be interpreted by the European Court of Justice in "the decision that invented the right to be forgotten" (Bunn, 2015).

Formulation of the main material. A wide and sharp scientific debate on the right to be forgotten is caused, first of all, by the competition of the new law with the rights and legitimate interests of other persons. In particular, the right to be forgotten competes with the legitimate interests of data controllers and the legitimate interests of third parties who need the relevant information. The right to be forgotten competes with the economic interests of the owners of search engines, which search for information, index it, link it with other information (including personal data), store this link and provide access to it and primary data at the request of Internet users, along the way, making a profit from the sale of advertising.

It should be noted that in the information civilization, the conflict and the rights of previous generations are intensifying, in particular, the competition of freedom of information with the economic interests of data subjects. For example, a Microsoft survey found that 75 % of US recruiters and HR professionals order online candidate surveys, and 70 % reported rejecting candidates based on information found online (Ausloos, 2012). That is, a significant number of candidates could get a job, if information about them was not so freely distributed.

In this regard, it is worth paying attention to the fact that according to Joseph Raz's theory of interest, conflicts of rights are practically inevitable (Waldron, 1989). Today's increased competitiveness is not caused by the high conflict of new rights. From the very beginning, it is embedded in the potential opposition of freedom of speech and dissemination of information, on the one hand, and the dignity of the individual and his right to privacy, on the other, which A. Stone and F. Schauer draw attention to: "In a positive way, dignity strengthens freedom of speech. On the other hand, it may turn out that dignity limits freedom of speech..." (Waldron, 1989, p. 106).

The conflict has intensified under the influence of the development of technologies, which have multiplied the possibilities for creating, copying, saving, processing and distributing information, radically simplified the procedures for searching for information about specific individuals, and also almost erased the boundaries of a person's private and public life.

With the use of information technologies, the processing of personal data has a high risk of violation of fundamental human rights. Therefore, in the modern world, in particular, in the EU, a system of pan-European and domestic protection of personal data and their processing has been formed. In particular, natural persons whose data are processed have the right "to be informed that the processing is taking place, to familiarize themselves with the data and to object to the processing under certain circumstances..." (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31995L0046). Personal data controllers are responsible for the processing of materials.

However, a problematic aspect for a long time was the question: are search engine operators data controllers? (from which people draw the main array of personal information). This question was raised by the Spanish court before the European Court of Justice in case No. C-131/12CJEU "Google Spain" and "Google Inc." v. Spanish Data Protection Agency (Agencia Espanola de Proteccion de Datos (AEPD)) and Mario Costegi González", namely to interpret: "the company that operates the search engine "Google" must be considered the "controller" of personal data contained on the Internet pages that this system indexes?" (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX% 3A62012CJ0131).

According to Google's objections, the search and indexing of information is carried out automatically: "the activity of search engines cannot be considered the processing of data placed on the Internet pages of third parties, which are displayed in the list of search results, given that search engines process all information available on the Internet, not distinguishing between personal data and other information" (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri= CELEX%3A62012CJ0131). In addition, according to Google, "even if this activity should be classified as "data processing", the operator of the search engine cannot be considered a "controller" with respect to the said processing, since it does not know about this information and does not exercise control over the data" (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX% 3A62012CJ0131). American researcher L.A. Bygrave generally noted that the key issue in this lawsuit was Google's status – should it be considered "the controller of the personal data contained in the links indexed by its search engine?" (Bygrave, 2014).

In response, the European Court of Justice recalled the definition of "personal data processing" from the text of Directive 95/46 in force at that time as any operation performed on personal data, both by automatic means and without them. Moreover, the operator of the search engine constantly and systematically processes personal data, although not making fundamental distinctions between personal and other information, but providing it to Internet users when searching for personal data. The fact that personal data has already been published on the Internet and is not changed by the search engine cannot weaken the degree of responsibility of the search engine operator. This processing of personal data, according to the Court's conclusion, "can be distinguished and considered as additional to the processing carried out by the owners of Internet sites" (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62012CJ0131). As the Court rightly emphasized, it is the operator of the search engine that determines the purposes and methods of said processing of personal data and, thus, it must be considered the "controller" in relation to this processing.

Finally, the Court emphasized the crucial role of search engines in the dissemination of personal data, as it makes it available to Internet users who would not otherwise have found the site where the data is originally published and actually forms a dossier ("structured review of information") on a particular subject information For this reason, the operator of search engines must take comprehensive measures to "achieve effective and full protection of data subjects, in particular their right to privacy" (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62012CJ0131) and not transfer their responsibility to site owners who may indeed inform search engines about the need to exclude certain information published on their site from the automatic indexes of search engines (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62012CJ0131).

Accordingly, the opinion of the Court of Justice on this aspect determines that "the activity of a search engine, which consists in searching for information published or placed on the Internet by third parties, its automatic indexing, temporary storage and, finally, its provision to Internet users in accordance with a certain order of preference must be classified as "processing of personal data"… when this information contains personal data, and, secondly, the operator of the search engine should be considered a "controller" with respect to said processing" (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri= CELEX%3A62012CJ0131).

But is it appropriate in this situation to seek out and contact web page controllers? Google just advocated the need to seek protection from the owners of sites where personal information is posted, since it is not burdensome for website controllers to assess the legality of their publication, and to take "the most effective and least restrictive measures to make the information unavailable" (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62012CJ0131). Austria's representatives in the Court indirectly supported this position, recognizing that a necessary condition for the search engine operator's termination of access to data is "a successful objection to the owner of the Internet site on which the relevant information was published" (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62012CJ0131).

However, the European Court of Justice emphasized the ease with which nowadays information is copied, transferred to other Internet pages, including outside the jurisdiction of the EU, in connection with which "effective and complete protection of data users cannot be achieved if the specified users will have to seek, initially or in parallel, the deletion of information concerning them

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from the owners of Internet sites" (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62012CJ0131).

Indeed, a problematic aspect is the territorial jurisdiction of such disputes. In this regard, the European Court in its decision in the case of González emphasized that the fact of processing personal data in several states should not prevent the protection of fundamental rights and in such cases the processing should be regulated by the law of the participating state in which the used means are located (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62012CJ0131). This provision required clarification, as means could mean both physical equipment and a domain name. The situation is complicated by the fact that personal data is "temporarily stored on servers, the location of which is unknown, because this information is kept secret due to competition between companies" (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62012CJ0131). At the same time, the court clarified that although Google Spain does not directly index and store information, its sale of advertising space is directly related to these types of data processing.

An important ruling in the territorial dispute came in 2019, when the European Court of Justice heard an appeal against a fine imposed by the French data protection authority on Google for refusing to remove all links relating to an individual from all versions of its search engine. Google then explained that instead of tying searches to a domain name (e.g. Google.fr in France, Google.de in Germany), it implemented differentiation of searches depending on the geolocation of the IP address of the device from which the search request comes (https://curia.europa.eu/juris/document/).

Given the widespread use of vpn server technology that allows you to temporarily change a device’s IP address, or rather use a proxy IP address with any geolocation, this solution and the geolocation argument seems extremely vulnerable. However, the Court’s 2019 decision found a certain compromise between the concept of personal data protection applied in the European Union and the concept of freedom of speech protection formed in the United States.

Many researchers emphasize the diametrically opposed views of Europeans and Americans on the issue of the right to be forgotten. J. Rosen states that "in Europe, the intellectual roots of the right to be forgotten can be found in French legislation, which recognizes le droit à l’oubli, or "the right to be forgotten" – that is, the right that allowed a convicted person, having served his sentence and been rehabilitated, to object to publicizing the facts of his conviction and sentence. In the US, on the contrary, the publication of someone’s criminal history is protected by the First Amendment to the Constitution" (Rosen, 2011). These differences in the field of personal privacy are so striking that American experts called them the "transatlantic split" (Bygrave, 2014), and the decision of the European Court in the Gonzalez case – a form of censorship (Tirosh, 2017). In general, American courts perceive restrictions on the right to freedom of speech as a prerequisite for self-censorship (Weber, 2011).

Researchers see the origins of the split, in particular, in the historical upheavals of the 20th century, pointing to the national register of the Netherlands, which "allowed the Nazis to identify 73 % of Dutch Jews, compared to only 25 % in France", where such reliable records did not exist (Dowdell, 2016). Philosophers of law also believe that in continental Europe, the construct of private life is based on the concept of human dignity, and in the

USA – on the aspect of human freedom (Dowdell, 2016). At the same time, in continental Europe, the right to be forgotten can be considered as contained in the right of the individual, covering several elements such as dignity, honor and the right to private life (Weber, 2011).

In any case, it is worth agreeing with the American specialist R. Walker, who argues that "only a limited form of the "right to be forgotten" is compatible with US constitutional law. This form is the right to delete voluntarily provided data..." (Walker, 2012). Even before the aforementioned court decision, J. Rosen emphasized that the European interpretation of the right to be forgotten, with the possibility of deleting not only self-published information, actually speaks of the creation of a new right (Rosen, 2011).

Consequently, the Court's decision exacerbated the controversy related to the competition between the human right to privacy and freedom of expression, and also called into question the status of the right to privacy as a fundamental right. L.A. In this regard, Bygrave concludes that "according to EU law, the protection of personal data is itself a fundamental right. Thus, data privacy should be considered on a par with other important human rights, such as freedom of expression" (Bygrave, 2014).

The competitiveness of the two rights is tried to be mitigated by legal experts who point out that the information is not destroyed, but remains on the websites of third parties and can be accessed directly from there (Tirosh, 2017). In this regard, researchers also note such forms of implementation of the right to be forgotten, such as the payment of compensation, along with the removal and deidentification of personal information (Bunn, 2015).

In general, the European Court has unquestionably prioritized the right to be forgotten over economic interests, in particular, search engine operators and other data controllers. As for freedom of speech, the court recognized that requests for de-identification may be outweighed by the dominant interest of the general public in the relevant information (Bygrave, 2014).

The most important substantive problem is the question of what information can be "forgotten" and what information cannot be "forgotten"? The regulation on the protection of natural persons in connection with the processing of personal data and the free movement of such data (https://ogdpr.eu/en/gdpr-2016-679) established an exception for the processing of personal data for the purposes of journalism, scientific, artistic or literary activities. Note that the activity of the search engine operator does not apply to these exceptions. In this regard, there may be a special case of a situation where the data subject initiates erasure from the search results of information published on legal grounds for the purposes of journalism or scientific, artistic or literary activities.

Directive 95/46 (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri= CELEX:31995L0046), valid at the time of the Court's decision, through the member states guaranteed the data subject's rights to clarification, erasure or blocking by the data controller due to their incomplete or inaccurate nature. The court specified that the basis for correction, erasure or blocking may be non-compliance with other conditions of legality (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62012CJ0131) – except for incompleteness or inaccuracy. The general rules for the legality of personal data processing were established in Chapter II of the Directive and contained the principles of data quality (in particular, reliability and relevance) and criteria for the legality of their processing (for example, the consent of the data subject to processing). In the context of these conditions, the Court used the terms "correct and lawful" and emphasized that the controller must take all reasonable steps to ensure the exclusion or correction of data that does not meet the relevant requirements (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62012CJ0131).

Currently, the current Regulation in Article 5 established a system of principles for personal data processing (legality, legality and transparency; target limitation; data minimization; accuracy; limitation of storage periods; integrity and confidentiality; accountability of the data controller). Article 6 of the Regulation defines the criteria for the legality of personal information processing.

Considering the key role of information in the modern world, as well as the important role of freedom of information in the dominant Western civilization, the right to be forgotten requires a philosophical understanding. The problem of this right goes to the problem of memory and identity in the field of social and existential philosophy. In the context of the Internet society, according to J.W. Dowdell, creates a new reality in which, unlike the previous one, memorization is the norm, and forgetting is the exception (Dowdell, 2016).

This tendency seems to be positively evaluated in the context of the discourse "Culture is memory" (Ausloos, 2012), at the scale of society, however, this is opposed by the idea of rehabilitation: eternal and inexorable memory will hinder the changes of a specific person (Bunn, 2015), and will complicate the management of the process representations of one’s personality externally. It is no coincidence that the idea of the right to be forgotten is precisely what the national expert Yu. Razmetayeva sees: "everyone has the opportunity at any moment to represent their personal identity in a relevant way" (Razmietaieva, 2017).

Accordingly, the information of a natural person about himself is classified by domestic researchers as a personal non-property good (Kokhanovska, 2019), for example, like the acquired education (Valieiev, 2014) and according to the conclusions of foreign authors, the right to be forgotten belongs to the natural person who is the right holder of personal information on a time scale - moreover, the longer the origin of information reaches the past, the more likely it is that personal interests prevail over the interests of society (Weber, 2011). That is, a certain trend can be observed: the long-term memory of a person is necessary for her, but society can limit itself to only the most relevant information.

From this position, many researchers criticize the proposed name of the right, in particular, speaking of the right to dispose of one’s memory (Tirosh, 2017), the right of deindexation. It seems to us that experts are right who say that the more correct name is "the right to be de-indexed or, more precisely, the qualified right not to appear in publicly available search results" (Bygrave, 2014).

Conclusions. So, according to our assessment, modern civilization unintentionally and implicitly, thanks to the development of information technologies, changed the balance of privacy and freedom of speech in favor of the latter. The institutionalization of the "right to be forgotten" appears as a purposeful and explicit attempt to correct this imbalance. In order to balance the balance, European lawyers supplemented the concept of personal data protection with the right to be forgotten, recognized search engine operators as controllers of personal data, recognized territorial limits of protection and exclusions regarding objects of protection.

In the context of further research, the aspect of training students of legal specialties, who in the future will have to adapt and implement similar constructions in Ukraine, as well as help implement this right, becomes relevant. Similar services are widely provided by lawyers in the European Union. Moreover, such sensitive segments of the population as teenagers and young people are interested in the implementation of the right both in the context of maintaining business reputation and in the context of protection against cyberbullying.

Conflict of Interest and other Ethics Statements
The authors declare no conflict of interest.

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ПРОБЛЕМНІ АСПЕКТИ ІНСТИТУЦІОНАЛІЗАЦІЇ ТА РЕАЛІЗАЦІЇ ПРАВА БУТИ ЗАБУТИМ

Анотація. Право бути забутим інституціоналізувалося в правовому просторі Європи та продовжує викликати дискусії як внаслідок високого рівня конкуренції цього права з іншими правами та законними інтересами різних осіб, так і внаслідок «трансатлантичного розколу» щодо місця цього права в системі права ЄС та системі права США.

У статті розглянуто важливі аспекти інституціоналізації та реалізації права бути забутим, зокрема: пошук витоків його «конфліктності»; обґрунтування саме операторів пошукових систем (а не власників сайтів) контролерами даних, до яких мають звертатися заявники; визначення процедури оскарження та дій контролера; врегулювання територіальної юрисдикції подібних суперечок; визначення підстав для коригування, стирання чи блокування інформації тощо.

За висновком авторів, сучасна цивілізація нецілеспрямовано та імпліцитно, завдяки розвитку інформаційних технологій, змінила баланс приватності та свободи слова на користь останньої. Інституціоналізація «права на забуття» постає цілеспрямованою та експліцитною спробою виправити цей дисбаланс. Для вирівнювання балансу європейські правники доповнили концепцію захисту персональних даних правом на забуття, визнали операторів пошукових систем контролерами персональних даних, визнали територіальні межі захисту та виключення щодо об'єктів захисту.

У контексті подальших досліджень актуальності набуває аспект підготовки студентів юридичних спеціальностей, яким у майбутньому доведеться адаптувати та впроваджувати аналогічні конструкції в Україні, а також допомагати реалізовувати це право. Аналогічні послуги широко надають юристи в Європейському Союзі. Причому у реалізації права зацікавлені як у контексті підтримки ділової репутації, так і в контексті захисту від кібербулінгу такі чутливі верстви населення, як підлітки та молодь.

Ключові слова: *оператор пошукових систем, контролер персональних даних, обробка персональних даних, трансатлантичний розкол, імпліцитний та експліцитний вплив на право.*

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PROFESSIONAL BURNOUT IN PEDAGOGY OF SPECIALISTS WORKING IN HIGHER EDUCATION SPHERE

Abstract. The article considers the study of the peculiarities of the management strategies for the higher education institutions to preserve and enhance the productivity of scientific and pedagogical personnel, to eliminate their professional burnout; impact of chosen strategy on the results of the staff; reasons why professional burnout may occur. The main factors causing the professional burnout are analyzed along with the ways of how to avoid and eliminate them.

Also such phenomenon as stress is viewed here as both a natural factor that triggers

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development and as one of the main factors causing professional burnout. The contradiction that occurs due to the fact that science is art and that art is to be developed within a closed circled system with strict demands, time-limits, measurements of performance, constant pressure, lack of time. Here, the problem of denying or hiding the symptoms of burnout will be reviewed, the way it affects the performance on different levels of an enterprise, trust and distrust as one of the reasons for further falters in production process.

Recommendations are offered to establish a trusting relationship between the management and staff of an enterprise, as an integral part of the effective working and production process in order to achieve more effective communication and, as a result, to achieve production goals.

Keywords: *professional burnout, trustful communication, trust, science is art, production line.*

Introduction. A higher educational institution is an enterprise, whether national or private it has indices of performance that are a compilation of different gains in many levels of the enterprise's activity, which is secured by it's staff. Chasing after the results and high performance may become out of reach if the facility is worn out and is not taken care of. Most companies depend on their staff as well as staff depends on the enterprise where they are enrolled to help the company in reaching their goals. This is quite natural manifestation of symbiotic coexistence, and as progress is moving forward and scientists are constantly working on researching current issues in their fields, we can observe that the saying 'there is no irreplaceable people' now changed in terms of perception of minds of many top managers.

We see how companies grow their personnel from the studentship to the top of their professional career ladder, how some companies make contracts with young talented people and how they adjust their demands (sometimes being more lenient towards) already high skilled but due to the age loitering in technological progress professionals. Scientific and pedagogical personnel is related to the personnel of art, which requires fresh and free mind, space for creating that might bring a break through in their sphere in their research, though is constantly exposed to all these growing demands for the quantity and quality works. Eventually it turns into the quantity against quality. Which, after all, may cause carelessness. Carelessness as a result of constant rush to show indices to correspond the requirement. Art is sought to be turned into the line production. The fact that conveyer line excludes art is to be kept in mind, when choosing the management strategy, taking into account the specific of the sphere of economic activity. "All people are replaceable" but far not all are easy to be replaced. The replacement may cause falters in production process, thus vast majority of western and European countries cherish their staff and take measures to avoid the personnel's burnout.

Analysis of recent research and publications. Under modern conditions, every enterprise has the responsibility it bears for the staff under surveillance. An important role should be played by the management strategies implemented, how personal potential of participants of the staff is considered: way of thinking, mindset, responsibility, character, personal preferences, tendencies (inclination), behavior, will, interests and more.

In recent years, many works dedicated to study of the syndrome of professional burnout. In particular, studied the essence, content and structure of professional burnout N. Bulatevych, L. Karamushka, M. Leiter, K. Maslach, S.Maksimenko, E. Maher, M. Savchyn, B. Perlman, E. Hartman, R. Shvalb, O. Fil and others analyzed the determinants of the syndrome professional burnout M. Borysov, T. Zaichikova, H. Kuynarpuu, K. Malysheva, S.Nalychaeva, V. Orel, A. Rukavishnikov, T. Formanyuk etc., psychodiagnostic tools were developed by

V. Boyko, N. Vodopyanova, J. Grinberg, R. Korf, T. Ronginska, A. Rukavishnikov, J. Sager, S. Seidman, A. Serebryakova, O. Starchenkova, D. Chikon, and others, searched for means of prevention and corrections of the specified M. Borodkin syndrome, N. Vodopyanova, N. Hrysenko, T. Hruby, T. Zaichikova, K. Kondo, K. Malysheva, N. Nazaruk, O. Starchenkova, D. Trunov, H. Freudenberger, O. Khairulin, T. Yatsenko and others.

American scientists Christina Maslach, Herbert Freudenberger and Susan Jackson contributed the research. Dr. Christina Maslach is a well-known American psychologist who has conducted extensive research on burnout. She developed the Maslach Burnout Inventory (MBI), one of the most widely used tools for measuring burnout. In her work, she emphasizes the emotional and psychological aspects of burnout (Maslach, 1998). Dr. Herbert Freudenberger is credited with coining the term "burnout" in the 1970s. His early research focused on burnout among healthcare professionals, and he emphasized the physical and emotional exhaustion associated with the phenomenon (Freudenberger, 1974). Christina Maslach and Susan Jackson collaborated on influential papers about burnout, such as "The Measurement of Experienced Burnout" (1981). Their work helped shape the understanding of burnout as a multifaceted concept (Maslach, 1998).

There are several definitions of the burnout syndrome:

"A developed personal mechanism of psychological defense in the form of a complete or partial exclusion of emotions in response to certain psychologically traumatic actions, acquired as a stereotype of emotional, mostly professional behavior. Burnout is partially a functional stereotype because it allows a person to regulate and economize their energy resources. However, its dysfunctional consequences may also arise when burnout negatively affects professional activities" (Boyko, 1996).

"A process of gradual loss of emotional, cognitive, and physical energy, manifested in symptoms of emotional exhaustion, cognitive weariness, physical fatigue, personal detachment, and reduced job satisfaction" (Sidorov, 2005).

"A specific response to prolonged professional stress in interpersonal communication, which includes three components: emotional exhaustion, depersonalization, and a reduction in personal achievements" (Maslach & Jackson, 1998).

"Physical, emotional, or motivational exhaustion characterized by a decrease in work productivity, fatigue, insomnia, an increased susceptibility to somatic illnesses, as well as the use of alcohol or other psychoactive substances for temporary relief, which tends to develop into physiological dependence. This syndrome is considered a stress response to elevated work and emotional demands typical for individuals dedicated to their work" (WHO, Avramenkasch, 2008).

These definitions provide various perspectives on the concept of burnout, emphasizing factors such as emotional exhaustion, cognitive weariness, reduced job satisfaction, and the impact of prolonged professional stress on an individual's well-being. Each definition highlights different aspects of the burnout syndrome, contributing to a comprehensive understanding of this phenomenon.

The purpose of the article is to study reveal the vast range of aspects that are to be taken into account when managing scientific and pedagogical staff to avoid professional burnout and keep the performance level optimal. These aspects in terms of educational process vary and we can only provide a draught list of the measures to be taken to improve the performance of scientific and pedagogical staff.

Formulation of the main material. The topic of research remains relevant due to a wide range of different aspects of such factors as trust and authority, indices of performance managerial decisions, management strategies, the way to set the goals at different levels of an institution or an enterprise. Psychological climate, desire to perform well, to approve of expectations and the pressure exposure (its side-effects).

A strategy includes a number of elements:

– a system of goals, which includes the mission, the general goal, corporate and specific goals;

– priorities (guiding principles) for the allocation of resources and the implementation of actions;

– rules governing the process of implementing the strategy.

A strategy has the following requirements:

– reality, feasibility;

– compliance with the potential of the organization, management policy,

– experience and skills of staff, culture, motivation system;

– ethics;

– internal integrity;

– compatibility with the environment for effective interaction with it;

– availability of resources;

– justified riskiness;

Alone with this we cannot omit stress factors that directly influence the performance of the staff and above all is the factor of war within the country.

We have conducted a survey using a test to determine professional burnout. The authors of the test are American psychologists K. Maslach and S. Jackson. Although this method was developed by scientists back in 1986, it is still considered one of the most universal and reliable (https://www.projectkesher.org.ua/news/). The test provided 22 questions, where the participants were to answer how often they had the feelings listed below in the questionnaire. For this, they were to mark for each item the position that corresponded to the frequency of their thoughts and feelings: "no, never", "sometimes", "very rarely", "often", "very often", "every day". Depending on the result number of scores it becomes possible to approximately estimate such spheres on emotional conditions of employees and consequently their abilities to perform well and meet the goals set.

Within that test the following items were assessed:

– *Emotional exhaust*, which combines such features of burnout as a feeling of emptiness, lethargy, grayness, meaninglessness and lack of enlightenment of life; absence or significant reduction of positive emotions; feeling of physical and psychological fatigue, etc. Results on this scale: 0-15 points – low level; 16-24 points – average level; 25-54 points – high level.

– *Depersonalization* includes indifference to work and its results, as well as indifference to colleagues, partners, and clients. These are situations when the work is done faster on a machine, for a tick. Most often, we are not talking about outright hacking, but the person does not feel personal involvement either. Results on this scale: 0-5 points – low level; 6-10 points – average level; 11-30 points – high level.

– *Reduction of professional achievements* - decrease in motivation to work, negative assessment of one's work in general and its results in particular. This also includes dissatisfaction with one's duties; a person may believe that he is worthy of better. Some begin to shy away from their duties, transfer tasks to colleagues, etc. Results on this scale: 0-11 points – low level; 12-18 points – average level; 18-48 points – high level.

In that survey 15 people kindly agreed to take part from 3 different departments, though all of them are part of pedagogical personnel.

The results of the survey to determine the degree of professional burnout are presented in the Table 1.

So, having analyzed the table we can conclude, that the overall result is mostly negative and can hugely reflect the process to reach the goals, set by the authority and that even cause the failure of the mission. Taking into account that government and foreign investors allocate money to forth the progress in science and economic household activity as a subsequence. Before the war, funding for science in our country tended to decrease, fixing the figure at the level of 0.41 % of GDP, while other European countries showed a much higher figure – an average of 2.5 % of GDP. What about the countries of Europe! Even African countries are already ahead of us in this indicator – 0.42 % of GDP. The quality of science is the impact, that is, the impact of scientific research on society, the usefulness and citation of scientific research and publications. It is important to determine what factors influence the scientific impact (https://zn.ua/EDUCATION/).

Table 1

Professional burnout test results

Participants	Emotional exhaust	Depersonalization	Reduction of professional achievements
Participant 1	**20**	**5**	**32**
Participant 2	**20**	**3**	**32**
Participant 3	**13**	**0**	**36**
Participant 4	**18**	**5**	**43**
Participant 5	**29**	**15**	**28**
Participant 6	**32**	**11**	**31**
Participant 7	**52**	**25**	**13**
Participant 8	**28**	**16**	**24**
Participant 9	**30**	**19**	**29**
Participant 10	**25**	**8**	**34**
Participant 11	**52**	**25**	**13**
Participant 12	**32**	**11**	**31**
Participant 13	**38**	**18**	**24**
Participant 14	**52**	**9**	**38**
Participant 15	**49**	**6**	**29**

To help you see the picture of the state of affairs, see Table 2 bellow, where we present the result by number of people exposed to risk to burn out in accordance with their results in each of the provided categories, given in the test, the result will be provided also in percentage to make it more exponential and easy to assess the result of the survey.

Table 2

Professional burnout, people at risk

	low	average	high
Emotional exhaust	1/ 6.7 %	3/ 20 %	11/ 73.3 %
Depersonalization	4/ 26.7 %	3/ 20 %	8/ 53.3 %
Reduction of professional achievements	0/ 0 %	2/ 13.3 %	13/ 86.7 %

In terms of scientific and publication impact, Ukraine was in 225th place in the world, though, at the same time, in terms of scientific and publication productivity, we occupy a much higher place – 42nd (https://mon.gov.ua/ storage/app/media/). Which means that we produced quite a lot of scientific results, but their impact, that is, the number of citations, was very low.

It is a vicious circle as in contrast to the policy within Ukraine where the researchers are to produce scientific works as hot pies under the time limits that are always pursing accompanied with huge load related to educational process and methodological developments. Thus, obvious fact is that quality is sacrificed for quantity.

Burnout is essentially a response to chronic emotional stress - manifests itself in the form of persistent fatigue, depression, unmotivated aggressiveness, dissatisfaction with oneself and others. Professional burnout is based on stress, but it is not necessary to understand any stress as the basis of the professional burnout cause. Stress is an element of social, emotional, individual development of a person. We have been accompanied by stress throughout human history. However, we will separate the different types of stress and its causes when talking about the professional burnout of pedagogical staff who works in the field of higher education. This state, which we are talking about, occurs in pedagogical staff as a result of mental overwork, some scientists argue that this is a kind of payment for sympathy, when professional obligations include giving "the warmth of one's soul", emotional investment (https://golosiiv.irc.org.ua/ news).

The emergence of professional burnout among pedagogical staff is due to a system of interrelated and complementary factors related to different levels of personality organization: at the individual psychological level, these are the psychodynamic characteristics of the subject, characteristics of the value-motivational sphere and the formation of skills and abilities of self-regulation, plus, at the socio-psychological level – the features of the organization of activities and interpersonal interaction of the teacher, and at the level of duties and obligations that the teacher assumes in the field of higher education (many of them limit the teacher and do not allow each individual teacher to develop in the direction to which the "soul lies" most of all). When you are part of the scientific and pedagogical teaching staff, you know about such a document as an "individual plan" – this is the norm. Now, some higher education institutions have added so-called additional contracts, which we will discuss below. Signs of the formation of the professional burnout syndrome can be observed in almost every pedagogical teaching staff actor. These or other symptoms are inherent in all employees, although some try to hide them and even deny their presence during surveys so as not to spoil the statistics. "In order not to spoil the statistics or indicators", "give the necessary indicators" – these are terms that are operational, in use at every enterprise, a university is an enterprise, even if it is a state or national university – this is a state or national enterprise, respectively.

Communication is an integral part of working process and the basis of to succeed the operational goals of an enterprise in total, thus, the hiding or distortion of the real state of affairs may have different side-effects as exhaust of the staff and even loss of the staff due to seemingly unpredictable resignation of a part of it, unfortunately far more often many people are harmed emotionally because of the stress they are exposed by the pressure of constant chase after the results (http://moodle.nati.org.ua/mod/).

The matter of trust is highly relevant here as in any household activity and the managerial decisions are to be based on relevant data. Which means no relevant data no adequate managerial decisions. Distorted data leads to wrong managerial, which in turn mislead the whole enterprise and cause distancing from the operative and strategic goals performance.

Professional burnout leads to the depletion of a person's emotional-energetic and personal resources. And so, a variety of mental blocks appears in minds of pedagogical staff, or even prejudice towards the whole working process and their abilities to cope with it. That, what happens in terms of personality, the side effects for an enterprise may be:

a) unpredictable loss of part of personnel;
b) distorted data about the performance;
c) distorted data as for the emotional environment within the staff;
d) wrong managerial decisions based on irrelevant data.

Conclusions. Authority, trust and respect are the key elements to achieve mutual involvement into the process or reaching mutual goals to eventually raise the probability to perform successfully and approach the mission performance.

The Balance between "light" and "darkness" is to be achieved.

In search of the optimal combination of "light" and "dark" techniques, the following points are to be kept in mind:

– the element of authority;
– trust as an irrevocable part of authority;
– mutual respect.

As a subsequence we can distinguish the following managerial strategies:

– A turquoise organization as an ideal form of management is still unattainable in reality, because in any group, even a small one, where, it would seem, everyone is the same, everyone is equal, there is always a leader – a person who takes on a little more responsibility;

– It will not be possible to completely eliminate control, but the task of any reasonable leader is to reduce it to a minimum. It is much more efficient when an employee organizes and controls himself;

– Violence and suppression is not an option. While fear is the best motivator, it won't get you far alone. Intimidation and manipulation will only work for a limited time – the response will not be long in coming;

– The key condition for successful cooperation is mutual respect. It is not enough to have a respectful attitude of a leader towards subordinates. Feedback is needed, efforts must be made by both parties;

– Responsibility – yes, fear of punishment – no! A person should be responsible for his actions – feel involved in a common cause, and not be afraid of the coming punishment.

Regardless of which side the leader chooses – "dark" or "light", management in any case continues to be manipulation to a certain extent. After all, in order to get this or that reaction from subordinates, this or that result, the manager has to ask, force, convince, agitate – that is, use the methods of psychological or emotional influence, but in fact – manipulate. This applies to both physical and intellectual labor.

In term of enterprise pedagogical staff is seen as one of main resources to complete the operational goals which in turn lead to high performance of an enterprise in total and achievement of the mission after all. An here the analogy with production a staff can be compared to equipment which needs to be cared, to lengthen its exploit period and if any equipment can be replaced, though it takes expenses, this kind of "equipment" is far more difficult to be replaced. Thus is to be cared and approached with respect and responsibility.

Conflict of Interest and other Ethics Statements
The authors declare no conflict of interest.

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ПРОФЕСІЙНЕ ВИГОРАННЯ В ПЕДАГОГІЦІ ФАХІВЦІВ СФЕРИ ВИЩОЇ ОСВІТИ

Анотація. У статті розглянуто дослідження особливостей стратегії управління вищими навчальними закладами щодо збереження та підвищення продуктивності науково-педагогічних кадрів, усунення їх професійного вигорання; вплив обраної стратегії на результати діяльності персоналу; причини, за якими може виникнути професійне вигорання. Проаналізовано основні фактори, що викликають професійне вигорання, а також шляхи їх уникнення та усунення.

Також таке явище, як стрес, розглядається тут і як природний фактор, що запускає розвиток, і як один із основних чинників, що спричиняють професійне вигорання. Протиріччя, яке виникає внаслідок того факту, що наука є мистецтвом і що мистецтво має розвиватися в замкнутій системі зі строгими вимогами, часовими обмеженнями, вимірюванням ефективності, постійним тиском, браком часу. Тут буде розглянуто проблему замовчування або приховування симптомів професійного вигорання, як це впливає на продуктивність на різних рівнях підприємства, довіру та недовіру як одну з причин подальших збоїв у виробничому процесі.

Запропоновано рекомендації щодо встановлення довірливих стосунків між керівництвом та персоналом підприємства, як невід'ємної складової ефективного робочого та виробничого процесу для досягнення більш ефективної комунікації та, як наслідок, досягнення виробничих цілей.

Ключові слова: *професійне вигорання, довірче спілкування, довіра, наука – мистецтво, виробнича лінія.*

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