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**STRATEGIC IMPERATIVES FOR THE
DEVELOPMENT OF LOCAL SELF-GOVERNMENT
IN THE CONDITIONS OF EUROPEAN
INTEGRATION PROCESSES IN UKRAINE**

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ABSTRACT

The European integration processes taking place in Ukraine are a conscious choice of its citizens. These processes have a significant impact on the development of local self-government and are the main prerequisite for the development of a democratic state.

The study of the theoretical foundations of the formation and development of local self-government in Ukraine, as well as in other countries of the world that already have significant experience of similar reforms, is relevant for the following reasons:

- firstly, an administrative-territorial reform was carried out in Ukraine, which significantly changed the structure and functions of local self-government bodies;
- secondly, ensuring the effective functioning of local self-government is a key prerequisite for the development of democracy;
- thirdly, the development of socio-economic relations at the regional level has a significant impact on the functioning of the state's economy in general;
- fourthly, new challenges of various nature constantly arise before the bodies of state power and local self-government, which must be responded to in a timely manner.

European countries have considerable experience in the development and improvement of the system of local self-government, which can be useful for Ukraine in the context of building a system of effective local government. European integration processes in Ukraine cover a wide range of areas, including political, economic, legal, social and cultural integration of Ukraine with the European Union (EU). Therefore, the development of an economically developed and socially oriented country requires the study of the best world practices and their direct implementation, taking into account the requirements of today.

The problems of reforming local self-government bodies in the context of European integration processes in Ukraine were studied in the works of domestic and foreign scientists: Kaletnik G., Honchruk I., Demchishena V., Tolkanonova V., Zhuk P., Gordon G., Bryson J., Lysek J., Saradín P., Bel G., Warner M. and others. However, despite significant scientific progress in this field, this problem does not lose its

relevance, which is due to the functioning and development of the system of local self-government bodies under the influence of transformational processes.

In order to increase the efficiency of the functioning of local self-government bodies and their effectiveness at the level of territorial communities, the scientific and practical principles of the development of territorial communities in the conditions of European integration processes in Ukraine require further development and scientific justification. According to the authors, under these conditions, special attention should be paid to the prospects of implementing foreign experience of cooperation of territorial communities in Ukraine, state regulation of socio-economic development of local self-government bodies, peculiarities of the impact of financial decentralization on socio-economic development, principles of management of strategic development of territorial communities, etc. This determines the relevance of this scientific research.

The results of the presented research in the monograph are made within the initiative of the Department of Administrative Management and Alternative Energy Sources of Vinnytsia National Agrarian University "Ensuring the development of territorial communities in terms of local government reform" state registration number: 0122U002096. for 2022-2024.

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4. Prospects of implementation of abroad experience of cooperation of territorial communities in Ukraine

The formation and development of territorial communities in the conditions of decentralization of power in Ukraine are closely related to the formation of local self-government bodies. This process is very important for our country and its citizens. The more economically developed individual territorial communities are, the stronger the state will become.

Effective self-government and self-government are the basis of a democratic system in any developed country in the world. In 2014, the Cabinet of Ministers of Ukraine adopted the Concept of Reforming Local Self-Government and Territorial Organization of Power in Ukraine, which identified the main ways to solve the problems of the local self-government system. However, most of these problems still remain unsolved. There is no unambiguous definition by scientists of the concepts of local administration and local self-government, and there is no clear understanding of their relationship. During the development of the system of local administration and self-government in Ukraine, foreign experience is widely used. But the question of choosing the optimal model of local government and self-government for Ukraine still remains open.

In the work of city and village councils in the country, advanced European experience in labor organization is already being introduced today. In order to provide citizens with convenient access to the use of the basic tools of e-democracy and to establish a better relationship between citizens and the authorities in solving socially important problems in Ukraine, the implementation of the project "Electronic governance for the accountability of authorities and community participation in the Illinets community" (EGAP) of the Vinnytsia region has begun support of the International Charity Organization "Eastern Europe Foundation" and the Swiss Agency for Development and Cooperation in Ukraine in partnership with the Ministry of Digital Transformation of Ukraine.

The project will continue until the end of 2023 in the following areas:

- automation of the work of the local self-government body in the field of decision-making and provision of public services;
- improving the qualifications of employees of the local self-government body in matters of e-governance;
- training of employees of local self-government bodies, representatives of public organizations, business and media on issues of electronic democracy, etc. (Fig. 1).

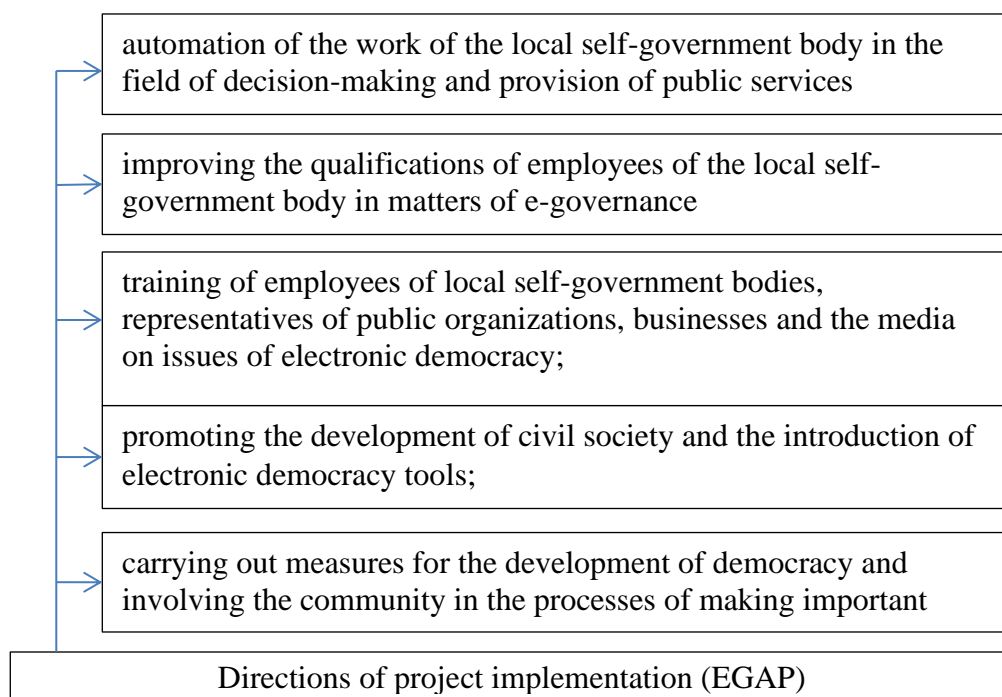


Fig. 1. Directions of implementation of the project "Electronic governance for government accountability and community participation" (EGAP)

The subject of cooperation between the parties is the connection of councils to the e-DEM platform (the Unified Platform of Local Electronic Democracy), which combines a number of services: "Local electronic petitions", "Local electronic petitions", "Electronic consultations with the public" (table 1).

Table 1

Services of the e-DEM platform
(The only platform of local e-democracy)

Service name	Possibilities
"Local electronic petitions"	enables Ukrainians to influence the development of their communities through e-petitions to the relevant local authorities. These petitions are considered according to the special procedure established by the Law, provided that the text of the petition is supported by a certain number of residents
"Local electronic petitions"	provides an opportunity for residents to propose their local development projects and/or influence the distribution of a certain share of local budget funds by voting for certain projects
"Electronic consultations with the public"	provides local authorities with the opportunity to attract proposals from residents on issues of development of cities and communities, organize discussions of draft documents before their consideration and approval, conduct local surveys in various forms in order to study the opinion of the active part of city residents

In addition, one of the tasks within the framework of the project Single platform of local e-democracy was to improve the provision of administrative services.

For this purpose, by order in the territorial communities of Ukraine, a remote place for the work of specialists of the executive committee of the councils is created in the form of a mobile office to ensure the reception of applications and documents from persons with limited mobility, persons with disabilities, the elderly, persons who are on inpatient treatment, and as needed in the villages of territorial communities.

They also approve the regulations for the remote workplace using the portable hardware complex "mobile case", which is purchased by councils as part of the project implementation.

"Mobile office" is a set of modern portable equipment, which allows in the format of a remote workplace to carry out full-fledged reception of documents for receiving administrative services at the place of residence of citizens.

With the help of a mobile case that accommodates a laptop, scanner, terminal

and other technical equipment, the administrator can perform all necessary operations to provide services regardless of location: at home, in a hospital or in another place where a person with disabilities is. A new service was introduced for people with disabilities at home. But, in addition to people with disabilities, this service can also be used by the elderly. The "mobile office" will also come in handy for creating remote workplaces for administrators.

In order to optimize the work of local self-government bodies in Ukraine, it is also important to adopt the foreign experience of cooperation of territorial communities, which is successfully practiced in European and other countries of the world.

The cooperation of territorial communities is a new form of local and regional development policy, which has been spreading in Ukraine in recent years, and has been successfully practiced for a long time abroad.

Intermunicipal cooperation involves the cooperation of communities on a contractual basis in order to solve existing problems. The end result of such cooperation should be the improvement of the quality of life of communities. Cities, towns, and villages have a number of problems that are difficult to solve independently. These problems concern not one community, but several. For example, cleaning water bodies, ensuring high-quality water supply and drainage, maintenance of fire protection, waste processing, etc. It is easier to deal with this if you cooperate properly - combine material resources and efforts with neighboring communities that are also interested in this. Therefore, communities can choose cooperation mostly for two reasons - economic and personnel.

Cooperation has quite a large potential, the use of which can be useful for ensuring the sustainable development of territorial communities, regardless of whether the communities are large or small.

The experience of many countries shows that territorial communities are usually never completely sufficient, regardless of their area and population. This means that cooperation is a relevant and innovative form of activity for the vast majority of communities.

Cooperation can contribute not only to the successful resolution of the consequences of irrational implementation of self-governing functions and inefficient use of resources available to territorial communities, but also to the imperfect organization of territorial power.

One of the options for cooperation between communities is rural-urban partnership (urbanization), which in the modern sense, according to the definition of the Organization for Economic Cooperation and Development, is a system that operates where rural and urban areas coexist and are connected by one or more functional links (for example, communications, value chains, demographics, natural resources, etc.).

The main idea in the organization of such cooperation is the involvement in cooperation of functional territories, administrative units or their parts, connected by economic, social, ecological, infrastructural points of interaction, interests or participation in cooperative, logistic and other chains.

That is, the factor of improving the well-being and increasing the functionality of the territories in the course of organizing cooperation between them is important, which corresponds to the provisions of the modern European policy of rapprochement (Cohesion policy).

The development of cooperation between urban and rural areas in the EU countries is one of the types of inter-territorial, inter-municipal cooperation and is actively stimulated at the local, regional, national and transnational levels, as it contributes to the reduction of disparities in the socio-economic development of territorial communities, especially in the "center-periphery" section. which is one of the tasks of the European regional convergence policy for 2021-2027.

The main documents determining the relevance and necessity of cooperation between territorial communities on a European scale are:

- Regional Development and Cohesion Policy 2021-2027;
- Regional Development and Cohesion Policy beyond 2020, as well as the modernized directions of the Convergence Policy, determined for the long term for the European budget for 2021-2027;

- "Europe 2030: local leaders speak out";
- Resolution of the UN Conference on Housing and Sustainable Urban Development (Table 2).

Table 2

The basis of normative legal acts determining the relevance and necessity of cooperation between territorial communities in the EU

№	Name of the document	Basic content
1	Regulations of the EU policy on regional development and convergence (Regional Development and Cohesion Policy 2021-2027) [69]	in which, among the five key priorities, it is envisaged to ensure the establishment of closer, reliable and mutually beneficial relations between the participants within the EU and in Europe as a whole. But the other five directions (Smarter Europe, More social Europe, Europe closer to citizens, Greener and carbon-free Europe) are closely related to inter-municipal and urban development, and are important for implementation in both urban and in rural communities.
2	Provisions of the EU regional policy on convergence and improvement of the level of development of territories (Regional Development and Cohesion Policy beyond 2020), as well as modernized directions of the Convergence Policy, determined for the long term for the European budget for 2021-2027 [70]	It is assumed that investments in regional development will be focused on 65-85% on ensuring the priorities of Smarter Europe and Greener, carbon free Europe in a territorial section, in accordance with the state of development of the target regions. That is, the cooperation policy of territorial units, including urban and rural ones, will be supported by EU programs in the sectoral dimension.
3	Presented by the Council of European Municipalities and Regions (The Council of European Municipalities and Regions (CEMR)), the interests of European local and regional authorities and their representatives in more than 40 countries "Europe 2030: local leaders speak out" [71]	The document states that in Europe in 2030, spatial planning will be implemented on a large scale. It is also necessary to transform the urban and rural dichotomy into relations and a form of cooperation between rural and urban territories. Large cities and urban centers will play a predominant "regional" role;
4	Resolution of the UN Conference on Housing and Sustainable Urban Development (UN Conference on Housing and Sustainable Urban Development 17–20 October 2016 – Quito, Ecuador) [72]	This global summit reflected the trends in urban development over the past 20 years and how these patterns affect human development, well-being and governance systems around the world.

The need for active cooperation between urban and rural territorial communities in the EU is justified by the following facts:

- about 80% of the rural population live near cities;
- urban and rural regions use different and often complementary assets, and

better integration between these areas is important for socio-economic indicators;

- potential linkages include demographic, labor, community service and environmental aspects;

- local self-government bodies themselves cannot manage these relationships, developing both urban and rural populations;

- governance should be improved in such a way as to help manage the integration of urban and rural communities, and to influence the prosperity of places and people;

- rural-urban partnerships can improve the effectiveness of managing relations between villages and cities;

- rural and urban partnerships are an effective way of responding to the need to regulate these interactions and promote economic development and well-being;

- urban and rural areas are interdependent due to various types of connections that often cross traditional administrative boundaries;

- an effective rural-urban partnership can help achieve economic development goals for both;

- strengthening of connections facilitates access to workplaces, infrastructure facilities and various types of services;

- rural-urban partnerships help regions improve the production of public goods, achieve economies of scale through the provision of public services and help develop new economic opportunities;

- • attracting the private sector, which plays a crucial role in strengthening the connection with the regional economy, remains a difficult task;

- cooperation can be difficult when there is a large difference in size, resources and capacity between urban and rural areas;

- other factors impeding effective partnerships include regulatory and political barriers, lack of trust and policy fragmentation;

- governments can encourage the integration of urban and rural policies by working on a joint national agenda;

- national governments should encourage better integration between policy

sectors such as agricultural and regional development policies.

The main provisions of the global urban policy, which is very actively developing in the EU countries, were defined in the report of the United Nations Economic Cooperation Organization (Governing rural-urban partnerships: lessons from the field) back in 2013. The tools (forms) of the organization of cooperation are determined by legislative, regulatory, program documents and agreements in the field of inter-municipal cooperation, are characterized by specific differences inherent in individual EU countries, but include a relatively ordered list of forms and methods, which is prescribed in the "Guide to the tools of inter-municipal cooperation cooperation" (Toolkit Manual Inter-municipal Cooperation) [73], issued by the Council of Europe together with UNDP and the Local Government and Public Service Reform Initiative. This list includes six main types of legislative frameworks for establishing inter-municipal, including rurbanistic cooperation, which include the creation of an informal organization, a contract form of interaction, the organization of public law (non-profit public organization, association), etc. (Fig. 2)

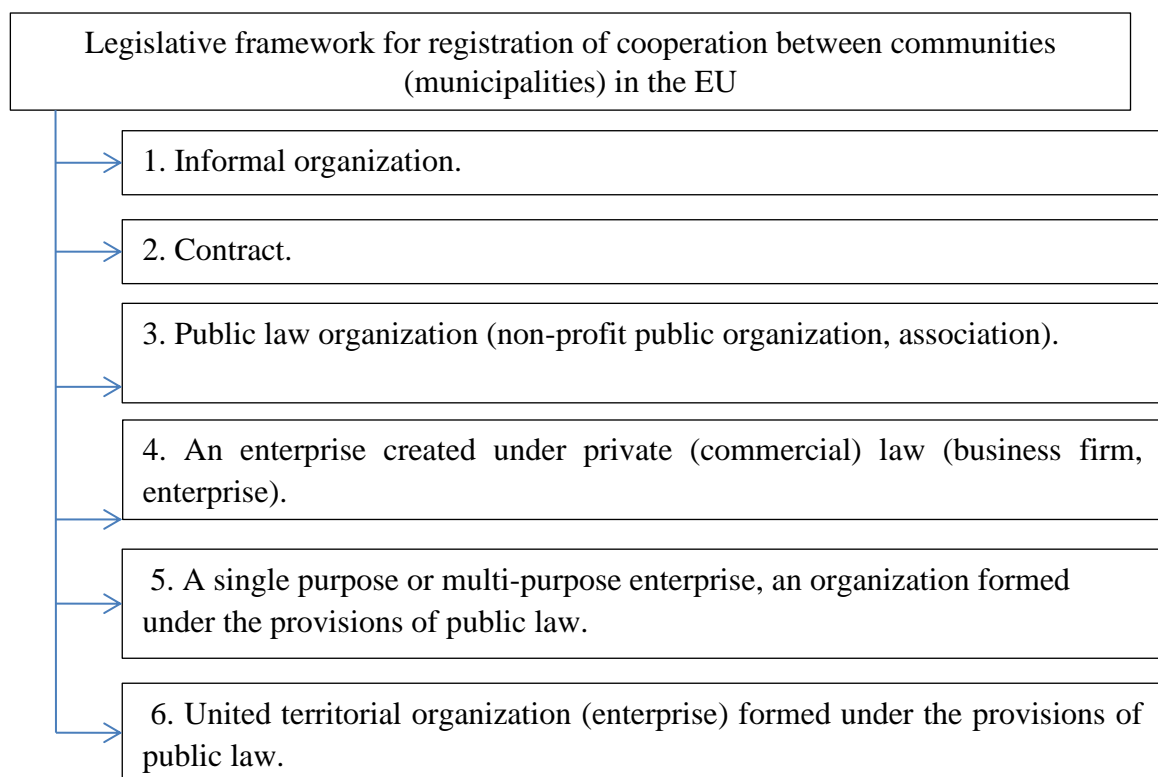


Fig. 2 The main types of legislative frameworks for registration of cooperation between communities (municipalities) in the EU

The given list of forms of municipal cooperation is actually reflected among the types of inter-municipal cooperation measures allowed for implementation in different EU countries. However, formally, this list may be different, according to how the legislation of a certain country defines such forms of cooperation.

In particular, the internal legislation of Slovenia fully corresponds to the vision of the Council of Europe regarding the list of the specified forms of inter-municipal cooperation.

In Albania, which is a European country but is not a member of the EU, but implements the provisions of the policy of the Council of Europe regarding the organization of inter-municipal cooperation, a fairly consolidated list of forms and methods of organizing community cooperation is provided, namely:

- determination of one municipality responsible for the performance of the functions assigned to it - the performance of certain tasks necessary for all parties of cooperation are entrusted to one of the municipalities involved, which has the best functional capacity to carry out such activities, and together with the duties of the municipality, the corresponding financial resources either in the form of periodic transfers from the budgets of other municipalities, or by changing the order of distribution of part of the budget tax revenues from communities receiving services in favor of the communities providing services;

- delegation of functions to a regional body (council). The council itself, which includes representatives from all municipalities that will cooperate, but it does not perform executive functions, it only makes and approves decisions. Appropriate committees are created for executive functions;

- creation of an intermunicipal association as a managing body, on the basis of voluntary participation, as a rule, in the form of a separate entity (non-profit, public organization, utility company, company based on the principles of private law).

In general, the legislation of Albania is considered loyal in the field of inter-municipal cooperation, since almost all services can be delegated from the association to one entity, and together with this, such an entity is also given certain powers and rights to participate in the distribution of budget revenues.

Some well-known researchers in the field of inter-municipal cooperation bring the whole set of ways, methods and forms of cooperation under the following consolidated classification of four components:

- informal (informal);
- weakly formalized;
- cooperation through the formation of functional enterprises (IMC in functional 'enterprises');
- cooperation as a model of integrated territorial cooperation (IMC as a model of integrated territorial cooperation) [74].

Actually, urbanization, which is becoming more and more popular, consists in the organization of cooperation between urban and rural areas on the basis of mutually beneficial cooperation, the distribution of powers, the use of existing advantages in order to bring rural areas closer to the sources of concentration of innovations, social and financial capital, investments, to objects social and transport infrastructure inherent in urban settlements, along with more active involvement of resources, which are rich in rural areas, in the processes of social production.

The concept of urban development of territories is widespread in many countries of the world (India, Canada and most European countries) and is expressed either simply in the form of urban rural settlements (Fig. 3) or in the form of complex approaches to the organization of cooperation between urban and rural areas.



Fig. 3 Trinity Hills urban settlement with developed infrastructure and a university campus in the countryside near Calgary, Canada

The second option is the most interesting for Ukraine, and the rich European experience of organizing inter-municipal, urban development can be very useful.

It is in the EU countries, probably due to the existing experience of active inter-municipal cooperation, that the institutional framework for the effective application of contractual instruments for the implementation of spatial development in such dimensions as: city-city, region-region, city-village, village-village, etc. has been most successfully built.

Foreign practices of organizing urban-type settlements in rural areas may not be as important as examples of the successful use of tools of inter-municipal cooperation, as a result of which it was possible to build urbanized settlements in villages, create urban innovation clusters with different sectoral orientations (high technologies, IT, robotics, agricultural production, organic farming, etc.).

Very active rurbanist processes are taking place in India [75], which is a consequence of population migration to small and medium-sized cities, and large villages acquire the characteristics of urban-type settlements, which is caused by structural changes in the country's economic priorities: from agricultural production to the service sector.

In this case, we can talk about the objective processes of population migration and lifestyle changes, which are not a tool for stimulating socio-economic development, but a consequence, unlike the European policy of regional development. Regulatory policy measures to improve the well-being of urban, rural and mixed-type communities by the Government of India are being taken, but they are largely counter-intuitive to emerging challenges. Thus, "Housing for all by 2022" was adopted for the development of rurbanist settlements with a special focus on providing housing for the population in economically weaker parts of urban settlements. At the same time, the European policy in the field of urbanization is complex, aimed at improving the quality of life, focused on preventing future and solving existing challenges, and involves stimulating the convergence of elements of territorial development (cohesion policy), including through the use of such tools as integrated investments in development of territories (Integrated Territorial Investments (ITIs)).

In Sweden, Denmark, Finland, the Netherlands, the United Kingdom of Great Britain, Poland, Germany, urban associations brought positive results, although simple inter-municipal cooperation in these countries was also effective, but France has a very rich experience in organizing the cooperation of small communities-communes .

In Spain, Barcelona, Madrid and La Coruña are among the most cited cases of successful management in Europe where inter-municipal cooperation is organized. Relevant and interesting from the point of view of possibilities for implementation on the territory of Ukraine are the best practices of the territorial development of communities, which are characterized not only by the construction of urban-type settlements, but also by certain functional possibilities (the creation of a mini farm of organic farming in Greater Paris, practices of the development of functional territories in the communities of Poland) (Fig. 4).

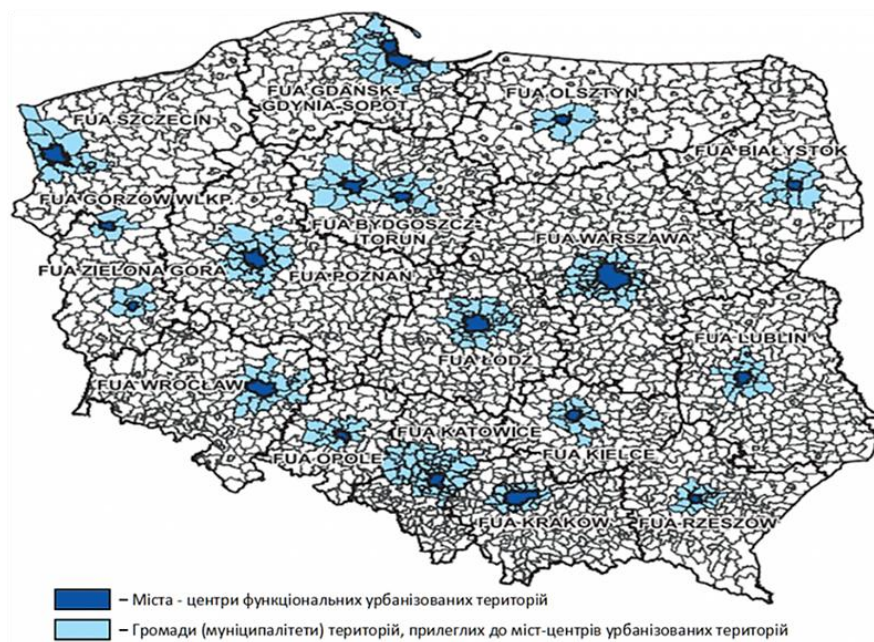


Fig. 4 Location diagram of functional urbanized areas where the integrated territorial investment tool is used in Poland

For the implementation of the European policy of integrated territorial investment (Integrated Territorial Investments), functional urbanized territories are allocated, in the development of which, in fact, investments will be made.

The implementation of the policy of rapprochement and integrated investment is

carried out in Poland together with the use of instruments of inter-municipal cooperation in the form of concluded agreements between communities or through the formation of associations.

In any case, for the implementation of the modern European policy of rapprochement and development of rural-urban cooperation, common points of interaction, common chains of value and values are necessary, which will allow considering the interacting territories as a complete system - a functional territorial unit.

The boundaries of the functional territory do not coincide with the administrative ones, but are determined by the actual extent of interrelationships (economic, demographic, social, ecological, etc.), which will allow considering the conditional association of territorial units as a whole system.

The relevance of the use of contractual forms in the organization of cooperation between urban and rural communities in Ukraine is determined by the possibility of improving the level of the capacity of small communities to provide certain administrative services, improving the state of their infrastructure and ensuring an increase in the level of well-being of the population.

The necessary management skills of the team that will implement the cooperation of territorial communities (STG):

- analytical resource of the team – the ability to identify problems in a timely manner,
- give them a proper assessment and determine the method and sources of provision
- solutions, turning them into specific tasks in the STG plane;
- managerial maturity – the ability of community leaders to quickly make managerial decisions, conduct constructive dialogue, negotiations and reach joint agreements;
- readiness for responsibility – the ability of community leaders to bear
- social or political responsibility for the results of decision-making
- increased complexity;

- crisis management skills – the ability to identify shortcomings and promptly respond to them, to make appropriate adjustments in situations where the implementation of the STG deviates from the expected or planned parameters;

- political flexibility – the ability to establish a dialogue with representatives of various political forces, to develop a clear system of conducting public discussions, if necessary, taking into account online formats.

Practical recommendations for debugging in Illinets territorial community of systematic work on implementation of cooperation mechanisms of the TG:

1) In order to ensure the human resources potential in the community for the establishment of the STG, it is recommended to determine in each field of activity (for example, education, medicine, social protection, etc.) one or more officials - specialists responsible for this direction, to add a lawyer, a financier to this group and profile deputies of the city mayor, at the request of individual elders and deputies of the relevant local council and provide them with timely training and advanced training on this topic.

2) The training of the relevant personnel of the territorial community can be provided in partnership with the relevant regional training centers for civil servants and local self-government officials, international technical assistance projects.

In addition to traditional educational activities (trainings, seminars) in online and offline forms, it is advisable to use, if possible, the organization of educational visits to exchange experience in communities where the tools of the STG have been implemented as the most effective way to get acquainted with the experience of their practical implementation. At the same time, it is important to be both a participant in such trips and a host party (in this case, you can get useful tips and recommendations from the guests regarding your own experience of the STG).

3) One of the forms of organization of work in the local self-government body in this direction can be the creation of a permanent working group on issues of cooperation of territorial communities by order of the village,

of the village, city mayor (this can also be done by another already active working group on issues of community development). Local self-government officials

from various fields, lawyers, financiers, economists can be included in the working group, and profile deputies can be designated as co-chairs (one of them will always be able to attend working group meetings). Tasks for the group include training, analytical and preparatory work on establishing cooperation in one or another field, its support and monitoring. Involvement in the work of such a group of officials from various spheres of activity of the local self-government body will make it possible to systematically provide and support the entire process of STG, to improve certain tools when establishing cooperation in the relevant field.

The initial steps of the village or city mayor to establish the STG:

- on the basis of a detailed analysis, it is necessary to clearly identify the existing ones
- problems of the territorial community in one or another field;
- determine the list of issues that need to be solved as a priority on the basis of cooperation between communities;
- identify a wide range of potential partners from among communities with similar or similar problems;
- choose the optimal form of cooperation and determine the necessary tools to achieve its goal;
- establish internal and external communication with representatives
- territorial communities - potential partners for cooperation;
- to ensure the principle of legal succession with regard to the achievements of potential partners in one or another field, it is recommended to sign a preliminary memorandum or protocol of intent with
an indicative action plan or road map with steps to establish cooperation; also the expediency of using STG tools for
ensuring the development of the community should be prescribed in its Development Strategy
territorial community.

It is necessary to take into account that this first preparatory stage for the establishment of inter-municipal cooperation is not regulated by law, and the further

success of the organization of cooperation between communities as a whole depends on its organization and systematicity in the work of representatives of the local self-government body. In the future, the community will go through all the stages of establishing cooperation in accordance with the Law of Ukraine "On Cooperation of Territorial Communities". It is important to remember that the preparation of the STG is a constant process with the coverage of new areas, the search for opportunities to solve complex and resource-intensive problems.

The issue of potential cooperation requires balanced approaches, study of the economic situation and consideration of other factors that influence the choice of real partners, the involvement of external financial assistance or expert support. Some recommendations regarding the choice of forms of cooperation of territorial communities are presented in fig. 5.

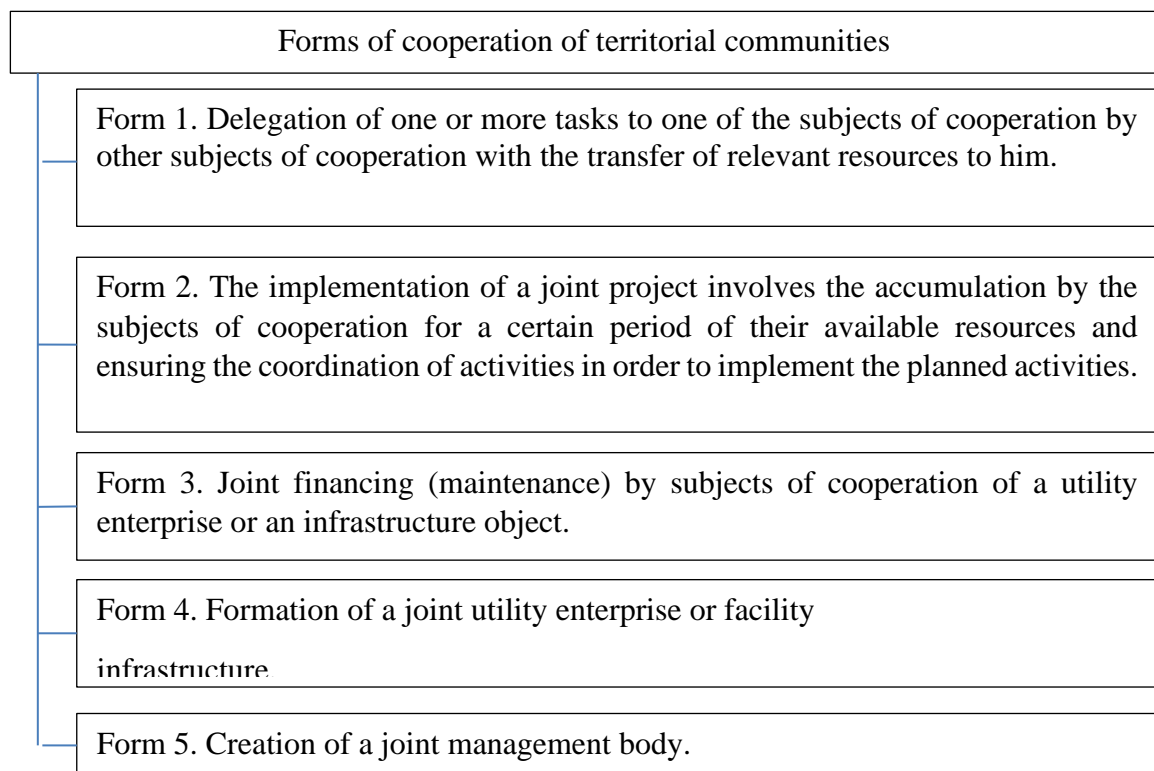


Fig. 5 Forms of cooperation of territorial communities in Ukraine

Form 1. Delegation of one of the subjects of cooperation to others subjects of cooperation in the performance of one or more tasks with by transferring the relevant resources to him. Delegation must be understood temporary transfer to one subject of

cooperation by other subjects cooperation of own authority to perform during the agreed period with the transfer of resources. When choosing this form, it is necessary to determine whether the relevant territorial community - a potential partner for cooperation has the ability to solve your joint task or whether your community is ready to perform joint tasks for other territorial communities, as well as analyze the potential benefits of all territorial communities - possible partners for cooperation (economy funds, reducing the cost of the service due to an increase in the number of its recipients, improving the quality of this or that service due to its automation, increasing budget revenues due to additional jobs and personal income tax, etc.).

Form 2. The implementation of a joint project involves the accumulation by the subjects of cooperation for a certain period of their available resources and ensuring the coordination of activities in order to implement the planned measures. This form is appropriate in conditions of limited time for the planned implementation, due to the need to carry out preparatory work for future long-term cooperation, as well as in cases when the future forms of the STG have not yet been determined at the initial stage and when a large number of partners are involved (including not only from the number of TG).

Form 3. Joint financing (maintenance) by subjects of cooperation of a utility enterprise or an infrastructure object. With this form, the subjects of cooperation participate in co-financing a certain enterprise, institution or organization of communal property under the conditions specified in the contract. When choosing this form, it is necessary to familiarize yourself with the charter or other founding documents, directions of its activity and results for the previous period, clearly calculate the benefits for the community from cooperation. Co-financing must be carried out in accordance with the requirements of the Budget Code of Ukraine.

Form 4. Formation of a joint utility enterprise or facility infrastructure. Joint utility enterprises (institutions or organizations) are created for the purpose of implementing joint infrastructure projects and performing functions of common interest. To implement cooperation, it is necessary to: determine the circle of interested parties partners to join forces in a certain field; determine the optimal location location

of the enterprise; take into account the possibility of a larger contribution of one of partners due to the prospect of receiving personal income tax or other tax revenues, the willingness of partners to "give up" their powers.

Form 5. Creation of a joint management body: The need for the formation of a joint management body arises in the event of financial inability to create it only for the needs of one community or for the purpose of saving money. To do this, it will be necessary to take into account the needs of all partners in this particular body, calculate the contributions of the parties in accordance with approved standards or norms, find out the availability of the necessary personnel, premises, etc.

As of November 2021, 761 agreements among communities have already been concluded in Ukraine. Contracts were concluded both between two communities, and more - depending on the size of the community, existing problem and needs. The distribution by forms of municipal cooperation looks as follows (Fig. 6).

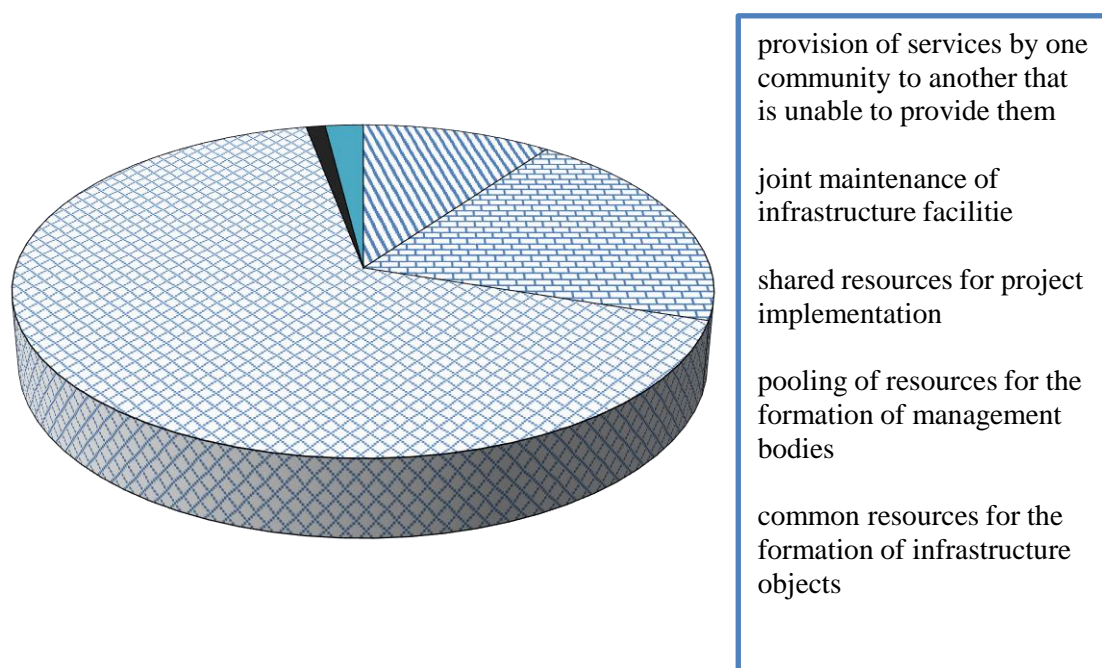


Fig. 6 Distribution of forms of intermunicipal cooperation in Ukraine (number of contracts/%), 2021

Next, we will consider possible errors in the process of setting up the STG and ways to overcome them (Table 3)

Table 3

Possible mistakes in the process of establishing cooperation between territorial
communities and recommended ways to avoid them

Errors are possible	Recommended ways to avoid or correction
1	2
Underestimation of opportunities and advantages of cooperation	Get to know in detail the best practices in the chosen field, conduct a thorough analysis of the possible results of cooperation for all communities participating in cooperation
Lack of established teamwork of specialists	Formalize the work on the establishment of the STG through the functioning of a permanent working group with a clear planning of tasks, deadlines for their implementation, and the distribution of functions among its members
At the preliminary stage of preparation, the problem of one community (initiator of cooperation) is artificially spread to other communities in order to justify the sphere of cooperation, the absence of tangential problems in partner communities, which ultimately leads to the rejection of such cooperation	Carry out the preparatory stage qualitatively establishment of cooperation, to determine common problems for all communities, or different problems that have a common way of them solution. Do not push back in any case exclusively from their own needs or problems community
Complication of the public process discussion and delay in receipt conclusions on feasibility cooperation on the part of partner communities due to an insufficiently substantiated description of the planned activities	At the stage of preparing a proposal regarding clearly prescribe the initiation of cooperation the purpose and task of cooperation, proper to justify the planned measures. (a legal justification must be conducted in accordance with the legislation in the chosen field and authorities of local government, technical justification of the choice of equipment or service provider based on technical characteristics, comparative data, experience work, clearly justify the choice of place for object under construction (repaired, being converted), confirmation determination of the list of certain repair construction works (defective certificate, design estimate documentation); is also advisable conduct financial and economic analysis planned activities and their possible ones results).
External or internal risks slow down or make the cooperation process impossible	When preparing a cooperation agreement it is necessary to analyze the possible general ones risks for all partners, as well as specific

Continuation of table 3

	the situation in one or another community, which may negatively affect the implementation of the project as a whole, discuss possible ways to overcome them.
Making legal mistakes in the text of the contract	It is necessary to strictly comply with the legislation in the chosen field and when preparing the contract, not to copy the already registered contract on STG without taking into account the specifics of the corresponding territorial community, since even there may be errors or changes in the legislation not taken into account in the already registered contract on STG.
It is impossible to solve quickly the problem of making changes to the signed cooperation agreement	Try to write in the contract about STG all necessary conditions and actions in sufficient detail, consider that making changes to already of the registered contract takes place according to general rules that are provided for cooperation agreements, with passing all stages in accordance with the Law of Ukraine "On cooperation of territorial communities".
The cooperation agreement must be signed and registered, but it is possible not to execute it	A contract on STG was concluded and registered must be clearly performed, because the course is his implementation is monitored by the Ministry of Regions, a the relevant local council is obliged to periodically (annually) report on implementation cooperation, if there is an agreement with STG, which is not implemented, it should be terminated

The process of establishing successful cooperation between territorial communities is possible if there is a systematic approach to this work in each of them, a clear awareness of the existence of problems and a developed common vision of ways to solve them.

At the same time, it is important to be ready to cooperate based on the principles of honesty and transparency of relations in the presence of mutual trust.

The foreign experience of investment cooperation between municipalities in different countries, which we will consider in detail below, also deserves special attention.

Investment cooperation of territorial communities, especially the management bodies of administrative-territorial units, within the framework of which the

community's right to local self-government is realized, is a rather complex mechanism for managing territorial development. The main difficulties lie in the fact that local self-government entities are public authorities, and therefore it is quite difficult to imagine their direct participation in the investment process. They most often act as a coordinator or regulator of investment flows, as well as administrators of involved investments in order to guarantee the maximum usefulness of their use. Intermunicipal investment cooperation (hereinafter - MMIS) has not acquired any established forms or models. The traditions of MMIS implementation in most countries are so unique that it is impossible even to unify, classify or combine various organizational, legal, institutional, financial and other elements of its implementation in a certain way in order to find the most optimal or effective forms.

The logical conclusion from this is that choosing the best MMIS model does not make sense, but it is necessary to analyze the very mechanisms of MMIS implementation in different countries in order to find the most acceptable and optimal ways of introducing such cooperation in Ukraine.

According to T. G. Barabash, "such a type of activity as inter-municipal cooperation is not new, but is quite actively used in European countries. Cooperation of territorial communities is a promising area of activity of small public associations and can be used to solve many problems of their life activities, as well as to improve the quality of services" [76, p. 48]. However, its use quite often carries only organizational forms and an administrative purpose, which consists in increasing the management potential of municipal administration bodies in the process of regional development.

O. Grindey believes that "the use of mechanisms of inter-municipal cooperation is due to the following factors: the insufficiency of municipal entities' own resources to solve the problems of social and economic development, the development and implementation of joint investment projects, the integration of the production and economic activities of organizations operating on the territory of municipal bodies; the need to provide high-quality public services to the population" [77, p. 55]. The nature of these factors lies in the fact that in most foreign countries the system of

administrative organization (and therefore, municipal management) has developed over a long historical period and is a reflection of cultural, socio-economic and other features of the state. Most of the foreign countries introduced and implemented administrative reforms only relatively recently. But even today, the diversification of municipalities according to the size of the territory and the number of the population is significant, and therefore it is quite logical that small municipalities are less capable and financially independent. Because of this, the state stimulated their unification or cooperation depending on the level of integration of the territories.

M. Pukhtynsky notes that "most countries introduced the reform of the local self-government system precisely in order to balance and optimize their own administrative divisions. However, in this way, only indirect results were achieved regarding the comparison of administrative-territorial units according to the number of the population and the approximate area of the territory" [78, p. 282-283]. Instead, the main goal - equalization of development opportunities of territorial communities - was not achieved. But such an effect could not be achieved due to the fact that there are objective and established disproportions in the economic potential and industrial and production development of the territories.

A number of scientists in their studies come to the conclusion that the reform of the administrative-territorial system is a necessity due to the constant development of the socio-economic and public-political environment of the state. And especially such reforming is necessary in the context of the limited financial resources of the state and the growing needs of territorial communities to solve their own problems [79, 80]. The given points of view of scientists are absolutely logical and correct, since the development of the community is a constant process that requires a constant increase in material, resource and administrative support. Therefore, it is quite logical to argue that the administrative-territorial division, established even in Soviet times, cannot meet the modern challenges and requirements of sustainable development, as well as the growing needs of territorial communities.

One way or another, but every state has an unbalanced system of placement of productive forces, which is due to many factors. And this aspect of the problem of the

capacity of municipalities could not be solved by changing the administrative borders of the latter. But the resolution of the disproportionality of territorial development was supposed to be implemented precisely at the expense of the MMIS mechanism.

So, for example, in France, the need for MMIS is explained by the large number of communes. In addition to being numerous, French communes are also usually small in size with a small number of inhabitants. As a result, these structures, primarily small rural communes, are unable to independently solve such issues as waste management, drinking water supply, and construction of large facilities. Thanks to the MMIS, the communes have the opportunity to form a community, which makes it possible to exercise some powers together, reducing the number of management levels." As scientists note, the main emphasis in MMIS in France was made on the administrative and organizational and legal provision of the very possibility of managing the investment development of territories by local self-government bodies. Thus, the researchers note that "the basis of MMIS in France can be considered the so-called administrative associations, that is, the association of several municipalities through the signing and ratification by the representative bodies of local self-government of a joint agreement on activities in a specific direction. This form of cooperation was called an intermunicipal syndicate" [81, p. 92].

In fact, such a mechanism as an agreement signed by local self-government bodies is really effective and efficient from the point of view of the predetermined order of attraction, distribution and realization of investments. However, attention should be paid to the fact that the process of such signing and ratification can be significantly delayed, as it involves mandatory coordination by various public bodies of local authorities at the local territorial level.

The analysis of the experience of MMIS functioning in France, conducted by V. D. Poltavets, deserves special attention. According to the scientist, "the French experience of inter-municipal cooperation is most vividly revealed through the functioning mechanism of inter-communal syndicates and communal "communities". "Inter-municipal syndicates are associative forms of inter-municipal cooperation that enable communes that are members of the association to jointly manage the provision

of services or implement measures."

Therefore, communes can freely decide whether they will unite to work in one or several spheres [82, p. 215]. Compared to intercommunal syndicates, public-law structures of intermunicipal cooperation with their own tax regime or "communities" are much more developed and integrated forms of intermunicipal cooperation [83]. Consequently, the legislator in France enables communes to independently choose certain forms of cooperation in the field of investment relations, but within the limits of the possibilities defined at the legislative level. So, for example, requirements are established for the forms and mechanisms of the functioning of associations of communes, in particular, this concerns investment management mechanisms. The French legislator limits the investment activity of municipal governments to purely stimulating functions: reducing the tax burden; selection of special tax regimes; tax benefits, etc.

Thus, the French experience proves that the most optimal form of cooperation is communities of communes, integrated according to the territorial principle and with extended powers in the sphere of stimulation and encouragement of investment activity. Municipalities do not manage and distribute investments, but create such a level of governmental support for the implementation of investment projects that ensures the maximum return on investment and the effect for the investor.

Although there is a remark about the French experience expressed by many scientists, for example, P. Zhuk and V. Kravtsiv [84, p. 110-111], regarding the fact that, despite its recognized effectiveness, the system of administrative-territorial division of France should not be copied and transferred to the conditions of Ukraine. Instead, there is a need to study the mechanisms and nature of building a system of administrative organization in France, in order to then adapt them to the conditions of public-political and organizational-legal provision of local self-government in Ukraine.

The experience of Germany is interesting. It should be noted that most federal states have special legislation in the field of inter-municipal cooperation. At the same time, at the level of federal lands, there is a Regulation on communities, which enshrines the right of communities to carry out their own economic activities by

creating or accepting (into management) business entities only in the case when the relevant services are not provided or cannot be provided in the future as effectively by enterprises of other forms of ownership. That is, the actual impossibility for municipalities to act as investors is enshrined at the legislative level. The fact is that investment activity is considered as a certain activity in the field of financial services, which is implemented by relevant entities with the assistance of authorities. That is, in Germany, local self-government bodies act as coordinators and stimulators of investments in the economy of a single community or several communities.

In Germany, two forms of intermunicipal cooperation are distinguished: "political" and "economic". Thus, economic forms include, in particular, the right of local self-government bodies to form inter-municipal associations and to establish business associations, as well as other inter-municipal organizations for the purpose of pooling financial funds or attracting additional funds in the form of investments. Instead, political cooperation was marked purely by the representation of the interests of territorial communities in relations with state authorities at the federal and regional levels.

In our opinion, it is precisely in this combination - political and economic inter-municipal cooperation - that the most effective mechanism for the implementation of MMIS is laid. Thus, at the level of political cooperation, intermunicipal bodies actually act as lobbyists for the interests of the community, including in the area of investments, and therefore are able to influence the central authorities in order to adopt such draft laws that would protect and expand the investment capacity of individual associations communities

As for the very mechanism of MMIS implementation in Germany, based on the results of research by scientists [85, 86], conditionally it can be depicted as follows (Fig. 7). In fact, this is the primary basis for the implementation of MMIS in most foreign countries.

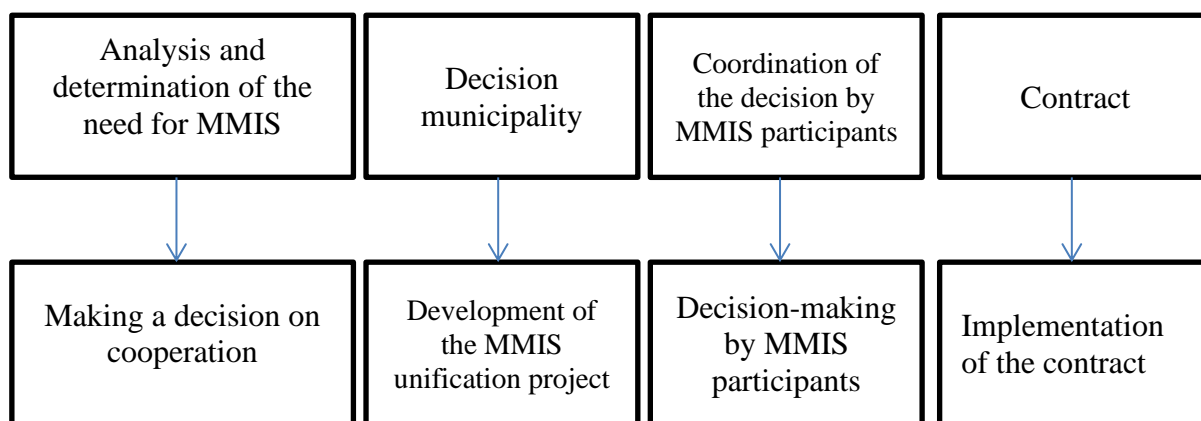


Fig. 7. Mechanism of MMIS implementation in Germany

The experience of MMIS in Italy also confirms the correctness of the stated thesis, since the vast majority of MMIS is implemented in the form of local self-government associations, which is a separate independent institutional creation. Thus, "the association is a public legal body that has all the operational capabilities to perform the functions delegated by municipalities, including within the limits of investment cooperation. The status, statutory provisions and procedure of functioning of the Association are determined exclusively by local self-government bodies that are part of it" [87, p. 212]. But, unlike in Germany or France, this form of MMIS is formalized not by a contract, but by decisions adopted by different municipalities, which are identical and consolidate the will of the community [83, 88]. The experience of Italy clearly indicates the absence of a mandatory need for contractual formalization of relations. Thus, making a decision to grant the Association a certain range of powers, various municipalities in practice implement the principle of delegation and deconcentration, which is completely within the limits of the nature of the local self-government paradigm.

The practice of MMIS in Hungary, the Czech Republic and Slovakia deserves special attention. In particular, in these countries, some small municipalities create "joint offices" for the provision of administrative services, including in the field of investment activities, since municipalities on their own are deprived of the right to act as investors. Such offices are an example of the accumulation of funds raised for the purpose of their further use [89, p. 8]. In this context, the practice of submitting

necessary investment applications from "joint bureaus" draws attention. In addition, such applications are submitted to the bank, in particular to the World Bank, for participation in grant programs, etc. Thus, "joint offices" attract organizational donors to participate in individual investment projects in the community.

A somewhat similar experience of the MMIS organization exists in Spain and is called a syndicate. Syndicates are inter-municipal associations with the status of a legal entity, which have their own budgets, but do not have the right to set their own taxes. The work of the syndicate is managed by a committee consisting of representatives of the communes that are part of it and the head of the syndicate. Separately, mixed syndicates are distinguished, which can include not only municipalities, but also departments (territorial units of state administration), public organizations [87, p. 225]. At the same time, such syndicates can act as independent investors due to the presence of their own off-budget fund. The regulation of their investment activity is carried out separately on the basis defined in the legislation, but the practical implementation of MMIS is carried out according to local regulations. P.V. Zhuk also notes in his works about increasing the financial capacity of territorial communities, but the scientist emphasizes the state's guarantees to local self-government bodies regarding their economic and financial independence, including cooperation and collaboration. In particular, in the works of the scientist, it is noted that "strengthening the economic base and ensuring the financial and managerial independence of administrative-territorial units can be achieved, among other things, by changing inter-budgetary relations, drastically increasing the share of local budget revenues in the consolidated state budget, forming a state the fund for supporting local budgets and guaranteeing the minimum level of budget support for all territorial communities" [90, p. 22].

Summarizing the above, it is advisable to list the comparative characteristics of the forms of MMIS implementation in the table. 4.

Table 4

Foreign experience of MMIS implementation in various forms

MMIS form	Main characteristics	Scope and mechanism of activity
Intermunicipal unions (Finland)	Independent financial and administrative bodies	Accumulation and attraction of investments in the social sector (financing of hospitals, sanatoriums, educational institutions, etc.)
Syndicates (Spain, France)	Intermunicipal associations with the status of a legal entity and their own budget	Any issues of investment activity. Attracting investments and their distribution takes place both by targeted method and actually through the association's budget
Communities (France)	Created with the aim of intensifying the economic development of municipalities - members of the community through the development and implementation of a joint investment project	At the community level, the interests of municipalities in the field of economic and territorial cooperation and the distribution of investment flows take place
Regional development agency (Germany)	Intermunicipal management body in the form of a non-profit organization	Coordination of investment projects without accumulation of investment resources, but with broad administrative capabilities for stimulation and operational protection of investments
Credit association (Denmark)	Special institutional formation in the form of a non-commercial organization with the authority to accumulate investment resources	Investment in projects is carried out at the expense of accumulated funds coming from the budgets of various municipalities

Source: created by the author based on [83, 85, 88, 91]

Thus, the most effective form of MMIS implementation is the creation of special organizations, institutions, which are empowered in the field of accumulation and distribution of investment resources. Yes, the experience of Denmark, where special credit associations are scurrying, is considered successful. In fact, the credit association functions at the expense of contributions from individual municipalities, which have the right to receive a loan from it on preferential terms. All other recipients of investment resources do so at an increased interest rate. In this way, the maximum level of guarantees of the rights of those municipalities that are members of the association will be achieved, since in this way a certain insurance of their risks takes place. But with regard to the introduction into the domestic practice of MMIS of the functioning of credit associations, which are formed at the expense of budget contributions from

territorial communities, it should be noted here that there are not even prerequisites for legislative regulation for this today. This means the need for the constant evolution of the legislation and the search by the Government, territorial communities, and institutions of civil society for ways to improve and increase the effectiveness of MMIS.

Summarizing the above, it should be noted that one of the options for cooperation between communities that we offer is rural-urban partnership (urbanization), which in the modern sense, according to the definition of the Organization for Economic Cooperation and Development, is a system that operates where rural and urban territories coexist and are connected to each other by one or more functional links (for example, communications, value chains, demographics, natural resources, etc.).

Six main types of legislative frameworks for registration of inter-municipal, including rural-urban cooperation, including the creation of an informal organization, a contract, a form of interaction, organization of public law (non-profit public organization, association) etc. have been identified.

The concept of rural-urbanization type of territorial development is widespread in most European countries, India, and Canada and is expressed in the form of: 1) urban rural settlements, 2) complex approaches to the organization of cooperation between urban and rural areas. We consider the second option to be the most interesting for Ukraine, and the rich European experience of organizing inter-municipal, urban development can be very useful.

In order to implement the cooperation of territorial communities, the necessary management skills of the team have been identified for the Illinets City Council: the analytical resource of the team, managerial maturity, readiness for responsibility, crisis management skills, political flexibility.

Practical recommendations for debugging have been developed territorial communities of Ukraine of systematic work on implementation of cooperation mechanisms of the TG:

- 1) provision of personnel potential - to identify one or more officials - specialists

responsible for this direction in each field of activity, to include a lawyer, a financier and specialized deputy mayors in this group;

2) training of relevant personnel;

3) creation of a permanent working group on cooperation of territorial communities.

Possible errors in the process of establishing cooperation between territorial communities are also highlighted and recommended ways to avoid them are developed. Analyzing the foreign experience in the field of implementation of intermunicipal investment cooperation and the possibility of its implementation in Ukraine, it is worth paying attention to the following aspects.

MMIS is not a sufficiently widespread practice and direction of cooperation between territorial communities and their governing bodies. The legislation of most of the analyzed countries does not establish clear norms that would regulate or regulate MMIS as much as the practice of territorial management and development of territories requires.

A large number of forms, models and ways of implementing MMIS, despite even a certain rarity of their use, testify to the most important characteristic feature of MMIS itself. It is about the specificity and uniqueness of the problem solved in this way, the character of the community and the territory within which MMIS is implemented, as well as local traditions and cultural features of the region, which are reflected in the very nature of cooperation. That is, MMIS cannot be considered as a standard solution to the problems of regional or territorial development. The activation of this type of cooperation comes from the conflicting needs of several communities in solving the problems of their own development and meeting the needs of the population of such communities in the conditions of limited resource provision of municipal authorities. The economic potential of the territories most often turns into an object of investment, while the municipal authorities themselves develop such a mechanism for attracting investments that will make it possible to implement them as effectively as possible in this particular territory.

The most effective from the point of view of the domestic practice of organizing

local self-government and financial flows should be considered such forms of MMIS as: the creation of a separate inter-municipal institution (body) authorized to manage or regulate the implementation of investment processes, and the administration of investment processes by concluding an administrative contract, while not only between community authorities, but also by joining such a contract with the investment entity itself. This form of cooperation and interaction at the level of direct contact between authorities and a subject of private law interested in investing is more acceptable from the point of view of protecting the rights and interests of all parties to such relations.

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