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STATE REGIONAL DEVELOPMENT POLICY IN UKRAINE: LEGAL FRAMEWORK, PRESENT AND POST-WAR CHALLENGES

Abstract. *The study assesses present Ukrainian and European doctrinal approaches to defining the content and essence of regional development policies. The existing (revised) regulatory framework for state regional policy design and implementation is analyzed, including the potential consequences of the transition to the updated interaction scheme (state-region-community); the problematic nature of establishing a time frame for the preparation of mandatory programs for the development of territorial communities; the gap between the legal and factual existence and functional purpose of the district level of local self-government within the context of its participation in the formulation of relevant programs. Separately, the crisis of the social aspect of state regional policy implementation during wartime is explored. The processes of internal displacement, economic growth zones shifting, stagnation expanding, and loss of human potential are highlighted.*

Key words: *state regional policy, territorial recovery, capacity building, social stabilization, internal displacement.*

Problem statement. Regional planning and implementation of state regional development policies (hereinafter SRDP) are public authorities' most essential tasks in guaranteeing uniform and stable regional growth and ensuring regional competitiveness. Since Ukraine's restoration of independence in 1991, and until the implementation of crucial reforms in the fields of decentralization and territorial organization of power, state regional policy has been considered and implemented on a limited scale, primarily in the context of regional economic development.

Different approaches to substantiating its theoretical, methodological, and procedural principles distinguished the doctrinal foundations of Ukrainian SRDP during distinct historical periods. The scientific analysis of its essence, content, principles, methods, and means of implementation was frequently based on relevant political and pseudo-ideological notions, which in certain historical timesteps were more appropriate and wholly detrimental and threatening in others to national security. After the Revolution of Dignity, trends have included the adaptation of generally accepted European approaches to the consolidation of the principles of state regional policy, as well as the preparation of regulatory and institutional frameworks for the EU accession and joining its system of regional development.[1]

The practical component often resulted in the inefficient implementation of SRDP strategies. The reasons for low efficiency were often purely objective factors that reflected the dynamics of social and economic processes in the world and Europe (for example, the 2008 global economic crisis) and more subjective political ones (internal agenda, setbacks of combating corruption)[2]. Invasive and destabilizing influence of neighboring governments, annexation and occupation of certain territories, and full-scale aggressive conflict were the most destructive.

Nonetheless, European legal doctrine, the significance of which for national jurisprudence has only increased since the consolidation of the irreversibility of the European integration course of development of Ukrainian statehood and society, has amassed enough scientific knowledge to comprehend all of the essential characteristics and processes of regional policy in general. Member states of the European

Union engage in the formation and implementation of regional development programs at the joint supranational level (within the scope of specific instruments of the Community and extensive regions) [3,4] and implement it accordingly at the national level (sub-regional and local levels).

Several Ukrainian pre-war SRDP plans were built with European norms, ideas, and practices in mind, which raised the number of legal abstractions and additional formality due to their unrealism and contempt for the current capabilities of regional development. Simultaneously, ideas judged ineffective were swiftly abandoned [5] in favor of other, untested alternatives [6], indicating an urgent need to identify and model-test the most suitable implementation strategies. Frequently, post-action analysis was not conducted correctly, and innovations included in later plans were nullified by pre-existing issues.

It is vitally important for Ukraine to study and incorporate the experience of implementing SRDP's and the existing European supranational tools, which will undoubtedly prove valuable in the post-war period. Currently, limited participation of our state in the abovementioned instruments is a precondition not only for the effective post-war recovery of the country's regions but also for the acceleration of the integration process into the European Union, as its new members wholly integrate into the system of regional development at the Community level [7]

Given the preceding, it is clear that the consolidation of European principles and norms alone cannot guarantee the efficacy of implementing strategies and programs. On the other hand, this does not necessitate the search for a purely Ukrainian model; rather, the deployment of European techniques, despite their low initial efficacy, with sufficient assistance from international partners, will be a beneficial outcome for the initial post-war strategy. It is not desirable to jump to premature conclusions and significantly alter strategies with each new program, as practical outcomes do not always indicate a lack of efficacy owing to the chosen methods alone.

To identify the main directions of SRDP improvement in Ukraine, it is necessary to 1) determine its essence and content; 2) provide a scientific assessment of the legislative trends for its planning and

implementation; and 3) investigate its possible promising forms, modalities, and threats.

Such a comprehensive study would enable the development of pertinent proposals for improvement areas based on theoretical knowledge, current examples, pressing demands, and unique socioeconomic circumstances in Ukraine. Nonetheless, the effectiveness of practical implementation in post-war conditions will depend on the support of the international community, the willingness of state apparatus and local self-government bodies to produce tangible results, and the appropriate motivation of civil society, business, and each individual (the latter is partially ensured). Ultimately, conflict can catalyze the consolidation of society and its metamorphosis into one that is proactive, devoid of the paternalistic attitudes of the past years, and willing to direct efforts to accomplish significant changes for the sake of its own and shared future.

Therefore, this paper **aims** to assess the current regulatory framework for the development and implementation of SRDP programs, identify current risks, and develop suggestions for its effective post-war transition.

This study uses standardized scientific inquiry instruments modified to the times of martial law to make them available to the author under such an extraordinary legal regime and internal displacement circumstances. Methodological approaches (phenomenological, hermeneutic, axiological, and systemic) were used in scientific cognition of the nature and purpose of regional development, which contributed to the definition of its role in the post-war recovery of specific regions and the state as a whole.

As **literary sources**, scholarly papers, monographs, and reports were drawn from existing studies on regional development. Data received from official sources of the United Nations and the United Nations High Commissioner for Refugees (UNHCR) were integrated with data provided by Ukrainian state agencies to establish the statistical foundation for the work.

Research results. The social genesis of law as a regulator and the state as the most sophisticated and productive form of social organization also dictates the goal of procedures undertaken within the scope of legal control of publicly significant conduct. In turn,

neither jurisprudence nor rule-making and law enforcement is unfamiliar with SRDP as a phenomenon or process. At the same time, even in the works of Ukrainian scholars, based on the postulates of the theory of state and law, the term regional policy is interpreted differently (emphasis on its state character, which is reflected in the legal regulation of the relevant sphere).

The perception of regional policy as a unique management activity in ensuring the planned economy (according to the Soviet Union's regional planning schemes) has no relevance in contemporary Ukraine. In various plans and activities of the modern Ukrainian state, however, there are still indications of the separation of state and societal interests, particularly evident during the formulation and implementation of policies. This may suggest the incompleteness of adapting human-centered principles to the realities of modern democracies and a limited understanding of the function of the state in those democracies.[8]For instance, the initial version of the Law of Ukraine «On the Principles of State Regional Policy,» did not include territorial communities as a level of implementation for relevant development initiatives. At the same time, we should not abandon the notion that regional policy is a component of state policy, but its implementation must be organized from the bottom up, not the other way around. Although there are instances in local self-government in which forward-looking legislation forced changes for which the society was not yet prepared, such instances are rare (an amalgamation of small entities).

In her study of regional development strategies that were implemented after the Revolution of Dignity, Candidate of Economic Sciences, Associate Professor O. Churikanova provided the following stages of the economic environment in which they were implemented: 1) stage of transition economy (1991–1999); 2) stage of economic recovery (2000–2007); 3) stage of the global financial and economic crisis (2008–2012). To modernize the above stages, the list can be supplemented with turbulent years 2013–2019 and a short recovery stage 2019 – early 2022.[9]

Suppose pre-war strategies were based on a trilateral structure consisting of sectoral, territorial (spatial), and managerial components. In that case, the post-war strategy must focus on the social context,

including the implementation of social justice concepts, to address the issues of internal displacement, shifting centers of economic gravity, and the uncertainty of the future internal/international political situation.

When evaluating the efficacy of the implementation of pre-war concepts, there are already concerns regarding the possibility of full implementation of post-war concepts, despite the existence of projects of international support for the recovery of regions, such as the National Recovery Plan, which was previously adopted at the Recovery Forum in Lugano, Switzerland, in July 2022. Simultaneously, the range of problems that reduce the effectiveness of regional development strategies in Ukraine is vast, ranging from inadequate legislative regulation, insufficient funding, and suboptimal material support to purely bureaucratic and socio-political issues associated with the formalization of the process and the predominance of effective reporting over the actual result.

A new legal framework for the design, implementation and monitoring of the results of SRDP actions was drafted following the consolidation of the inevitability of our country's European integration course in 2015.

According to the Law of Ukraine «On the Principles of State Regional Policy» of 5.02.2015 No. 156-VIII (hereinafter the Law) as amended on 27.07.2022, the legal framework of SRDP includes the Constitution of Ukraine, the Laws of Ukraine «On the Principles of Domestic and Foreign Policy,» «On Local Self-Government in Ukraine,» «On Local State Administrations,» «On Cross-Border Cooperation,» «On Regulation of Urban Development,» «On State Targeted Programs,» «On State Forecasting and Development of Programs for Economic and Social Development of Ukraine,» «On the General Scheme of Planning the Territory of Ukraine,» other laws of Ukraine, acts of the President of Ukraine, the Cabinet of Ministers of Ukraine, as well as international treaties of Ukraine, ratified by the Verkhovna Rada.

The updated Law, adopted after the full-scale invasion of the aggressor nation, reflects the changes in the administrative and territorial structure through several clauses (and adapts the system of strategic regional planning to the realities of post-decentralization).

Changes to the status of community-level development strategies from bureaucratically discretionary to mandated are among the most contentious but necessary new features. Consequently, Article 7 of the Law was amended to include action plans for implementing community development strategies, thereby introducing a three-level model that requires preparing a regional strategy based on the state strategy and one for each territorial community. In the first draft, the motivation for developing strategies at the level of territorial communities was only associated with various grant and investment opportunities, which was a manifestation of the paternalistic approach and did not increase community initiative in the context of the realization of their capabilities and potential.

Article 11¹ of the Law maintains the course on the three-level structure of reliance in the formulation of development plans (state-region-community), which does not pose challenges for territorial communities in and of itself. This approach is used in several post-Soviet countries, including Lithuania[10] and Latvia[11]. However, paragraph 8 of Article 8 of the Law stipulates concrete timeframes for completing draft strategies. Considering the mandatory character of the lowest-level strategies in current conditions, various problems arise regarding the soundness of the selected approach since the functionality of the representative bodies of specific territorial communities is minimal under war conditions.

In the context of the abovementioned system, a political compromise has led to a scenario in which the subregional (*raion*) level of local self-government has not been extinguished *de jure* but has been *de facto* paralyzed. In the event of a full-scale war, the maintenance of *raion* councils has placed an additional strain on the state budget; in 2022, they received a subvention of UAH 155.4 million, used only to fund the salaries of the officials. In certain instances, the councils did not convene due to the absence of socially significant concerns under their exclusive jurisdiction.

In the context of public discussions of the decentralization and territorial organization of power reform in Ukraine, several stakeholders have emphasized the need to maintain the subregional (*raion*) level of local self-government. Under the current post-decentralization and all-out war conditions, it is not easy to justify the

necessity of involving these entities in the implementation of SRDP programs, as their functionality is essentially nullified. Within the amalgamation and other manifestations of the reform, their continued existence (even on a formal level) is dubious. Their role as actors in regional strategy design, implementation, and effectiveness monitoring is not currently considered.

Particular emphasis should be devoted to the legislative regulation of the status, competence, and powers of Regional Development Agencies (hereafter referred to as the Agencies) as major actors in the development, execution, and monitoring of regional development programs. In the initial version of the law, the legislator did not pay sufficient attention to them, leading to their formalization – such agencies were founded based on regional state administrations. Although *de jure*, they were not sponsored by the state budget (under the requirements of Article 19 of the Law), their creation and operation were motivated solely by the need to comply with the provisions of the Law. Official statistics [12] represent the fictitious character of such bodies, whose actions were frequently bureaucratic at the time of their inception.

The updated Law greatly expanded the range of acceptable financial sources for the Agencies, created new avenues for collaboration with other organizational entities of the system of local self-government, and built the required link between them. The modifications promoted the move to a market-based interaction model between the Agencies as carriers of skills and communities needing assistance with plans and programs. The such strategy appears sensible and is consistent with European methods of fostering links amongst important actors and generating interest in their existence and collaboration.

However, individual actors involved in the design and implementation of SRDP programs continue to enjoy limited authority. Local self-government associations (hereinafter the Associations), which, in the Baltic States, play a crucial role in ensuring horizontal cooperation between communities and their representatives and/or with the state, have not been given sufficient opportunities to influence.

Due to the chosen dispositive type of legal regulation, the inclusion of Associations (and certain other entities) in the monitoring and

evaluation of SRDP programs by local self-government bodies, as provided for in Article 23 of the Law, does not create legal grounds for such cooperation.

Article 19 of the Law, which permeates both issues, exemplifies the legislator's cautious approach to the loss of control over the activities of the Associations, stating that «Regional branches of all-Ukrainian associations of local self-government bodies (in the case of inclusion in such an association of all territorial communities of the relevant region) may establish regional development agencies in the form of non-profit organizations.» Even in locations distant from the war zone, it is challenging to meet such a stringent inclusion demand in the present day, let alone in occupied territory and frontline settlements [13]

Based on the conceptual orientation of the state regional policy (economic stability/competitiveness, equity), the objects of its influence – territories, population, socioeconomic relations, as well as the analysis of the most significant changes to the relevant legislation, it is first and foremost necessary to adapt the planning and implementation processes of SRDP to the current social conditions. A portion of essential modifications has already been incorporated into the Law as of 27.07.2022 (including recovery areas in the list of functional types of territories).

In terms of their qualities, however, both territories (within the territorial approach) and communities (within the personified approach) dramatically differ from their pre-war status. Consequently, RSDP programs (at corresponding levels) must be complemented and, in some cases, completely transformed into recovery strategies. Moreover, suppose the problem of territorial policy implementation can be resolved through military de-occupation. In that case, the attraction of international financing, other types of investments, the recovery of essential infrastructure facilities, and the creation of special economic zones – the adaptation of social behavior through encouragement is a more pressing issue.

Concerning garnering international professional, financial, and material support, territorial recovery has received considerable attention. Currently, the amount of infrastructure projects (preliminary) intended for post-war rehabilitation of the impacted

regions exceeds the respective regions' capabilities. With the assistance of partners and coordinated cooperation among all fields of SRDP within the framework of the revised Law, the essential residential and non-residential infrastructure can be restored, albeit gradually. However, the issue of human capital is unresolved, which simultaneously becomes a vital component of state regional policy, its benefactor, and a stumbling obstacle.

As of December 10, 2022, according to the UNHCR, about 8 million Ukrainians have been registered as refugees in Europe since the beginning of the war.[14]Men between 18 and 60 are forbidden from leaving the country owing to martial law, with a few exceptions. About 90 percent of these refugees are women and children. Many Ukrainian refugees landed in Poland, Moldova, Romania, Hungary, and Slovakia.

Nearly three million refugees are accounted for on the aggressor's land. There are numerous claims regarding the forced displacement of the inhabitants of the occupied regions (especially Mariupol) to the territory of the Russian Federation. However, independent confirmation of quantitative data is impossible. It is also impossible to determine the legal status, limits, and international guarantees owed to such individuals. The aggressor's withdrawal from international treaties, particularly those in human rights, has produced a scenario in which such refugees lack international protection and cannot rely on the Russian Federation's national law to safeguard their dignity. There are currently no verifiable statistics. However, it may be presumed that a portion of these individuals has since returned to the territory of Ukraine.

The number of internally displaced may only be calculated approximatively due to many factors, including contempt to register and difficulties in accounting. Various estimates place the number of displaced Ukrainians between 7 and 8 million. There is a substantial probability that up to 1,5 million people might be regarded as possibly twice displaced, given that the territories that have housed the most significant number of displaced people since 2014 have become insecure.

Refugees are considered a long-term loss of human capital. Such status imposes restrictions such as the inability to return to the country

of residency. Most refugees who left Ukraine's territory utilized temporary protection (almost 5 million people registered under temporary protection or similar national protection schemes in Europe as of December 10, 2022, according to UNHCR).[15] In contrast, registration of refugee status is only relevant for those categories of persons who do not see the possibility of returning to their country of origin due to occupation or other factors.

When adapting the SRDP planning and implementation practices following the revised Law, the social crisis must be considered first and foremost when formulating future policies for the recovery and development of territories. Today, it may appear premature to discuss a strategy for the post-war replenishment of the human capital of regions. Thus, within the context of implementing future initiatives, the issue of temporary support under martial law must be addressed first.

To ensure the current situation's controllability and offer individuals confidence in recovering their war-ravaged lives, it is vital to immediately create and publicly reveal the planned actions for the population. In the event of a freeze and prolongation of the conflict (implementation of the Israeli-Palestinian scenario), residents of displaced communities should be able to plan their temporary stay in the displaced regions, taking into account the possibility of returning to their previous location and way of living.

To this end, the following statutory justifications for simplifying access to critical services are required: 1) state registration and accounting, administrative services provision (for obtaining financial support); 2) housing (rebuilding, supply of temporary housing); 3) fulfillment of the right to employment, education, and health care.

Thus, at the legislative level, at the level of ministries and departments, in cooperation with local governments and other stakeholders, it is essential to establish the following actions for the regions (mainly the recovery areas):

1) Develop, organize, and finance (in collaboration with international partners) the provision of additional opportunities for registered internally displaced persons, including benefits, deregulation, and simplification of interaction with state and local authorities after their return (in particular, concerning the core

regions, which may need to be determined due to changes in the administrative-territorial system).

2) Establish long-term financial assistance programs in anticipation of long-term unemployment. Existing temporary programs must be modified to assist the creation of new jobs (and, as a result, fill local budgets). Additional support from foreign partners would enable a more significant number of unemployed to participate in post-war reconstruction, which would be not only a temporary solution to the problem but also a way to boost the overall potential of future employees. Although contentious, continuing the prohibition on males of military age traveling overseas could help reduce labor migration.

3) Subsidize higher education institutions and streamline engagement processes with the state regulator. It may be necessary to suspend the initiated reforms in the sphere of education in order to ensure its accessibility and to work toward bringing it up to European standards in the future. It is vital to establish more chances for the return of specialists who have acquired or extended their education abroad. It is vital to offer legal immunities from conscription for individuals who assisted in the post-war reestablishment of the country's scientific capabilities.

4) Support for private business within a revamped public-private partnership, which should temporarily ease the situation by delivering priority services to the core territorial communities' populations. This also applies to the healthcare sector, which in its current state may not be able to withstand another comprehensive reform, particularly in light of the ongoing and impending loss of public healthcare facilities in certain regions.

The traditional forms of SRDP implementation have long since transcended solely economic processes. Their actual, if short-term, implementation involves mobilizing all state bodies, local self-government, community members, and the business sector.

The scope of the problem precludes the employment of isolated techniques within the framework of interagency or vertical collaboration within the framework of imperative methods of legal regulation, necessitating the full participation of all types of public authorities at all levels. Consequently, it is imperative to adopt interim simplified short-term regional development (support) strategies

in compliance with the terms of the amended Law, which should result in the detailed development and careful monitoring of post-war initiative recovery programs already in place. The regional development strategies themselves (with all of their manifestations at the levels above) should serve as only one of the tools of the nationwide support and recovery program, built from the bottom up and aimed not only at restoring and strengthening the potential of individual regions (achieving macroeconomic effect) but also at guaranteeing a reasonable standard of living and development opportunities for every citizen.

Список використаних джерел:

1. Челак О. П. Регіональна політика як складова державної політики сучасних країн. Актуальні проблеми політики. 2015. Вип. 56, с. 211–219.
2. Пухир С. Т. Сучасні підходи у формуванні та реалізації державної політики регіонального розвитку. Регіональна економіка. 2016. № 3. С. 26–33.
3. EuropeanDevelopmentAgency / Заголовок зі сторінки. URL: <https://euda.eu>(дата звернення 10.12.2022 р.)
4. Interreg / Заголовок зі сторінки. URL: <https://interreg.eu>(дата звернення 10.12.2022 р.)
5. Про затвердження Державної стратегії регіонального розвитку на період до 2020 року, Постанова Кабінету Міністрів України № 385 від 6.08.2014 р. URL: <https://zakon.rada.gov.ua/laws/show/385-2014-%D0%BF#n11>(дата звернення 10.12.2022 р.)
6. Про затвердження Державної стратегії регіонального розвитку на 2021–20217 роки, Постанова Кабінету Міністрів України № 695 від 5.08.2020 р. URL: <https://zakon.rada.gov.ua/laws/show/695-2020-%D0%BF#Text>(дата звернення 10.12.2022 р.)
7. Bosch, N ria; Espasa, Marta (1999). «Capitulo 6. Conqu criteriosinvierteel sectorp blicocentral?». DesequilibriosterritorialesenEspa a u Europa (1a ed.). Barcelona: Ariel. p. 150. ISBN 84-344-2146-1.
8. Державна регіональна політика України: особливості та стратегічні пріоритети: Монографія / за ред. З. С. Варналя. – К.: НІСД, 2007. ISBN 966–554–108–0. С. 25.
9. Чуріканова О. Ю. Регіональна політика України, проблеми та перспективи в контексті регіональної політики ЄС. Економіка та держава. № 2/2015. 2015. С. 51.
10. Петришин О. О. Розвиток місцевого самоврядування в Литовській Республіці в постокупаційний період: досвід для України. Юридич-

- ний вісник. Одеса. 2020. № 2. <https://doi.org/10.32837/yuv.v0i2.1723>, С. 195–206. (дата звернення 10.12.2022 р.)
11. Петришин О. О. Реформа місцевого самоврядування: досвід Латвії. Інформація і право «2 (33) 2020. С. 158–169.
 12. Звіт про результати діяльності Агенцій регіонального розвитку у січні-вересні 2021 року. Міністерство розвитку громад та територій України. 2021. 69 с. URL: <https://www.minregion.gov.ua/wp-content/uploads/2021/11/zvit-pro-rezultaty-diyalnosti-agenczij-regionalnogo-rozvytku-u-sichni-veresni-2021-roku.pdf>(дата звернення 10.12.2022 р.)
 13. Про засади державної регіональної політики, Закон України № 156-VIII від 5.02.2015 р. URL: <https://zakon.rada.gov.ua/laws/show/156-VIII#Text>(дата звернення 10.12.2022 р.)
 14. Refugees across Europe / Operational Data Portal. Заголовок зі сторінки. URL: <https://data.unhcr.org/en/situations/ukraine>(дата звернення 10.12.2022 р.)
 15. Refugees from Ukraine registered for Temporary Protection or similar national protections across Europe / Operational Data Portal. Заголовок зі сторінки. URL: <https://data.unhcr.org/en/situations/ukraine>(дата звернення 10.12.2022 р.)

References :

1. Chelak O. P. (2015). Regionalna polityka yak skladova derzhavnoi polityky suchasnykh krain. *Aktualni problemy polityky*. Issue. 56, pp. 211–219.
2. Pukhyr S. T. (2016). Suchasni pidkhody u formuvanni ta realizatsii derzhavnoi polityky rehionalnogo rozvytku. *Rehionalna ekonomika*. № 3. pp. 26–33.
3. European Development Agency / Zaholovok zi storinky. URL: <https://euda.eu>(data zvernennia 10.12.2022 r.)
4. Interreg / Zaholovok zi storinky. URL: <https://interreg.eu>(data zvernennia 10.12.2022 r.)
5. Pro zatverdzhennia Derzhavnoi stratehii rehionalnogo rozvytku na period do 2020 roku, Postanova Kabinetu Ministriv Ukrainy № 385 vid 06.08.2014 r. URL: <https://zakon.rada.gov.ua/laws/show/385-2014-%D0%BF#n11>(data zvernennia 10.12.2022 r.)
6. Pro zatverdzhennia Derzhavnoi stratehii rehionalnogo rozvytku na 2021–20217 roky, Postanova Kabinetu Ministriv Ukrainy № 695 vid 05.08.2020 r. URL: <https://zakon.rada.gov.ua/laws/show/695-2020-%D0%BF#Text>(data zvernennia 10.12.2022 r.)
7. Bosch, N ria; Espasa, Marta (1999). «Capitulo 6. Conqu criteriosinviertelectorp blicocentral?». *DesequilibriosterritorialesenEspa y Europa (1a ed.)*. Barcelona: Ariel. p. 150. ISBN 84-344-2146-1.

8. Derzhavna rehionalna polityka Ukrainy: osoblyvosti ta stratehichni priorityety. Varnaliia Z. S. (Ed.) (2007). Kuyiv: NISD, ISBN 966–554–108–0.
9. Churikanova O. Yu. (2015). Rehionalna polityka Ukrainy, problemy ta perspektyvy v konteksti rehionalnoi polityky YeS. *Ekonomika ta derzhava*. № 2. p. 51.
10. Petryshyn O. O. (2020). Rozvytok mistsevoho samovriaduvannia v Lytovskii Respublitsi v postokupatsiinyi period: dosvid dlia Ukrainy. *Yurydychnyi visnyk*. Odesa. № 2. pp 195–206. URL: <https://doi.org/10.32837/yuv.v0i2.1723> (data zvernennia 10.12.2022 r.)
11. Petryshyn O. O. (2020). Reforma mistsevoho samovriaduvannia: dosvid Latvii. *Informatsiia i pravo*. № 2 (33) . pp. 158–169.
12. Zvit pro rezultaty diialnosti Ahentsii rehionalnoho rozvytku u sichni-veresni 2021 roku. Ministerstvo rozvytku hromad ta terytorii Ukrainy. 2021. URL: <https://www.minregion.gov.ua/wp-content/uploads/2021/11/zvit-pro-rezultaty-diyalnosti-agenczij-regionalnogo-rozvytku-u-sichni-veresni-2021-roku.pdf> (data zvernennia 10.12.2022 r.)
13. Pro zasady derzhavnoi rehionalnoi polityky, Zakon Ukrainy № 156-VIII vid 05.02.2015 r. URL: <https://zakon.rada.gov.ua/laws/show/156-VIII#Text> (data zvernennia 10.12.2022 r.)
14. Refugees across Europe / Operational Data Portal. Zaholovok zi storinki. URL: <https://data.unhcr.org/en/situations/ukraine> (data zvernennia 10.12.2022 r.)
15. Refugees from Ukraine registered for Temporary Protection or similar national protection schemes in Europe / Operational Data Portal. Zaholovok zi storinki. URL: <https://data.unhcr.org/en/situations/ukraine> (data zvernennia 10.12.2022 r.)

О. О. Петришин

**Державна політика регіонального розвитку в Україні :
нормативний фундамент, актуальні виклики та післявоєнні перспективи**

Анотація. В межах статті надано наукову оцінку існуючим українським та європейським доктринальним підходам до визначення змісту та сутності регіональної політики розвитку. Досліджено існуючу (доповнену) нормативно-правову базу планування та здійснення державної регіональної політики. Розглянуто найбільш сучасні зміни, внесені до профільного закону на тлі повномасштабного вторгнення країни-агресора.

Надано юридичний аналіз конкретним приписам: деталізовано можливі наслідки переходу до оновленої структури взаємодії (держава-регіон-громада); наголошено на проблематичному характері закріплення часових

рамок підготовки обов'язкових програм розвитку територіальних громад; продемонстровано розрив між юридичним та фактичним існуванням і функціональним призначенням районного рівня місцевого самоврядування в межах його залучення до розробки відповідних програм; привернуто увагу до проблеми недостатньої правової регламентації можливостей асоціацій органів місцевого самоврядування залучатися до обговорюваного процесу.

Окремо досліджено кризовий характер соціального аспекту впровадження державної регіональної політики в умовах воєнного часу. Акцентовано на проблематиці внутрішнього переміщення, зміни «полосів зростання», трансформації «депресивних регіонів» та втрати людського потенціалу.

Наголошено на важливості зміни фокусу державної регіональної політики в сторону політики відновлення, в першу чергу, людського капіталу. Розроблено та обгрунтовано необхідність ряду першочергових заходів, необхідних для підготовки системи реалізації державної регіональної політики до викликів воєнного часу та побудови перспектив післявоєнного відновлення.

Ключові слова: державна регіональна політика, відновлення територій, нарощування потенціалу, соціальна стабілізація, внутрішнє переміщення.