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## **ПРОФАНАЦІЯ СТРАТЕГІЇ РОЗВИТКУ УКРАЇНИ: ПРИКЛАДИ, ПРИЧИНИ, ПРОПОЗИЦІЇ**

## **ПРОФАНАЦИЯ СТРАТЕГИИ РАЗВИТИЯ УКРАИНЫ: ПРИМЕРЫ, ПРИЧИНЫ, ПРЕДЛОЖЕНИЯ**

## **PROFANATION OF THE STRATEGY OF UKRAINE'S DEVELOPMENT: EXAMPLES, REASONS, PROPOSALS**

*У статті на основі покрокового аналізу положень Указу Президента України від 12 січня 2015 року № 5/2015 «Про Стратегію сталого розвитку «Україна – 2020» здійснено комплексну оцінку якості та потенціалу розробки викладеної в ньому стратегії сталого розвитку України.*

**Ключові слова:** стратегія сталого розвитку, вектори руху, дорожня карта, європейські стандарти життя, стратегічні індикатори.

*В статье на основе пошагового анализа положений Указа Президента Украины от 12 января 2015 года № 5/2015 «О Стратегии устойчивого развития «Украина – 2020» осуществлена комплексная оценка качества разработки и потенциала изложенной в нем стратегии устойчивого развития Украины.*

**Ключевые слова:** стратегия устойчивого развития, векторы движения, дорожная карта, европейские стандарты жизни, стратегические индикаторы.

*Vitality of any country is related to complex influence of a great number of the internal and the external factors which predetermine circumstances of its existence including both development and degradation. According to the analysis of the contents of some normative legal documents and by-laws of supreme bodies of legislative and executive power of Ukraine or public speaking of some representatives of the bodies the official strategy of Ukraine's development is being carried out in either format during more than fifteen years and is being corrected from time to time. The profanation of the occurred strategies of Ukraine's development is proved by the circumstances and results of their implementation. The fact substantiates the topical interest paid to the quality of the current Strategy. The paper proposes stepwise analysis of the items of the Decree of the President of Ukraine of 12 January 2015 № 5/2015 «About the Strategy of Sustainable Development «Ukraine – 2020» and gives complex assessment of the quality and potential of the proposed strategy. The necessity of the complex assessment is caused by the importance of usage of the*

*development strategy as a method of optimization of management on the state level which is aimed at achieving the goal in conditions of complex interaction of the scope of many internal and external factors that influence the state development. The current Strategy is established to miss both professional analysis of the challenges and the threats Ukraine faces as to its development and full-fledged specifying of the priorities and the tools of the state policy that guarantee the development. The low quality of the clauses of the current Strategy is worsened by the usage of a) terms the legal meaning of which is not regulated in the normative legal field of Ukraine, b) wrong aims and unobvious circumstances; c) items that contradict the Constitution of Ukraine.*

*The rational adequate correction of the current Strategy is proposed to be done with taking into account the main internal and external factors of the state vitality. The main internal factors are as follows: a) combination of the interest of the state power institutions, business and the civil society as to Ukraine's development; b) usage of the intellectual potential of Ukraine; c) the civil society vitality. The main external factors can be as follows: a) geopolitical competition; b) globalization processes; c) the real and potential territorial threats.*

**Key words:** *sustainable development strategy, motion vectors, roadmap, European life standards, strategy indicators.*

**The Problem Statement.** Vitality of any country is related to complex influence of a great number of the internal and the external factors which predetermine circumstances of its existence including both development and degradation. Implementation of the country's development strategy and its carrying out by public authorities is a well-known way of optimization of management efforts on the national basis aimed at achieving of the goal in complex interactivity of the above-mentioned factors. According to the analysis of the contents of some normative legal documents and by-laws of supreme bodies of legislative and executive power of Ukraine or public speaking of some representatives of the bodies the official strategy of Ukraine's development is being carried out in either format during more than fifteen years and is being corrected from time to time. The following documents are the striking example of exposition of different strategies:

- Law of Ukraine (2000) About State Prognostication and Development of Programs of Economic and Social Development of Ukraine. 23 March. 1602–III [1];
- Jushhenko, V., the President of Ukraine. (2005) «Reforms Program» the World Economic Forum. 28 January [2];
- Azarov, N., the First Vice-Prime Minister, the Minister of Finance. (2007) «Speech at

the Final Meeting of the National Academy of Science». 19 April [3];

- Janukovich, V., the President of Ukraine. (2011) «A New Strategy of Ukraine» Annual Message on Domestic and External Situation of Ukraine Verkhovna Rada of Ukraine. 7 April [4];

– Decree of the President of Ukraine (2015) «About the Strategy of Sustainable Development «Ukraine – 2020». 12 January. 5/2015 [5], hereinafter referred to as «the current Strategy».

The profanation of the occurred strategies of Ukraine's development is proved by the circumstances and results of their implementation. However, they are in the past which some researchers might be interested in while the quality of the current Strategy which influences today's development of Ukraine directly is of topical interest.

**Analysis of modern publications.** Paper [6] examines problems of implementation of the current Strategy. The first one is the lack of the public agreement among the authorities, business and the civil society which is provided by the current Strategy and in which every party has its own responsibility zone. The lack of the public agreement mentioned as the main precondition of the current Strategy implementation leads to the situation when the authority, the business and the civil society are exempt of its implementation de jure. The second problem concerns dignity principles

offered by the current Strategy to the civil society as life standards. They are not regulated at the legislative level.

Paper [7] emphasizes insufficient pragmatism of the motion vectors determined by the current Strategy. For example, motion along the pride vector which is to provide the society's feeling of pride of the history of Ukraine is doubtful in relation to the results of the referendum on the Crimea's status which took place on March 16th 2014.

Paper [8] states that the contents of the key strategy documents including the current Strategy proves that the social results of the system crisis and the military conflict are not taken into account. Thus, the problems defined in the current Strategy are not coordinated with the issues of social and economic policy in respect of domestic displaced people, labor migrants and refugees.

The necessity to analyze the structural factors that influence the prospects of implementation of the current Strategy in the interest of Ukraine's development is getting more and more obvious during the last two years.

**The Goal and Tasks of the Paper** is to make complex assessment of the potential and the quality of the current Strategy based on the stepwise analysis of its clauses.

**The Research Basic Material** We make the stepwise analysis of the clauses of the current Strategy.

Clause 1 of the current Strategy states the general points.

Paragraph 1 of clause 1 of the current Strategy: «The Dignity Revolution and struggle for Ukraine's freedom created a new Ukrainian idea – the one of dignity, freedom and the future.»

Interpretation of the new Ukrainian idea in the proposed scope – «dignity, freedom and the future» – states that citizens of Ukraine have neither dignity and freedom nor the future as the desire for the things which already exist and are owned is illogical.

Paragraph 2 of clause 1 of the current Strategy: «Citizens of Ukraine have proved and go on proving in the daily super-hard conditions that it is the dignity that is the basic component of the national character of the Ukrainian nation.»

If the citizens of Ukraine go on proving everyday what has already been proved several times, it is the sign of epidemic of obsessive-compulsive disorders in the society. That is why the usage of the dignity of Ukrainian

citizens as the actual resource to achieve the goal is extremely negative as it is related to the potential danger of aftereffects caused by the stressed state of psychic of the citizens.

Paragraph 3 of clause 1 of the current Strategy: «Ukraine is moving to the new epoch of its history and the Ukrainian nation is getting a unique chance to build new Ukraine.»

Firstly, to move to a history new epoch you need to leave the old one which started in Ukraine on August 24th 1991 when the country gained its independence. Even if to take into account the fact that an epoch lasts less than an era in history, to call the 25 year period an epoch is the historical reality distortion. Secondly, the use of the term «new Ukraine» in a normative legal act requires regulating of its legal meaning.

Paragraph 4 of clause 1 of the current Strategy: «When the Association Agreement between Ukraine, the European Union and its member countries (hereinafter referred as the Agreement) was ratified, Ukraine got the tool and the road sign to its transformations. Meeting of the requirements of the present Agreement gives Ukraine a chance to be a full member of the European Union. The country should meet Copenhagen criteria which are the parameters to which the countries–members of the European Union are to correspond to.»

Firstly, the use of the terms «the tool» and «the road sign» in a normative legal act require regulating of its legal meaning. Secondly, Ukraine got a right for its constitutional transformation when it became an independent state, but not when it got the tool and the road sign followed by ratifying of the Agreement between Ukraine, the European Union, its member countries, and the European Society on Nuclear Energy. Thirdly, the chance to be a full member of the European Union given to Ukraine under the meeting of the Agreement requirements is not the circumstance that obliges the European Union not to stop its existence before Ukraine becomes its member and not to change Copenhagen criteria according to the parameters acceptable for Ukraine only in their present limits. That is the current Strategy takes into account unobvious circumstance.

Paragraph 5 of clause 1 of the current Strategy: «The Strategy of Sustainable Development «Ukraine – 2020» (hereinafter referred to as the Strategy) defines the goal, the motion vectors, the roadmap, the top priorities and the indicators of defense, social, economic,

organizational, political and legal conditions for development and forming of Ukraine.»

Firstly, a strategy itself defines not a goal but the way of its achievement. Secondly, there is no regulation of the legal meaning of the terms «the motion vector» and «the roadmap» in the normative legal sphere of Ukraine. Thirdly, to speak about the formation of Ukraine is wrong from the legal point of view as Ukraine is a country but not the territory where the state is not formed yet.

Clause 2 of the current Strategy states the goal of its implementation and motion vectors.

Paragraph 1 of clause 2 of the current Strategy: «The goal of the Strategy is to introduce European life standards in Ukraine and to enter the key world positions.»

Firstly, as a strategy is a method to achieve a goal, it is correct to state that the goal of Ukraine, but not of the current Strategy, is to introduce European life standards in Ukraine and to enter the key world positions. Secondly, there is no regulation of the legal meaning of the term «the European life standards» in the normative legal sphere of Ukraine. Thirdly, the lack of concretization of the world position Ukraine is to enter, for example birth rate or tourist service, invalidates the goal.

Paragraph 2 of clause 2 of the current Strategy: «To do it the motion is to be made on the following vectors:

The development vector is provision of the state sustainable development, carrying out of structural reforms and as a result life standards rise. Ukraine is to become the state with strong economics and advanced innovations. For this, first of all, the macro-economic stability is to be restored, the steady growth of economics is to be achieved with the help of not exhausting method, favorable conditions for economic activity are to be created and a transparent tax system is to be formed;

The safety vector guarantees the safety of the state, business and citizens and defends investments and private property. Ukraine is to be the state able to defend its boundaries and provide peace not only on its territory but also in the European region. Ensuring of honest and impartial justice, immediate clearance of power at all levels, introduction of efficient mechanisms of resistance to corruption is to be the defining basis of the safety. Special attention is to be paid to health and life safety of the

citizens which is impossible without efficient medicine, security of the socially vulnerable sections of the population, safe state of the environment and portable water, safe food products and industrial goods;

The responsibility vector guarantees access to high quality education, healthcare system and other services in public and private sectors to every citizen regardless of the race, skin color, political, religious and other beliefs, gender, ethnic and social origin, the property status, the place of residence, the language and other signs. Territorial communities will solve local problems and that of welfare and be responsible for the development of their country;

The pride vector ensures mutual respect and tolerance in the society, the pride of the state, its history, culture, science and sport. Ukraine is to occupy the deserved place among the world leading countries, to create appropriate life and labor conditions to bring up own talented people and attract the world best specialists in different spheres.»

Here are the general questions which the paragraph of the current Strategy raises:

a) Is advancement progress (from Latin progressus – advancement, success) or the instruction to obey progressive motion orientation?

b) There is no regulation of the legal meaning of the term «the vector» in the normative legal sphere of Ukraine.

Here are special questions which the paragraph of the current Strategy raises:

a) The development vector. Firstly, the raise of the life standards is not the obligatory consequence of carrying out of structural reforms. It can occur in the process of their carrying out or as a result of this. Secondly, the raise of the life standards does not guarantee their real provision. Thirdly, what is the criterion of the advanced innovations? Why does Ukraine have to have the advanced innovations only, but not the innovations as such?

b) The safety vector. Firstly, is the peace insurance in the European region an international obligation of Ukraine or is it just a tactical technique in the frameworks of the current Strategy to introduce the European life standards in Ukraine and/or its entering the leading positions in the world? Secondly, why does the current Strategy double the clauses on the safety of the state, business, citizens,

investments and private property that the Constitution of Ukraine [9] contains? Thus clause 3 of the Constitution of Ukraine [9, p. 1] reads that a person, his life and health, honor and dignity, personal immunity and safety is the highest social value and paragraph 4 of clause 13 of the Constitution of Ukraine [9, p. 1] states that the state ensures protection of rights of all the subjects of property and economic management.

c) The responsibility vector. Firstly, part II of the Constitution of Ukraine [9, p. 1] states that every citizen has access to high quality education, healthcare system and other services in public and private sectors regardless of the race, skin color, political, religious and other beliefs, gender, ethnic and social origin, the property status, the place of residence, the language and other signs. Why does the current Strategy double these items of the Constitution of Ukraine? Secondly, why are territorial communities responsible for the development of the entire country if they, according to clause 140 of the Constitution of Ukraine [9, p. 3], have the authority to self-solving of the local problems only?

d) The pride vector. Firstly, concretization of the pride vector objects, for example science and sport, excludes its operation in relation to other objects, for example education, healthcare, industry and agriculture. Secondly, clause 24 of the Constitution of Ukraine [9, p. 1] guarantees absence of privileges or limits because of beliefs. That is why the priority of the state policy including expenditure of state funds under the motion of the citizens made along the speed vector is violation of constitutional rights of the citizens who decided not to move along the pride vector.

Analysis of the items of clause 3 of the current Strategy as to the issues of the road map and its implementation immediate priorities is irrational as it is inefficient to make it on the basis of 62 titles of reforms and programs of the state development and multiple description of 10 of them which are immediate, especially as according to clause 3 «the number and contents of the reforms and development programs can be changed within their implementation.»

Here are the general questions which clause 3 of the current Strategy raises:

a) Is it correct from organizational and psychological point of view for the executors of the current Strategy to show what is doubtful, as there is the stipulated right to change the number

and contents of reforms and development programs within their implementation?

б) What will the result have to do with implementation of the current strategy? It can differ from the issues declared in the current Strategy and the possibility is stipulated by the document.

Clause 4 of the current Strategy: «Strategic Indicators of the Strategy Implementation.»

Firstly, to analyze strategic indicators of implementation of the current Strategy proving that European life standards will be introduced in Ukraine and the country will occupy the world leading position is impossible because of their absence. Secondly, to use the strategic indicators in the current Strategy there should be corresponding original data as an indicator is an index showing change of either economic or financial value.

The current Strategy gives a list of 25 key indices assessing implementation of reforms and programs, in relation to which there are some specific questions, instead of giving the strategic indicators:

a) Item 5 of paragraph 1 reads that «net proceeds of direct foreign investments during 2015–2020 according to the World Bank will make up more than 40 billions of USD»; item 16 of paragraph 1 reads that «life expectancy according to the World Bank will see 3 year rise». Item 18 reads that «share of penetration of the broadband Internet according to the World Bank will make up 25 subscribers for every 100 people.» Has the World Bank taken into account the results of implementation of the current Strategy while making the calculations?

b) Item 6 of paragraph 1 reads that «the maximal ratio of the state budget deficit to the gross domestic product according to the International Currency Fund will be no more than 3%»; item 7 reads that «the maximal ratio of the general amount of the national debt and the debt guaranteed by the state to the gross domestic product according to the International Currency Fund will be no more than 60% (according to the convergence Maastricht criteria).» Has the International Currency Fund taken into account the results of implementation of the current Strategy while making the calculations?

c) Item 8 of paragraph 1 reads that «power intensity of the gross domestic product will make up 0.2 of the ton of oil equivalent for

1000 USD of the domestic product according to the International Energy Agency.» Has the International Energy Agency taken into account the results of implementation of the current Strategy while making the calculations?

d) Item 21 of paragraph 1 reads that «Ukraine and the World Bank will develop the index of welfare of citizens, identify its target value and do monitoring of the index changes.» Does Ukraine which is an independent and sovereign state depend on the World Bank as to development of the index of welfare of citizens of Ukraine and identification of its target value?

e) Are the indices calculated by the World Bank, the International Currency Fund and the International Energy Agency mentioned in the current Strategy correct if they were made without regard for the development of the latter and do not take into account the results of its implementation?

Clause 5 of the current Strategy indicates means of implementation of the current Strategy (the public agreement).

Paragraph 1 of clause 5 of the current Agreement: «The main precondition of the current Strategy implementation is a public agreement between the authorities, business and the civil society in which each party has its own responsibility zone.»

«The public agreement» that considers the authorities, business and the civil society as the subjects between which it is concluded is not regulated in the normative legal field of Ukraine.

Paragraphs 2, 3 and 4 of clause 5 of the current Strategy: «The authorities are responsible for the reform carrying out, providing of the interest balance between the civil society, the state and business, and transparent operating as to new approaches, guaranteeing of observance of human rights.

Business is responsible for development of the state, business environment and the civil society; it is to pay taxes, make efficient investments into the national economy and observe principles of fair labor and competition.

The civil society is to control the authorities, live in accordance with the dignity principles and observe the Constitution of Ukraine and laws of Ukraine.»

Analysis of paragraphs 2, 3, and 4 of clause 5 of the current Strategy is unreasonable as the zones of responsibility of the authorities,

business and the civil society stated in them are not confirmed by the public agreement concluded between them. Besides, regulation of the above-mentioned responsibility zones can be changed when the agreement is concluded, that is the description of the responsibility zones in the current Strategy is declarative.

Clause 6 of the current Strategy states the normative legal and organizational provision of its implementation.

Paragraph 1 of clause 6 of the current Strategy: «Normative legal and organizational provision of the current Strategy is done through development and adoption of corresponding normative and legal acts, annual operation plans of the Strategy implementation and monitoring of their fulfillment.»

The stated procedure of the normative legal and organizational provision of the current Strategy is legally incorrect as it contradicts the item stated in paragraph 1 of clause 5 of the current Strategy: «The main precondition of the current Strategy implementation is a public agreement between the authorities, business and the civil society in which each party has its own responsibility zone.»

**Conclusions.** The current Strategy misses both professional analysis of the challenges and the threats Ukraine faces as to its development and full-fledged specifying of the priorities and the tools of the state policy that guarantee the development. The low quality of the clauses of the current Strategy is worsened by the usage of: a) terms the legal meaning of which is not regulated in the normative legal field of Ukraine, b) wrong aims and unobvious circumstances; c) items that contradict the Constitution of Ukraine.

The rational adequate correction of the current Strategy is to be done with taking into account the main internal and external factors of the state vitality. The main internal factors are as follows: a) combination of the interest of the state power institutions, business and the civil society as to Ukraine's development; b) usage of the intellectual potential of Ukraine; c) the civil society vitality. The main external factors can be as follows: a) geopolitical competition; b) globalization processes; c) the real and potential territorial threats.

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