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DEVELOPMENT OF CIVIL PROTECTION IN THE PROCESS OF REFORMING LOCAL SELF-GOVERNMENT AND TERRITORIAL ORGANIZATION OF POWER IN UKRAINE

Purpose. Development of practical recommendations on the organization of civil protection in the newly formed territorial communities of Ukraine.

Methodology. In order to achieve the stated goal and address the prescribed tasks, an analysis of regulatory legal acts was carried out to determine the ways of implementing civil protection measures in the newly formed territorial communities of Ukraine.

Findings. This article examines the regulatory legal initiatives of the Government of Ukraine which are of great importance for the protection of the population and territories from the threats of natural and man-made origin. The powers of local self-government bodies in the field of civil protection are considered. Organizational and administrative measures on its arrangements in the newly formed territorial communities are determined. The performance of the territorial subsystem of the civil protection and its structural elements during the implementation of the administrative and territorial reform and decentralization of power is characterized.

Originality. Proceeding from minimization of expenses and losses caused by natural and man-made hazards, from the tasks of the newly formed territorial communities, high priority measures in the field of civil protection are allocated.

Practical value. The analysis and selection of civil protection measures to be implemented by the newly formed territorial communities while reforming local self-government and territorial organization of powers in Ukraine were carried out.

Keywords: *bodies of local self-government, territorial community, civil protection, reforming*

Introduction. Achieving higher standards of living, ensuring human welfare and safety are recognized as the most important goals of the civilization at different stages of its development. In the current political and economic context, in the circumstances of military conflicts, importance of human safety as well as its share in the overall description of the quality of life has increased significantly. Thus, ensuring comprehensive protection of the individuals from man-made or natural threats has become strategic nation-wide priority and one of the critical objectives of the state under present conditions.

It should be noted that over 40 percent of natural and man-made emergencies and fires occur in the rural locations [1]. Emergency situations have a major impact on the people's health causing loss of human lives. Residents of the rural settlements which are remote from

the cities where state fire and rescue units are located, in the event of emergency or fire become hostages of the time as it is spent on the units' arrival to the site of the disaster. The nature and aftermath of the most emergencies and fires indicate that the level of human safety cannot be sufficient if there are some problems with its proper protection.

In the context of reforming local self-government and territorial organization of power in Ukraine, building a civil protection system that can guarantee safety to people becomes the issue of crucial importance [2]. Since a significant number of fires, catastrophes and natural disasters cannot be prevented, harm and loss reduction from their consequences is an important element of the country's state policy based on the ability of the authorities at all levels to minimize them. Prevention of and readiness to natural and man-made threats elimination, in general, contribute to the sustainable devel-

opment of the community and society, as well as to the stability of the country's economy.

Taking into account the consideration above, the relevance of the study stems from the need for the elaboration of practical recommendations aimed at organizing civil protection in the newly formed territorial communities of Ukraine.

Analysis of the recent research and publications. Recent research and published works show that many scientists in their papers touch on the problems of local importance. Thus, the theoretical foundations and practical aspects of improving the state policy of territorial communities' development are considered by T. Baranovska, Ya. Zhovnirchuk, A. Ibragimova, B. Nykolaishyn and V. Undyr focus their attention on the comprehensive study of the ways of building and developing relations between public authorities and territorial communities in the conditions of the administrative reform in Ukraine.

The issues of decentralization, establishing, distributing, and ensuring financial stability of the local budgets at the present time are investigated by V. Zubrilina, V. Babaiiev, V. Bakumenko, I. Drobot, V. Vakulenko, K. Vachshenko, V. Kuibida, O. Lebedynska, V. Mamonova, V. Seriohin, and V. Tertychka discuss general issues of local self-government reforms. M. Kuleshov, V. Sadkovyi, A. Terentieva, O. Trush, V. Fedorchak and others contribute to the development of the science of public administration in the field of civil protection determining the challenges in the field.

This article is directly related to the research which is carried out at the Institute of Public Administration in the Sphere of Civil Protection within the framework of the project "Scientific justification for implementing the activities on civil protection in the united territorial communities".

Unsolved aspects of the problem. The issues of protecting the population, territories, property, and the environment from emergencies and fires have often been investigated in a large body of national literature. However, research into civil protection development under the conditions of establishing viable territorial communities in Ukraine has not been carried out.

Objectives of the article. The purpose of the article is to work out practical recommendations on civil protection activities in the newly established territorial communities in Ukraine.

Based on the purpose, the following tasks were considered in this article:

- to carry out the analysis of legislation of Ukraine in regard to public administration of the system of civil protection in the context of administrative and territorial reforms and decentralization of power;
- to propose the ways of improving the local self-government system operation in the field of civil protection under the defined above conditions.

Presentation of the main research. The current system of SES of Ukraine does not make the full implementation of the national policy in the field of civil protection possible; it cannot thoroughly ensure the proper level of population safety as well as its protection against natural and man-made disasters and fires.

The Strategy for reforming the State Emergency Service of Ukraine [3] approved by the Cabinet of Ministers of Ukraine, claims that SES forces and means do not constantly provide rapid response to emergencies, fires and other disasters because of their remoteness from the sites of the events.

The manpower strength ceiling and the equipment of the SES fire and rescue units are at the extremely low level as funding the needs is provided according to the principle of minimum sufficiency. In order to ensure prompt response to emergencies and extinguishing of fires, 7000 rescuers and more than 2000 items of SES special vehicles and equipment are available on a permanent duty around the clock. The efficiency of fire and rescue operation is pursued due to high level of expertise and self-sacrifice of the rescue workers.

Approximately 80 per cent of special-purpose equipment and vehicles have been in operation for more than 30 years and, thus, are not suitable for use by virtue of age and accumulated running time. In today's economy there are no opportunities to establish and maintain the required number of state fire and rescue and emergency departments as well as to meet the staffing requirements and provide logistical support [1]. It is emphasized in the Strategy that when developing national wide forecasts and projects, special attention should be given to the territorial dimension of risk reduction and mitigation of the emergency and fire aftermath.

According to O. Zadorozhnyi, one of the fundamental principles of public administration is decentralization which has its origin in the hypothesis of the management theory claiming that narrowing down the tasks leads to an increase in the quality of their implementation and productivity of work. Based on this assumption, the governments of the developed countries try to relieve themselves of local functions that can be realized more effectively by the local self-government bodies, and focus on the implementation of national tasks [4]. In particular, during decentralization and territorial development, the distribution of power between different governing levels takes place, which is an important factor of the capacity of the state to improve public service delivery.

In accordance with Article 3, part 1 of the European Charter of Local Self-government, local self-government means the right and capacity of the authorities within the limits of the law to regulate and administrate a substantial part of public affairs, under their own responsibility, in the interests of the local population [5].

Taking into account the provisions of Article 140, part 1 of the fundamental Law of Ukraine and the European Charter of Local Self-government, the Law of Ukraine "On local self-government in Ukraine" [6] claims: local self-government is considered as the right guaranteed by the state and the true capacity of the residents of several villages, rural settlements and towns united into the community, independently or under the responsibility of the local authorities and officials to deal with the issues of local importance within the limits of legislation.

On the basis of the provisions of the Law of Ukraine "On Voluntary Association of Territorial Communities"

[7], the establishment of viable territorial communities which have sufficient local sources of budget, adequate infrastructure and human resources in order to address the problems by local authorities in the community's interests is under way. The important component of this reform is ensuring safety and population protection as well as territories, material and cultural values, and the environment from the negative effects of emergencies.

The current legislation determines an emergency as a situation in a separate area, an economic entity or a water body characterized by violation of the normal living conditions of the population caused by a catastrophe, an accident, a fire, a natural disaster, an epidemic, an epizootic, an epiphytotic, an application of weapons or other hazardous means that have become (or may lead to) threats to peoples' lives and health, have caused a large number of deaths, injuries, substantial economic losses, have made the territories unlivable for the population and useless for any economic activity.

In turn, protection of the population, property, territories, and the environment from emergencies through prevention of the situations, eliminating their consequences and providing assistance to victims in peacetime and in a special period, is undertaken through the function of the state in the field of civil protection [8].

The Civil Code of Ukraine determines the powers of the local self-government bodies in the field of civil protection. In this regard, Head of the newly established territorial community must ensure the implementation of the whole range of activities to protect the population, property, territories, communal ownership entities and the environment from emergencies and to respond to them within the administrative territory.

The Law of Ukraine "On Local Self-Government in Ukraine" defines the sole competence of the village, town, and city councils concerning civil protection. The state has empowered local self-government with its personal authority to ensure the basic living needs for territorial communities in this area of activity. Local self-government bodies have been delegated powers to protect the population from emergencies, and funding must be provided by the State Budget of Ukraine.

The Concept of the Reform of local self-government and territorial organization of power in Ukraine approved by the Cabinet of Ministers of Ukraine from 01.04.2014, No. 333-p, determines the task on fire extinguishing within the administrative territory as one of the powers of local self-government bodies at the basic level in accordance with their personnel and financial potential, infrastructure and resources (Table).

Thus, according to the legislative acts, newly established territorial communities should fulfill the full range of powers in the field of civil protection. Despite the fact that the responsibility for the organization of activities on emergency relief is placed on the local authorities, in the country more than 90 per cent of emergencies are classified as local or site-level disasters, V. Kostenko points out [9]. This means that from the time of their establishment, territorial communities have to be constantly prepared for coherent and professional

actions to respond to emergencies and minimize their aftermath, and extinguish fires.

At the end of 2017, approximately 700 voluntarily united territorial communities took responsibility for the territories development and quality of living conditions for people. At the same time, a question arises about the completeness and quality of work of the newly formed territorial communities in the field of civil protection.

Under such circumstances, ensuring the implementation of all measures prescribed in the regulatory legal acts in the field of civil protection is seen as a rather complicated task. Taking into account the basic task of the present time which is to minimize the costs and losses linked with hazardous factors of anthropogenic and natural characters, at present and future periods and while maintaining an acceptable level of safety for the population [10], newly established territorial communities should start their work in the field of civil protection by implementing priority activities (Figure).

Relying on the positive domestic and foreign experience in the field of civil protection, primarily territorial communities should create a territorial subsystem unit of the unified state system of civil protection which is seen as an important element of the state policy implementation in the field of civil protection [2].

In accordance with the legislation, the unit of the territorial subsystem is an integral part of the unified state system of civil protection which includes: the authorities and civil protection subordinate forces, economic entities which arrange and carry out civil protection measures [8].

The unified state system of civil protection of our country has repeatedly proved its social relevance, significance and effectiveness.

At the same time, taking into account the ongoing administrative and territorial reform, as well as the occurrence of new threats, in particular, military ones, the unified state system of civil protection must be adapted to changes in the overall system of public administration. In the period of decentralization of power and reforms of the state security and defense system, creating the unit of the territorial subsystem will ensure the stable operation of the state system of civil protection and saving human lives.

To coordinate the activities related to technogenic and environmental safety, emergency prevention and response, protection of the population and territories from the consequences of emergencies, the executive body of the city (village and settlement) council of the newly formed territorial community should organize the work of the committee on the issues of technogenic and ecological safety and emergency situations. This coordinating body headed by a city (village) chairman, operates in different modes (daily activities, high readiness, an emergency, a state of emergency) when arranging measures on civil protection, designing and implementing programs of technogenic and environmental safety to prevent emergencies, working out the algorithm of actions in case of responding to emergencies and fires, reducing the effects of dangerous factors of emergencies on people, and others.

Powers of local self-government bodies in the field of civil protection

Regulatory legal acts, concepts	Enumeration of powers
Code of Civil Protection of Ukraine	<ul style="list-style-type: none"> - ensuring the task implementation by the unit of the territorial subsystem of civil protection; - meeting the requirements on technogenic and fire safety on the sites of economic entities; - elaboration and implementation of programs and plans on activities in the field of civil protection; - administration of emergency rescue services, civil protection units and special services, local and voluntary fire brigades; - establishment and maintenance of the local centralized emergency notification system in a constant state of readiness, informing the population about emergencies; - arrangement of works on elimination of consequences of emergencies, radiation, chemical, biological, and medical protection of the population, engineering protection of the territories; - carrying out reconstruction works on the elimination of the aftermath of emergencies; - evacuation of the population and property to safe areas, billeting and life support for the population; - ensuring the stable operation of economic entities in a special period; - including cities into the groups of civil protection, approving the list of economic entities of the relevant categories of civil protection; - creation and use of material reserves for the emergency prevention and mitigation of the consequences; - accumulation and maintenance in constant readiness of dosimetric, chemical control and intelligence devices for their application in the potential zones of chemical pollution and radiation hazard zones, means of individual protection for the civil protection units and population - providing life support for victims of emergencies, during or as a result of hostilities; - recognition of humans as victims due to an emergency, drawing up casualty lists as a result of an emergency; - social protection of the victims as a result of an emergency; - ensuring the work of the committee on the technological and environmental safety issues and emergency response; - training the officials of the local self-government bodies and economic entities on the civil protection issues, as well as the population to act in emergencies; - defining the need for building, use, maintenance, fund accounting of the protective structures of civil protection, premises to provide shelter for the population; - improving the fire safety of economic entities
Law of Ukraine "On local self-government in Ukraine"	<ul style="list-style-type: none"> - making decisions on the issues of managing natural disasters, epidemics, epizootics for violation of which administrative liability is stipulated; - creation and maintenance of the municipal emergency rescue service, ensuring its performance; - training the municipal emergency rescue services' personnel and rescue services' staff of public organizations; - establishment of the reserve fund for the elimination of man-made and natural emergencies; - in the case of the emergency event, ensuring public order, supporting activities for enterprises, institutions and organizations, saving people's lives, protecting their health, preserving their material values; - providing one-time financial assistance to the citizens affected by a natural disaster; - elaboration and submission of the local environmental protection programs for approval by the Project Board, participation in the preparation of the national and regional programs on environment protection
Concept of reforming local self-government and territorial organization of power in Ukraine	<ul style="list-style-type: none"> - ensuring fire extinguishing

A standing administration body of civil protection is a specially established structural unit within the executive committee of the city (village, settlement) council (department, division, sector) with clearly defined tasks, functions, rights and responsibilities for the piece of work on arranging and implementing measures in the field of civil protection.

The main reason for the creation of such a structural unit should be the peculiarities and scope of its opera-

tion, which depend on the technological overburdening of the territory of the newly formed territorial community. Such a structural subdivision may not be formed if an appointed official is able to deal with the tasks in the field of civil protection.

The implementation of the special tasks and measures in the field of civil protection within the administrative territory should be carried out by special civil protection services (energy service, protection of farm

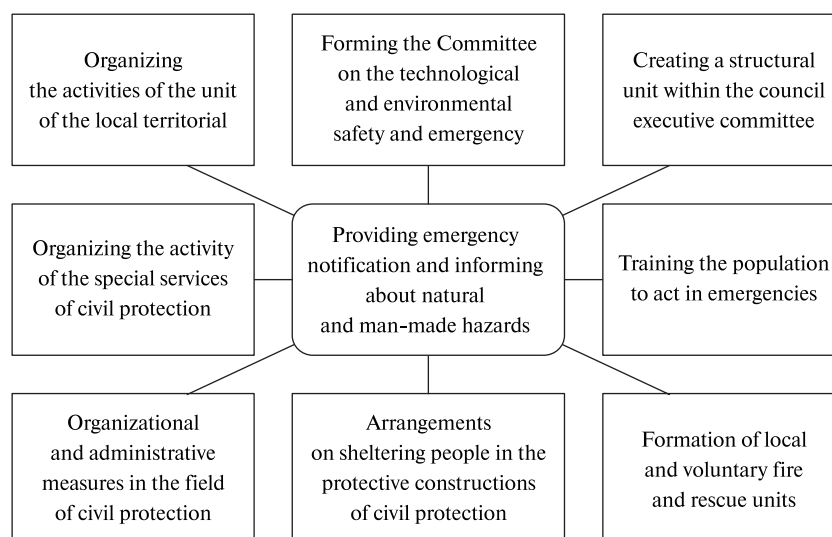


Fig. Primary organizational and administrative activities of the newly formed territorial communities in the field of civil protection

animals and agricultural plants, engineering service, utility and maintenance service, logistical service, medical service, notification and communications, firefighting service, trade and catering, technical service, transport service, public order protection) created by enterprises, institutions, and organizations according to their functions. The special services relate to the civil protection forces of the territorial community. An important issue is considered to be employees' practical training at the enterprises, institutions, and organizations where they were created.

Taking into account that a significant number of fire events occur in rural areas where for the most part fire brigades are not available, ensuring fire safety to residents of rural areas is one of the main tasks of the state policy in the field of civil protection. Therefore, SES along with Vinnitsa, Dnipropetrovsk, Donetsk, L'viv, and Ternopil regional state administrations has implemented relevant pilot projects. Thanks to the cooperation of the local self-government bodies with the state authorities, newly created territorial communities are provided assistance on the civil protection issues.

First of all, local and voluntary fire and rescue units are formed which make it possible to reduce up to 20 minutes of their arrival to the site of the event to rescue people.

According to the SES, now 1,363 local and 140 voluntary fire and rescue units are in operation in the rural locations of the country, their logistical support is being carried out. Necessary conditions are created for the employees' daily service as well as placement and maintenance of the fire-fighting equipment. Thousands of citizens of rural areas which are remote from the cities where state fire and rescue units are located can count on protection in the event of fire or an emergency.

The main objectives of the local fire departments are extinguishing fire, rescuing people and assisting in elimination of consequences caused by accidents, catastrophes, natural disasters, and implementing measures on fire prevention. Voluntary firefighters are those people who permanently live in the community and, irrespec-

tive of employment status, as in European countries, are ready to provide necessary assistance free of charge. Thus, overcoming the aftermath of emergencies and extinguishing fires in the newly formed territorial community will be implemented through joint efforts of the local fire brigade's units, voluntary fire brigades, as well as of the SES fire and rescue subdivisions arriving for assistance required.

This work arrangement undoubtedly improves protection of the rural areas from natural and man-made threats. Newly formed territorial communities obtain real mechanisms of territorial administration, additional financial resources, which is a significant step in the decentralization of power by delegating responsibilities to the basic level. The Article 91 of the Budget Code claims, in particular, that local fire protection expenditures relate to local budget expenditures.

At the same time, if people are not taught the rules of behavior during the emergency event, the country will continue to face significant losses in human lives and material property.

With the support of local self-government bodies, development of life safety skills of children and life safety culture of adults should become a social process of changing stereotypes when risks indicators do not exceed the permissible limits. It is vital to create a new way of thinking aimed at the life safety culture awareness.

That is why training of the population to act in emergencies, as well as timely informing and notification of natural and man-made hazards, sheltering people inside the protective constructions of civil protection are of great importance.

In order to justify the objectives and ways to achieve them, planning of measures in the field of civil protection should be carried out on the basis of determining the tasks, arrangements, effective techniques, methods, and resources.

The powers of local self-government bodies in the field of civil protection include designing and implementation of the local plans of measures aimed at pro-

tecting the population and territories from emergencies, preventing their occurrence, ensuring man-made and fire safety [8]. Reasonable activities of civil protection arranged by the community council may be added to the General Plan for the development of community's human settlements and to the Strategic Plan for social, economic and cultural development of the community.

The quality of activities in the field of civil protection depends, in particular, on the analysis of natural and man-made safety of the administrative territory, sources of emergencies or fires, types of their main hazardous factors.

In addition to the organizational and administrative measures for the civil protection development in the newly formed territorial communities, it is possible to introduce another potential based on the application of the collection of scientifically grounded state and administrative courses and mechanisms. To this end, public authorities should regulate the legal mechanism of public administration in the field of civil protection in the part concerning the distribution of powers between local self-government bodies at the basic and territorial levels, as well as among local executive authorities guided by the legislation on the territorial organization of the country.

Conclusions of the research. Taking into account the fact that the scope and consequences of emergencies are, in particular, the result of excessive centralization and poor developed people's power, the further progress of the civil protection field under the conditions of reforms of local self-government and territorial organization of power in Ukraine requires urgent and determined actions.

The introduction of the first-order organizational and administrative actions in the field of civil protection will obviously provide a positive effect on the protection of the newly formed territorial communities of Ukraine from natural and man-made emergencies at the stage of community establishment. Implementation of other measures determined by the regulatory legal acts in the field of civil protection should be performed gradually, in combination with the plans of social and economic development of the territorial communities.

Further research should be done to investigate the model of the newly formed territorial communities' capacity level to realize measures of civil protection based on the analysis of their features, relevant criteria and prospects of becoming self-sufficient.

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Розвиток цивільного захисту у процесі реформування місцевого самоврядування та територіальної організації влади в Україні

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Мета. Розробка практичних рекомендацій стосовно організації цивільного захисту в новостворених територіальних громадах України.

Методика. Для досягнення поставленої мети й вирішення передбачених завдань здійснено аналіз нормативно-правових актів щодо визначення шляхів реалізації заходів цивільного захисту в новостворених територіальних громадах України.

Результати. У роботі проаналізовані нормативно-правові ініціативи Уряду України, що мають велике значення для захисту населення та територій від небезпечних явищ природного й техногенного характеру. Розглянуті повноваження органів місцевого самоврядування у сфері цивільного захисту. Сформульовані організаційно-управлінські заходи щодо її організації в новостворених територіальних громадах. Охарактеризовано функціонування територіальної підсистеми цивільного захисту та її структурних елементів під час проведення адміністративно-територіальної реформи та децентралізації влади.

Наукова новизна. Виходячи з мінімізації витрат і втрат, пов'язаних із наявністю небезпечних явищ

природного й техногенного характеру, із задач новостворених територіальних громад виділені першочергові заходи у сфері цивільного захисту.

Практична значимість. Виконано аналіз і вибір заходів у сфері цивільного захисту для реалізації новоствореними територіальними громадами у процесі реформування місцевого самоврядування та територіальної організації влади в Україні.

Ключові слова: *органи місцевого самоврядування, територіальна громада, цивільний захист, реформування*

Развитие гражданской защиты в процессе реформирования местного самоуправления и территориальной организации власти в Украине

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Цель. Разработка практических рекомендаций по организации гражданской защиты во вновь созданных территориальных общинах Украины.

Методика. Для достижения поставленной цели и решения предусмотренных задач осуществлен анализ нормативно-правовых актов по определению путей реализации мероприятий гражданской защиты во вновь созданных территориальных общинах Украины.

Результаты. В работе проанализированы нормативно-правовые инициативы Правительства Украины, имеющие большое значение для защиты населения и территорий от опасных явлений природного и техногенного характера. Рассмотрены полномочия органов местного самоуправления в сфере гражданской защиты. Сформулированы организационно-управленческие меры по ее организации во вновь созданных территориальных общинах. Охарактеризовано функционирование территориальной подсистемы гражданской защиты и ее структурных элементов при проведении административно-территориальной реформы и децентрализации власти.

Научная новизна. Исходя из минимизации затрат и потерь, связанных с наличием опасных явлений природного и техногенного характера, из задач вновь созданных территориальных общин выделены первоочередные мероприятия в сфере гражданской защиты.

Практическая значимость. Выполнен анализ и выбор мероприятий в сфере гражданской защиты для реализации вновь созданными территориальными общинами в процессе реформирования местного самоуправления и территориальной организации власти в Украине.

Ключевые слова: *органы местного самоуправления, территориальная община, гражданская защита, реформирование*

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